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AND NORTHERN IRELAND
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HER MAJESTY QUEEN ELIZABETH II

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BANQUETING MANAGER—C. J. Griffiths

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SHORTHAND WRITER TO THE HOUSE—Mrs. E. M. C. Holland

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COMMUNICATIONS MANAGER—Mrs. J. Garbutt

POSTMASTER—J. Arnold

TRANSPORT MANAGER—R. H. Hyde

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 158**

SEVENTEENTH VOLUME OF SESSION 1988-89

House of Commons

Tuesday 17 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Dame Elaine Kellett-Bowman (Lancaster): On a point of order, Mr. Speaker. Since Prayers are Private Business, may we ascertain that in no circumstances will they ever be recorded by the cameras?

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker. Why do you not say to the hon. Lady that the television cameras have not yet started to roll?

Mr. Speaker: They have not yet started, and that is in the domain of the Select Committee. I confirm that Prayers have always been and will remain private.

Mr. David Ashby (Leicestershire, North-West): Further to that point of order, Mr. Speaker. Will you order that the cameras point skywards during Prayers?

Mr. Speaker: The hon. Gentleman should raise that with the Select Committee, too.

PRIVATE BUSINESS

TYNE AND WEAR PASSENGER TRANSPORT BILL
Lords amendments agreed to.

Oral Answers to Questions

EDUCATION AND SCIENCE

University Funding

1. **Mr. Dalyell:** To ask the Secretary of State for Education and Science what representations he has received on the funding of science, medicine and dentistry in universities from Sir David Smith FRS principal of the University of Edinburgh; and if he will make a statement.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Robert Jackson): Sir David Smith has made no such representations to my right hon. Friend.

Mr. Dalyell: With reference to the Edinburgh dental school, whose version of the facts do Ministers believe—Sir David Smith's or Sir Donald McCallum's?

Mr. Jackson: I congratulate the hon. Gentleman on being the first to ask a question under these novel conditions. It is a tribute entirely appropriate to his prominent position at Question Time that this should be so. The hon. Gentleman implies that the Government have to make a choice between these two distinguished gentlemen, both of whom have given great service to the education system. That is not the Government's job. In this case the decision is made by the Universities Funding Council, and it has done so.

Mrs. Margaret Ewing: What account was taken by the Universities Funding Council of the job prospects of the 56 people employed at the Edinburgh college of dentistry and what funding will be given to the new postgraduate institute?

Mr. Jackson: The postgraduate institute is still being considered and there is a good prospect of proceeding in that direction. The matter of redundancies—if any—will have to be sorted out when the reallocations occur, as they

do from time to time. The decision falls to the Universities Funding Council and it has been made after due deliberation.

Mr. Darling: Does the Minister realise that he cannot just wash his hands of this miserable affair of the closure of the dental school and that the Government must make available additional funding to ensure that the post-graduate institute is more than just an empty promise? Does he also accept that the cost of closing the school will mean cuts elsewhere in the university unless additional funding is made available? It is not just a matter for the UFC but for the Ministers concerned because they were at the root of the problem to start with.

Mr. Jackson: The Universities Funding Council is responsible for allocating the funds provided to it by the Government. If the Government were to try to influence the direction of that funding they would have to come to this House to ask for specific approval. It was not the spirit of the Education Reform Act 1988, nor of the Opposition when the Act was passing through Parliament, that we should interfere in detail. The provision of facilities for postgraduate dental education at the postgraduate school, including continuing dental education, is essentially a matter for my right hon. and learned Friend the Secretary of State for Scotland in his role as the Health Minister for Scotland.

Dr. Bray: Is the Minister aware that not only the UFC but the Advisory Board for the Research Councils is responsible for the funding of science? Is he aware that the new Secretary of State has been told by the advisory board that spending on academic research in Britain is £150 million to £200 million below that of our principal European competitors, whether measured as a proportion of GDP or per capita? Is he further aware that the Secretary of State had an appalling record for cutting research and development in his previous job, under the policy of cutting near-market research, but that he is now dealing with a wholly different category of research? We look forward to his implementing the advice of the Advisory Board for the Research Councils in full.

Mr. Jackson: Whatever comparisons of financial inputs are made—many sophisticated comparisons can be made—if we analyse the output in terms of the share of world citations for British science we see that Britain is second only to the United States and is well ahead of France, Germany and Japan.

As for the ABRC, we are in the middle of the public expenditure survey discussions, so it would not be appropriate for me to comment at this stage.

Mr. Kirkwood: Is the Minister aware that 90,000 free courses of dental treatment are administered by the facility at Edinburgh, which also provides valuable expert advice on, for instance, the dental treatment of patients with AIDS, and which plays an invaluable role in preventive dentistry in Scotland, where there is a high prevalence of dental caries? Why are the Government washing their hands of the responsibility to persuade the UFC of the need to retain this valuable facility which serves my constituents?

Mr. Jackson: The Government are not washing their hands: they are implementing an Act of Parliament that gave the decision about these matters to the Universities Funding Council, which has taken into account all these factors. The McCallum committee was set up specifically to look into the Health Service implications of the closure, and a decision has now been made by the properly constituted body.

Freedom of Speech

3. **Mr. Nicholas Bennett:** To ask the Secretary of State for Education and Science if he will make a statement on the working of section 43 of the Education (No. 2) Act 1986.

Mr. Jackson: The Government continue to be concerned by events which from time to time demonstrate that the principle of freedom of speech is challenged in some of our universities and polytechnics. My right hon. Friend plans to discuss this matter with the Committee of Vice-Chancellors and Principals and the Committee of Directors of Polytechnics.

Mr. Bennett: Will my hon. Friend point out to the Committee of Vice-Chancellors and Principals and the polytechnic directors that the spirit of the Act means that they should not be charging local college Conservative associations £400 or £500 for organising meetings on the spurious grounds of security?

Mr. Jackson: The Government are worried, as is my hon. Friend, by the continued criticism of the codes of practice that are applied in universities and polytechnics, and the concerns expressed by the critics of those codes of practice have not been allayed. That is why the Government share my hon. Friend's anxiety, and it is one of the issues that we shall take up when we discuss these matters.

Mr. Devlin: Is my hon. Friend aware that it is less than a month since my hon. Friend the Minister of State, Department of Trade and Industry was banned from Longlands college in Middlesbrough by the chairman of the Cleveland county education authority on the spurious grounds that as he was going there to open a joint DTI-Department of Education and Science initiative he would be making a party political statement on behalf of the Government? What will my hon. Friend do about that?

Mr. Jackson: I was not aware of that: it sounds deplorable to judge by my hon. Friend's account. I shall have to look into it.

Mr. Andrew Smith: Will the Minister be more positive and join me in commending the efforts of universities, polytechnics, colleges—and students—to uphold freedom of speech within the law, and will he accept our full support for this important democratic principle?

Mr. Jackson: I am glad to hear the hon. Gentleman supporting the principle of freedom of speech. I wish that it was consistently supported by some of his political sympathisers in the universities and polytechnics.

Mr. Hind: Will my hon. Friend continue to be vigilant about the operation of section 43? Has he, for example, recently examined the behaviour of Liverpool university, which actively prevented free speech in a public meeting proposed by the local Conservative student association?

Mr. Jackson: I am well aware of the situation in Liverpool, I know that it has been difficult and complex.

As I believe that litigation may be pending in the case, I prefer not to comment, but we have made plain our views on the matter to the vice-chancellor of that university.

Nottingham City Technology College

4. **Mr. Allen:** To ask the Secretary of State for Education and Science how much money has been spent by his Department on the Nottingham city technology college.

The Secretary of State for Education and Science (Mr. John MacGregor): To the end of September 1989, just over £7·5 million had been spent on the establishment of the Nottingham city technology college by my Department.

Mr. Allen: I welcome the Secretary of State to his new responsibilities. I shall start with an easy question, but he may need pencil and paper. If the Government spend £2·8 million on all the schools in Nottinghamshire and £9 million on the one CTC, how much more does that school receive than all the other schools put together? I now have a multiple choice question——

Mr. Speaker: Order. One question. We cannot have a multiple choice question.

Mr. Allen: The Government have abandoned their programme for further CTCs. Is it because, first, they have run out of ideas and it is unfair or, secondly, because they cannot get the money from the Treasury?

Mr. MacGregor: I am grateful to the hon. Gentleman for his opening remarks. I do not need pencil and paper to work out that the Government are not spending £9 million in establishing the CTC. Sponsors are providing £1·5 million and, as I made clear, the Government are spending £7·5 million. I hope that the hon. Gentleman will pay tribute, as I have, to the sponsors for their contribution. This is entirely new money. It is a new school in an inner-city area and I think that it will have a substantial beneficial effect. Therefore, it is not possible to relate the two points that the hon. Gentleman made. As I say, it is entirely new money.

I assure the hon. Gentleman that there is no truth in the rumour circulating recently that we are abandoning the CTC programme. CTCs are here to stay because of all the beneficial effects that they will have, and 20 is and remains the target.

Mr. Knowles: My right hon. Friend knows about the persecution by Councillor Riddell and the Labour-controlled Nottinghamshire county council of any child who attends a CTC. Will my right hon. Friend assure the House and the people of Nottingham that his Department is reviewing on a legal basis this kind of savagery?

Mr. MacGregor: I know to what my hon. Friend is referring as I spoke to the parents of one of the young children when I was in Nottingham recently. We are examining these cases to see what course of action might be open to me. I hope that in this case and in all cases of possible discrimination, in relation to CTCs and grant-maintained schools, decency, good sense and fairness will prevail on the part of the local authorities. It seems wrong that they should attempt to prevent young children from attending facilities such as the music and drama school in the area, not least because the parents are ratepayers and future community charge payers. I hope that the local authority will think again. This shows the bigotry and dogmatism of some Socialist local authorities and I hope that the Opposition will repudiate their action.

Mr. Straw: May I add our congratulations to the right hon. Gentleman and also congratulate him on his magical powers in attracting into the Chamber far more hon. Members than were even attracted by his predecessor?

The Secretary of State says that he is not abandoning the CTC programme and that 20 always has been and remains the target. If that is so, what are we to make of the statement in the new year by Sir Cyril Taylor, the chairman of the CTC trust, that the target was "several hundred" or of the statement by the right hon. Gentleman's predecessor, the right hon. Member for Mole Valley (Mr. Baker), who told the House:

"We shall have more than 20 CTCs."—[*Official Report*, 28 February 1989; Vol. 148, c. 148.]

What are we to make of the statement by the Minister of State, who said in a radio interview:

"There is no limit on the number of CTCs"?

Mr. MacGregor: I am grateful to the hon. Gentleman for his opening remarks. I am sorry that he did not respond to my invitation to repudiate the actions of Nottinghamshire county council in relation to discrimination against and unfairness to young children. The hon. Gentleman asked about the number of CTCs. Of course, one cannot look into the indefinite future and give a precise number, but the network of 20 colleges is and remains our target and we are making good progress towards achieving it. I suspect that what the hon. Gentleman cannot stomach, because he would love to see the CTCs abandoned, is that they are popular with parents, are backed by industry and commerce, and increase freedom of choice in our inner-city areas. I wish that he would pay a tribute to the sponsors instead of denigrating the achievements that these colleges will bring.

Mr. Brandon-Bravo: Will my right hon. Friend compare the generosity of Mr. Harry Djanogly, who gave of his personal assets to make this school possible, and of the businesses in Nottingham, who gave of their companies' assets for the same purpose, all of whom understand the meaning of the word "charity", with that of the Labour county council, which cannot possibly understand the meaning of the words "charity" and "caring", and is not even prepared to erect traffic signs to protect children in our inner city who want to attend this school? Is that not the absolute pits?

Mr. MacGregor: I agree with my hon. Friend about the generosity of the sponsors. They have been generous not only in money terms but in terms of the time and effort that they are committing to the CTCs, which are an important experiment and a new way of bringing together industry and education in the post-technological era.

I have been to the Nottingham CTC, and the enthusiasm of the staff and the new ideas that are already emerging are most commendable. Both this and the public response to the CTCs contrasts with the reaction of the Labour party, in the House and in the education authority, and if the council is causing difficulties with traffic signs, that is another matter about which I hope it will think again.

Mr. Speaker: I appreciate that we have returned only today from our summer recess, but I ask for briefer questions and then briefer answers.

Teachers' Pay

5. **Mr. Flannery:** To ask the Secretary of State for Education and Science what plans he has to establish a new negotiating body for teachers' pay.

Mr. MacGregor: I expect to hold a further round of meetings shortly with the employers and the teacher unions to discuss new pay determination arrangements.

Mr. Flannery: Tory Members are showing a surprising enthusiasm for education matters today. Does the Secretary of State know that the teachers were deprived of the right to free negotiation by his predecessor? The right hon. Gentleman said some nice and charming words about teachers, for once, at the Tory party conference. The right to negotiate freely is allowed in every democracy except this one, and the United Nations has condemned the Government for taking it away. When will it be restored, or shall we continue to be allied with the dictatorships in that regard?

Mr. MacGregor: That is a ludicrous comparison. The International Labour Organisation knows that our aim is to re-establish a permanent pay negotiation machinery. I have already made the position clear. My right hon. Friend the Chancellor of the Duchy of Lancaster saw the teaching unions in July and put forward a range of options, of which three are on the table. I have been receiving responses from the unions, and two further ones came in only this weekend. There is a wide variety of views in these responses, and I am now setting dates for meetings with the unions to take the discussions further.

Mr. Pawsey: I welcome my right hon. Friend to his duties at the Dispatch Box. I urge him to disregard the rantings of the hon. Member for Sheffield, Hillsborough (Mr. Flannery). My right hon. Friend will learn, as we have, that they are full of sound and fury and signify very little. We have no desire to see a son of Burnham or Burnham mark 2. Burnham is discredited, but we welcome the interim advisory committee and the £600 million of additional funding in 1990-91. We also welcome the fact that this represents a doubling of funding over two years.

Mr. MacGregor: I am grateful to my hon. Friend for his kind remarks about me and for what he said about the remit of the interim advisory committee. It is a substantial sum, but a fair one in all the circumstances. I am glad that he recognises that. He has made it clear that it is larger than in the past two years. I was well aware of the educational rantings of the hon. Member for Sheffield, Hillsborough (Mr. Flannery) and I regard it as a step forward that he watched what happened at the Tory party conference.

Mr. Simon Hughes: First, I welcome the appearance of the Secretary of State at the Dispatch Box in his new position within the Cabinet. Does he accept that the provision of £600 million has not yet met the concern of teachers that not enough money is promised for the profession in the short term to stop the still substantial flow of teachers away from the profession, both in the short and long term?

Does the right hon. Gentleman accept also that short-term measures should be implemented in areas of acute need, especially in the capital, during this academic year, and that longer-term measures should be taken so that teachers, especially those in the more senior grades, can be assured that there is a prospect of promotion with reasonable rewards? Without that money, the teaching profession will not have adequate prospects of recovery from his predecessor's policies.

Mr. MacGregor: First, £600 million is a substantial sum. It is double the remit of the year before last and 55 per cent. up on the remit for the current year's settlement. Secondly, it is not true that there is a substantial outflow of teachers. The number of teachers taking up jobs elsewhere amounts to about 1 per cent. of the total teaching force. Thirdly, I recognise that there are problems in certain geographical areas, of which London is the most notable, and in certain subjects. It is on that issue that I have been focusing above all, and it includes the problems that the hon. Gentleman has identified. He will have noted that in the remit that I have given to the interim advisory committee these problems have been identified as the ones upon which I want it to concentrate.

Mr. Haselhurst: I understand the attachment that teachers have for negotiating rights, but does my right hon. Friend agree that a pay review body which does not imply old-style face-to-face bargaining remains an acceptable alternative for a professional body?

Mr. MacGregor: There are three options that I shall be discussing with the teaching unions and others as soon as meetings can be arranged.

Mr. Straw: Is it not clear that the Secretary of State's decision to bind the interim teachers' pay committee with a ludicrously low cash limit will mean that morale will decline further and that teacher shortages will become much worse? The Secretary of State said when he announced the terms of reference for this IAC inquiry that

"inflation has now fallen a full 1 per cent. from its summer peak . . . It will continue to decline further in the months ahead."

As that statement has been confounded in the space of two weeks—inflation has increased, not decreased—will the right hon. Gentleman make it clear today that if the IAC proposes an increase in teachers' pay that is above the cash limit, he will not dismiss it out of hand?

Mr. MacGregor: I hope that the hon. Gentleman recognises that, for the reasons I have given already, £600 million is a substantial sum. I hope, too, that he is not saying that there should be no financial limit to the remit of the interim advisory committee. I have made it clear to the committee that £600 million is a firm figure within which I expect it to work.

Finally, I ask the hon. Gentleman——

Mr. Straw: What about inflation?

Mr. MacGregor: I am coming to that. The hon. Gentleman must allow me to answer his first question without interrupting with a request for an answer to his other question. We are talking about a pay settlement for teachers that will start in April 1990—the pay year 1990-91. The interim advisory committee will be meeting

for some months. The entire purpose of the Government's policy is to have a downward bearing on inflation. We are talking about April 1991, not about today.

Mr. Jacques Arnold: When considering the future of teachers' pay, will my right hon. Friend consider the introduction of regional pay, which would allow us to reflect local living costs, especially in areas of the south-east such as Gravesham, which has no territorial allowance at present?

Mr. MacGregor: The interim advisory committee considered regional pay and recommended that to remedy precise problems it would be more sensible to make use of incentive allowances, and that we are doing substantially. There are 170,000 incentive allowances in place. It is for the committee to consider what should be done with incentive allowances this year. However, it was its clear view—one with which I went along—that it would be better to have an incentive allowance system that could more precisely target particular issues or problems rather than a widespread regional pay structure.

Training Grant

6. **Mr. Turner:** To ask the Secretary of State for Education and Science what plans he has for the local education authority training grants; and if he will make a statement.

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): Details of the arrangements for the local education authority training grants scheme for 1990-91, including provisional funding allocations, were announced in the Department's circular No. 20/89, which was issued on 18 August and copies of which are available in the Library.

Mr. Turner: I thank the Minister for her answer. Can the hon. Lady estimate the cost in staff time of organising the two different categories of grant—national and local? When will the review be completed?

Mrs. Rumbold: I cannot tell the hon. Gentleman exactly how far organisation within individual schools has progressed as I do not have that information to hand. The local education authorities' local priorities are being subsumed because they are paying more attention to the national priorities, which means that more work is being carried out on training within schools, especially in the primary sector.

Teacher Supply

7. **Mr. Corbyn:** To ask the Secretary of State for Education and Science what plans he has to improve the teacher supply in London.

Mrs. Rumbold: My right hon. Friend is determined to assist local education authorities in London to overcome teacher recruitment and retention difficulties.

The Department, the Inner London education authority and the London boroughs, together with the teaching as a career unit in the Department of Education and Science, will be co-operating in a Londonwide recruitment campaign. Education support grant will be available from next April for local recruitment measures to attract more mature new entrants and re-entrants. As my right hon. Friend said earlier, the interim advisory committee has also been asked to look at measures to improve supply in areas where vacancy rates are highest —especially in inner London.

Mr. Corbyn: Is the Minister aware that her reply will be of no comfort to those children who today are still without teachers, or to those parents who are concerned that their children are not receiving a proper education? Is she further aware that a survey of the London borough of Lambeth today has shown that 43 primary schools are short of teachers, that they expect to be short for the remainder of the term and that that is a common position throughout inner London?

Is not one problem the fact that the London weighting for teachers of £1,377 a year is less than half of that paid to bank staff and the lowest weighting in any public sector employment? Should not the Minister address herself to the problem of teachers' salaries, their negotiating position and, above all, the extraordinarily high housing costs? Is there not a need for decent, cheap housing to attract teachers to London so that our children do not suffer because of the teacher shortage?

Mrs. Rumbold: Like all hon. Members, we do not want children to be away from school because of the difficulties in recruiting teachers. That is why we have invited the interim advisory committee to address the problems of pay, especially in inner London areas. We are also conscious of the high cost of housing, especially in inner London, and recognise that that problem needs to be addressed. We are currently discussing that matter not only with the Inner London education authority, but with the individual inner London boroughs that will take over education responsibilities.

Mr. Bowis: Does my hon. Friend agree that teachers will be attracted to or back to the London boroughs if those boroughs come forward with schemes of excellence, as is happening in Wandsworth? Should not the pay structure be sufficiently flexible to recognise both the teacher shortage areas and teacher excellence? Should it not be made easier for teachers or would-be teachers wishing to undergo training to obtain grants for courses, whether part-time or second courses?

Mrs. Rumbold: My hon. Friend is right. The more flexible the local authorities that undertake responsibility for education are in putting together packages to recruit and retain teachers, the better. Authorities will recruit more teachers if they are flexible in their recruitment policies and allow job sharing and possibly supply teaching for certain hours in schools. It is also important to provide some sort of training for those who wish to come back into the profession.

Mr. Spearing: The Minister has referred to the increased cost of housing in London, but is she aware that in east London the problem is particularly acute because of the increase in commercial activity in docklands and the free market in housing? Since the Department of Education and Science has not given the London borough of Newham permission to build proper schools in docklands, will she ensure that London weighting reflects the full increase in the cost of housing, because if she does not, she and the Secretary of State will be depriving us not only of schools in docklands but of teachers?

Mrs. Rumbold: As I said a moment ago, that is one of the matters to which the interim advisory committee will be paying attention and it is specifically set out in its remit.

Mr. Squire: Will my hon. Friend join me in congratulating the London borough of Havering which has employed a significant number of teachers from the EC, particularly from Germany, who are a welcome and valuable addition to its teaching staff?

Mrs. Rumbold: I thank my hon. Friend for that welcome comment. We have always recruited, and have welcomed recruiting, from overseas and I am glad to hear that the London borough of Havering has been so successful. I hope that others will follow its good example.

Mr. Fatchett: Does the Minister realise that to parents whose children are losing education in inner London at the moment her statements this afternoon will sound remarkably complacent and indifferent? Does she recall that when her Department published a survey of teacher shortages at the end of the summer vacation, the Minister said that a figure of 3,600 vacancies was "most encouraging". Most of those vacancies were in inner London, but would the Minister be so complacent if they occurred in the private sector and in the sort of schools to which the Secretary of State sent his children?

Mrs. Rumbold: At a time when we are supposed to be working hard to ensure that children have teachers, it is a great pity that Opposition Members can try only to talk up a crisis, as they did in the summer. There is no crisis in the teaching profession as a whole. There has to be urgent consideration of the difficulties in inner London which we are trying to attack. The Inner London education authority, whose responsibility it is, came late in the day to this problem.

Personal and Social Education

9. **Mr. Thurnham:** To ask the Secretary of State for Education and Science whether the national curriculum will include personal and social education courses; and if he will make a statement.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Alan Howarth): Personal and social education will be part of the whole curriculum.

Mr. Thurnham: I warmly welcome my hon. Friend to his new responsibilities. Given the growing problem of drug and alcohol abuse, will my hon. Friend require all schools to give appropriate education on the dangers involved?

Mr. Howarth: I am grateful to my hon. Friend for his kind words. He has made representations to me on behalf of his constituents and the House knows of his commitment to the interests of disabled people and children with special education needs. I am happy to give my hon. Friend the assurance that he seeks. The place of personal and social education, which embraces education on drug abuse and alcohol misuse, is safeguarded by section 1 of the Education Reform Act 1988, which requires the school curriculum to prepare pupils for the opportunities, responsibilities and experiences of adult life.

Mr. Anthony Coombs: I welcome good social education, but is my hon. Friend aware that in many schools it is used as a substitute for religious education, as required under the Education Act 1944, to the extent that religious education seems to have disappeared altogether from many schools? Is he also aware that although the Education Reform Act 1988 requires religious education in schools to be predominantly Christian, many local education authorities are producing syllabuses which do not even mention the word Christian? Will he investigate those authorities and make sure that they fulfil their statutory responsibilities?

Mr. Howarth: There is a distinct requirement that schools should provide religious education and that requirement was reaffirmed in the Education Reform Act 1988 which reiterated and strengthened the provision in the 1944 Act. If my hon. Friend can give me any instances or evidence of what he says, I shall be happy to look into it.

Mr. Skinner: Will the Minister put paid to the rumour that was circulated at the Tory party conference that Bernard Ingham and one or two others are demanding——

Mr. Speaker: Order. The question must have something to do with the national curriculum, not Bernard Ingham.

Mr. Skinner: Bang on, Mr. Speaker. You have hit the nail on the head.

—that one of the subjects in the national curriculum must be the history of the Tory party?

Mr. Howarth: As is right, one of the requirements of personal and social education under the national curriculum is education in citizenship. Surely both sides of the House should welcome the obligation placed on schools to educate children to participate in our democratic process.

Grammar Schools

11. **Mr. Teddy Taylor:** To ask the Secretary of State for Education and Science what percentage of children in secondary schools are being educated in grammar schools operated by local education authorities; and what was the percentage 10 years ago.

Mr. Alan Howarth: In January 1989, 3·3 per cent. of secondary school children were being educated in local authority-maintained grammar schools, compared with 4·2 per cent. in January 1979.

Mr. Taylor: Is that not rather disappointing progress after 10 years of Conservative Government? Does my hon. Friend agree that grammar schools offer a better opportunity to able children from working-class homes than the territorial comprehensive scheme which, basically, creates class segregation in education? Would the Minister be willing to spare some of his busy time to visit either Southend-on-Sea—where we have four grammar schools operated by the local authority—or Northern Ireland, to see how better overall results can be obtained in A-levels and GCSEs through that form of education? Will the Government at least look into the educational consequences of grammar schools?

Mr. Howarth: It is no part of our policy—as it was part of the policy of the last Labour Government—to impose any particular scheme or organisation on schools. Under the Education Act 1980, it is for authorities to put forward

proposals for reorganisation when they judge such action appropriate to the needs of their areas. My right hon. Friend the Secretary of State considers any such proposals on their merits, although he certainly has regard to the academic record and academic prospects of individual schools, and will of course recognise that many of our grammar schools embody a fine academic tradition. That factor, and parental preferences, are always taken into account by him.

Ms. Armstrong: I welcome the Minister to the Dispatch Box. I have it on the highest authority that he is a listening Minister, but that he was not very interested in resources when he was a Whip.

The real meaning of the figures that the Minister has read out is that the Government have closed 100 grammar schools—40 per cent. Does that not demonstrate that parents throughout the land are saying that they want their children to be educated in comprehensive schools which are committed to equality of opportunity for all children, regardless of their background, race or gender? Can we hope that the Government's future policy for dealing with the children of this nation will demonstrate a commitment similar to that of their parents?

Mr. Howarth: I was happy to listen at least to the first part of the hon. Lady's question, for which I was grateful.

In fact, I did not read out any figures, as such, so perhaps the hon. Lady herself was not listening very closely. What I said was that we had no dogmatic view about the virtues of any particular system of organisation. We have regard to the quality of schools, and to the particular needs of local areas. One of our guiding purposes is to enhance freedom of choice, so that parents have a right that we regard as proper: that is why I am glad to note that grant-maintained schools and CTCs, along with grammar schools, add to the elements of choice and variety in our system.

Mr. Harry Greenway: Has not diversity of provision in various types of school—including single-sex schools—been the strength of education in this country? Is it not a fact that what parents and pupils want above all are good teaching and good quality education, and is that not what the present Government have sought, successfully, to establish?

Mr. Howarth: I very much agree with my hon. Friend, who speaks with enormous experience and authority. That is why the twin thrusts of our policy are to enhance choice, and to ensure a proper curriculum that enables children to have the skills, knowledge and understanding that they require.

National Curriculum

12. **Mr. Win Griffiths:** To ask the Secretary of State for Education and Science what steps he is taking to ensure that there will be sufficient teachers qualified in all the necessary subjects to teach the national curriculum in its further stages from September 1990.

Mr. MacGregor: I am taking the requirements of the national curriculum fully into account in setting the intakes to initial teacher training, in revising the criteria for initial teacher training courses, in planning the LEA in-service training grant scheme and education support grants and in managing the action programme on teacher supply.

Mr. Griffiths: I thank the Minister for that reply. Will he acknowledge that the secondary school staffing survey which has just been published shows that in 15 out of the 25 subject categories there are fewer teachers now with post-A level qualifications than there were in May 1984? Is the right hon. Gentleman further aware that an HMI survey for May of this year showed that 28 per cent. of English teachers and 27 per cent. of maths teachers did not have a post-A level qualification and that those entering teacher training now, in key subjects such as maths and English, are not up to the targets being set by his Department? Would he like his children to be taught by non-qualified teachers?

Mr. MacGregor: The answer to the last part of the hon. Gentleman's supplementary question is that a recent HMI survey on science in primary schools demonstrates that in primary schools, teachers without the specialist background can, with proper training, perform the role very effectively. I can of course deal now with only one or two of the points that the hon. Gentleman raised. There is a problem, which is shared by all employers, in relation to certain scarce skills where there exists in the economy as a whole a high demand. This is particularly so in maths and science. We are producing a flexible range of policies to deal with that, both in recruitment and in the way in which teachers are paid.

PRIME MINISTER

Engagements

Q1. **Mrs. Margaret Ewing:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): I have been asked to reply.

My right hon. Friend the Prime Minister is attending the Commonwealth Heads of Government meeting in Kuala Lumpur.

Mrs. Ewing: In view of the current crisis in the Scottish fishing industry, may I ask the right hon. and learned Gentleman to explain why the Government are steadfastly refusing to invoke the mechanisms that exist to give access to European Community funding for a temporary lay-up scheme and for longer-term decommissioning schemes? Or is it the Government's intention to allow that noble industry and the thousands of jobs that depend on it to be forced into sequestration and bankruptcy through savage quotas, soaring interest rates and Government inertia?

Sir Geoffrey Howe: I—indeed, the whole Government—understand the hon. Lady's anxiety about the problems facing the Scottish fishing industry. We are urgently considering the measures that are needed to deal with the situation, but as she will appreciate in relation to laying-up and decommissioning schemes, one needs to be sure that they would be more effective and provide better value for money than alternative approaches.

Mr. Hanley: Does my right hon. and learned Friend agree that while high interest rates may be welcome to many depositors, particularly the elderly, they are difficult for many borrowers and in some cases are absolutely disastrous? Nevertheless, does he agree that the battle against inflation, which affects 100 per cent. of people in this country, is even more important?

Sir Geoffrey Howe: I agree entirely with my hon. Friend's last point. He is right to draw attention to the fact that high interest rates not merely discourage borrowing but encourage saving, which is in itself advantageous. But far more important than that, they are a crucial instrument in the fight against inflation.

Mr. Kinnock: Can the right hon. and learned Gentleman explain how he expects families with an average mortgage to cope with repayments that have increased in the last year by £90 a month?

Sir Geoffrey Howe: The right hon. Gentleman should understand well that high interest rates have been used, and are an essential instrument, in the battle against inflation. They were used by the Government whom he supported, although he was not a member of that Government, and it must be said that the inflation rate achieved by that Government reached a pinnacle of 27 per cent., which was far more than anything else disastrous to mortgage payers.

Mr. Kinnock: As the right hon. and learned Gentleman obviously cannot answer the question that I asked, may I ask him to say for how long mortgage payers must go on paying huge monthly sums simply to foot the bill left to them by the incompetence of the Government's policies.

Sir Geoffrey Howe: The Chancellor of the Exchequer has made plain that interest rates will have to remain at the level that is necessary for so long as is necessary to achieve success against inflation. I emphasise and repeat that that is of far greater importance than the immediate short-term hardship and consequence of paying high interest rates —*[Interruption.]* The experience of the last Labour Government demonstrated plainly that if there is one enemy of home ownership as well as of saving and living standards it is the enemy of inflation. We are determined to succeed in the battle against inflation.

Sir Antony Buck: Does my right hon. and learned Friend agree that one reason why our right hon. Friend the Prime Minister is listened to with such care and attention in Kuala Lumpur is that she, alone of party leaders in this House, is backed by a party which believes in a strong, consistent and comprehensible defence policy?

Sir Geoffrey Howe: I have no doubt that my hon. and learned Friend is right in that respect. One sure way of diminishing the respect for the Prime Minister of this country would be for her to be supported by the defence policies of the Labour party.

Mr. Ashdown: Does the right hon. and learned Gentleman believe that it is mere coincidence that the average level of inflation for countries outside full membership of the European monetary system is double that for those inside it? How much longer will pensioners, mortgage holders and industry have to pay for the Prime Minister's lonely obsession with keeping Britain out of the EMS and keeping in her own hands the power to fiddle the economy for electoral purposes?

Sir Geoffrey Howe: The Prime Minister and the Chancellor of the Exchequer have made the view of the Government entirely clear and as the Chancellor stated in an interview last week:

"The Prime Minister expressed the view of the Government and that is very clear. There is just one Government view—that is the view of the EMS which the Prime Minister expressed at the time of the Madrid European Council. We are committed to joining the exchange rate mechanism of the EMS and she explained the circumstances. There is no change on that."

Mr. Ian Taylor: Does my right hon. and learned Friend welcome the announcement by six police forces that they are combining to act against the outrageous acid house parties that have been taking place in constituencies including mine? Will he ensure that the Government's proposals to assist the police are brought forward as soon as possible?

Sir Geoffrey Howe: As a fellow Member for a Surrey constituency I share my hon. Friend's concern that there should be effective action against such events. I assure my hon. Friend that my right hon. Friend the Home Secretary is looking at the matter with the utmost urgency and that he will bring forward whatever proposals are necessary.

Q3. **Mr. Gareth Wardell:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wardell: While accepting that part of Britain's leisure class who sit on the Conservative Benches are basking in the luxury of high interest rates for their idle balances, does the right hon. and learned Gentleman agree that the majority of home owners and industrialists in Britain would derive some comfort from Britain joining the EMS rather than seeing the daily spectacle of the Chancellor of the Exchequer clinging desperately to the rate of interest like a dead man clings to a live electric wire?

Sir Geoffrey Howe: Let me reaffirm our total concern and understanding of the burdens imposed by high interest rates, but our recognition of the fact that success against inflation is not possible if one rules out high interest rates. It is for that reason that we are sustaining the policies presently in place. We have also reaffirmed, as the Prime Minister did after the Madrid European Council, our intention to join the exchange rate mechanism, the ERM —we are already members of the EMS—but, among the other things my right hon. Friend emphasised, we must first get our inflation down.

Q4. **Mr. Stern:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Stern: Will my right hon. and learned Friend join me in welcoming the ready acceptance by the General Dentists Services Council of its new contract? Does he

share my hope that doctors will quickly recognise the advantages of the new contracts to them and their patients?

Sir Geoffrey Howe: Clearly, the whole House will welcome the agreement by the representatives of the dental profession to their new contract. Like the contract proposed for the general practitioners, it sets out to reward the hardest working who provide services that patients need. The general practitioners have always accepted the need for a new contract from next April, because the current one is some 25 years old. That contract is also in the patients' interests. It encourages preventive medicine, provides more services for the elderly, ensures the greater availability of doctors, and makes it easier for patients to choose their own GPs. We very much hope—and I hope that the whole House will join me in this—that GPs will be ready to accept their new contract in the same spirit as the dental profession.

Q5. **Ms. Ruddock:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Lady to the reply that I gave some moments ago.

Ms. Ruddock: What advice has the Lord President for people on income support, as it is calculated that they need to spend 40 to 50 per cent. of their disposable income on food in order to eat a healthy diet? Why have the Government suppressed the Health Education Authority report which proves that to be the case?

Sir Geoffrey Howe: The simplest advice to those on income support as well as to other citizens is to continue supporting the present Government who have secured high and rising living standards for the population as a whole, who have ensured that those living standards are shared by those on income support and who have secured an increase in total social security spending of more than one third during their time in office. All those successes would be cast away if the people on income support were to neglect the advice that I have offered.

Mr. Atkinson: Does my right hon. and learned Friend agree that as more than one third of the Commonwealth member states deny human rights, it would be hypocritical for them to seek to pursue further sanctions against South Africa this week? Will he convey to my right hon. Friend the Prime Minister that the Commonwealth should seek to put its own house in order first?

Sir Geoffrey Howe: My hon. Friend will understand that the Commonwealth has frequently adopted standards which it sets itself and seeks to achieve in relation to human rights. I am sure that my right hon. Friend will remind the Commonwealth of those at the conference in Kuala Lumpur. I entirely agree with what my hon. Friend says about the futility of urging further sanctions against South Africa at present, when we see evidence from what is happening in South Africa that changes are taking place there. I cannot imagine a more futile time to step up sanctions than the present.

Q6. **Mr. Eastham:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Eastham: May I inform the Leader of the House that yesterday I visited my local optician for an eye test? The young woman advised me that, during this Session, eye tests have gone down by 30 per cent. and in some of the worst areas, by 70 per cent. Already opticians are noting the deterioration in the condition of many people's eyes. May I therefore ask the Leader of the House how long it will be before the Government decide to relent on this policy, make some changes and revert it back to the National Health Service as it should be?

Sir Geoffrey Howe: I must confess that it defies belief that observations of the kind that the hon. Gentleman reports should be made so soon after the changes of which he complains. I must remind him that if we were to follow the advice of the Labour party and remove all those instruments that have been introduced for increasing efficiency in the Health Service and all the charges currently in place, the Health Service would be some £1¼ billion worse off, to its great disadvantage.

Q8. **Mr. Janman:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Janman: Does my right hon. and learned Friend agree that the finding of several guns and a nail bomb at the acid house party that took place over the weekend in my constituency adds a sinister new twist to the saga of acid house parties? Can he give the House and the country an assurance today that the Government will take effective but measured action to ensure that in future these parties will not be able to take place in the ad hoc and covert manner that they do today?

Sir Geoffrey Howe: My hon. Friend is right to draw attention to that aspect of that party, but it is worth remembering that the party was largely frustrated by prompt and effective action by police forces. That has been the experience with a growing number of cases in several of the home counties. We should pay tribute to the police authorities for the success that they are already achieving. I shall certainly see that my right hon. Friend the Home Secretary takes account of the additional points that my hon. friend makes in relation to future conduct.

Q9. **Ms. Short:** To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

I have nothing to add to the reply that I gave a few moments ago.

Ms. Short: Does the right hon. and learned Gentleman agree that the problems that we have with the balance of payments and with inflation are very serious? Speaking on behalf of the Government, as he is today, will he accept responsibility for the errors of economic management that have brought this about?

Sir Geoffrey Howe: The hon. Lady must acknowledge that there have been substantial successes in Government policy, including sustained success against inflation. The present level of inflation was only once bettered during the

five years of Labour Government. We have sustained eight years of continuous economic growth, surpassing all records in manufacturing investment, output and other economic indicators. We are determined to maintain those successes. That is why we are determined to maintain the balance and thrust of our present economic policy.

Digital Clocks

3.31 pm

Mr. Speaker: I have a brief statement to make about the operation of the new digital clocks. It might help if I were to tell the House that, during the recess, new digital clocks have been installed in the Chamber. They are designed to assist the Chair and hon. Members in the timing of their speeches. Whenever the Chair calls on an hon. Member to make a speech on which there is a specific time limit, for example applications under Standing Order No. 20 and on days when a 10-minute speech limit has been imposed by the Chair, the Clerks at the Table will operate the clock. Half a minute before the conclusion of the time limit allowed, the digital clocks on each side of the Chair will flash intermittently. *[Laughter.]* Order. It is designed to be helpful to Members. When that time has been reached there will be a light to indicate that the time is up. I hope that the new system will enable hon. Members who are speaking within a set time limit to know exactly when that limit is about to be reached.

Interest Rates

3.32 pm

Mr. Gordon Brown (Dunfermline, East): I beg to ask leave to move the Adjournment of the House under Standing Order No. 20 for the purpose of considering a matter that is specific, important and requires urgent consideration, namely,

"The rise in interest rates to 15 per cent. and the failures of Government economic policy."

The matter is specific because, after 15 months of the highest interest rates, the worst inflation, and the biggest trade deficits with our major competitors, and after 15 months of sacrifices from millions of home owners, inflation is still rising, the trade gap is still widening and interest rates are still moving up.

This has all taken place in the real economy before and irrespective of any impact from this week's stock exchange fluctuations. On Friday, inflation rose to 7·6 per cent.—the highest in Europe but for Greece. A week before, interest rates went up to 15 per cent.—the worst in Europe. Next Tuesday's trade figures will confirm that the balance of payments deficit is not only the worst in Europe, but the worst in our history.

For a year, the Chancellor has promised that inflation is a temporary blip on the road to zero inflation. It is not. For more than a year, he has sought to convince us that the trade deficit would correct itself. It has not. For a year, his advice to home owners has been to cut back on something else, and thousands now cannot. For a year, he has compounded, rather than corrected, the errors of his policy by his exclusive reliance on high interest rates.

Industry is paying an extra £1·5 billion for its borrowing costs, small businesses by the thousands face difficulties and home owners by the millions are paying an average of £80 a month more for their mortgages—all the result of the mistaken policies of a discredited Chancellor in a failed Government.

The matter is important, because in addition to the damage to businesses and home owners, the Chancellor's greatest and most central failure is his failure to create the long-term stable environment for industry that a modern economy needs. With imports even this year rising twice as fast as exports, with our deficits concentrated in the new high-technology industries, with no new policy for training or research or investment in the regions that could bring the deficit down, the Government persist in claiming that the trade deficit, even approaching £20 billion, is a matter of no consequence, to the extent that the Chancellor did not mention it in his Conservative conference speech and the Secretary of State for Trade and Industry was not even allowed a conference speech to mention it.

The matter requires urgent consideration because a change of national economic policy is essential in the interests of the nation. Before the Chancellor's speech to the Mansion House, before he completes his Autumn Statement and before he makes further mistakes by his mismanagement, he should be forced to defend his policy to a more critical audience than the Conservative party conference in Blackpool——

Mr. Speaker: Order. The hon. Member for Dunfermline, East (Mr. Brown) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

[Mr. Speaker]

"the rise in interest rates to 15 per cent. and the failure of the Government's policies."

As the House knows, under Standing Order No. 20 I have to take into account the requirements of the order and announce my decision without giving reasons to the House. I listened with care to what the hon. Gentleman said, but, as he knows, my sole duty in considering an application under Standing Order No. 20 is to decide whether it should be given priority over the business already set down for this evening or for tomorrow. I regret that the matter that he has raised does not meet the requirements of the Standing Order, and I therefore cannot submit his application to the House.

Ulster Defence Regiment

3.37 pm

Rev. Ian Paisley (Antrim, North): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the announcement by the Prime Minister of the Irish Republic that the basis for and the future of the Ulster Defence Regiment would be on the agenda of tomorrow's Anglo-Irish conference."

A concentrated and concerted effort is being made by the IRA, the Dublin Government, the Social Democratic and Labour party and a certain unextraditable Roman Catholic priest utterly to discredit the Ulster Defence Regiment, which has lost 180 members by the murderous actions of Republican terrorists in Northern Ireland.

The aim is the abandonment of the regiment. The night before Dr. Garret FitzGerald and Mr. Dick Spring signed the Anglo-Irish Agreement at Hillsborough, they made it clear in Dublin that their aim was to put the regiment out of existence.

The regiment has been accused of leaking information to loyalist paramilitary groups about suspected IRA terrorists. The Royal Ulster Constabulary has also been accused. As a consequence, members of the Ulster Defence Regiment have been treated as terrorists. In a round-up in Northern Ireland using 300 policemen, 28 of them were arrested. That public exercise pinpointed where those men lived and put them and their families at grave risk. They should have been taken in for questioning when they were on duty, as policemen were taken in for questioning on similar charges. Many of those men have been released with no charge against them, while a number have been charged on petty charges and released on bail. Only two have been charged with obtaining information.

Every day the campaign against this regiment goes on. Now, on the eve of another Anglo-Irish meeting, Mr. Haughey lends his support to this process. As the House of Commons voted the Ulster Defence Regiment into existence, surely it has a right to debate the regiment's future publicly. Just because some members of the regiment have gone wrong, that does not mean that the whole regiment is to be condemned. I do not hear anyone anywhere saying that because the majority of the Irish Republican Army killers belong to the Roman Catholic Church the Roman Catholic Church should be abandoned. I say——

Mr. Speaker: Order. I am sorry to curtail the hon. Member's speech, but he has had his three minutes.

The hon. Member asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the announcement by the Irish Prime Minister that the basis and the future of the UDR will be on the agenda of tomorrow's Anglo-Irish conference in Belfast."

I have listened with care to the hon. Member, but I regret that the matter which he has raised does not meet the requirements of the Standing Order. I therefore cannot submit his application to the House.

Kurdish Asylum-seekers

3.41 pm

Mr. Jeremy Corbyn (Islington, North): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter, that should have urgent consideration, namely,

"those Kurdish asylum-seekers scheduled for removal from the United Kingdom this afternoon should not be removed and the removal of other Kurdish asylum-seekers should be suspended in view of the fear felt by Kurdish asylum-seekers."

I raise this matter because of the serious situation in this country. Since May, a considerable number of Kurdish people from Turkey have arrived in Britain and sought political asylum. They have been interviewed by welfare organisations, medical foundations and a number of other legal practices. The thread running through the evidence is that they have been badly treated in Turkey, have suffered torture and oppression and have a well-founded and legitimate fear of returning to Turkey. That must be the basis for an asylum application.

One of these people, Mr. Siho Iqueuen, sought asylum in this country. His removal was deferred two or three times, and eventually he was taken on 4 October to the Harmondsworth detention centre. The Home Office was again informed about the deep concern about his medical condition. The man barricaded himself in his cell, together with one of his friends. He set fire to himself and, after suffering 60 per cent. burns, died a few days later in Mount Vernon hospital. I understand that another Kurdish asylum-seeker is due to be removed from this country today. His case has been adopted by the United Nations High Commissioner for Refugees. The United Nations recognises him as a refugee. It is of deep concern when a body such as the UNHCR puts pressure on the British Government to mend their ways in dealing with asylum cases. This matter merits debate in the House.

What has been happening since May this year is a disgrace to the British Government and this country. It is a sordid tale of people who have fled oppression and torture. People who have a well-founded fear of persecution have had their asylum applications refused. The British Government refuse to give financial support to the local authorities and voluntary organisations that have done wonderful work in supporting these people, who are threatened with removal from this country. One person who was sent back last week was held by the police for two days as soon as he stepped off the plane. I am concerned about whether that is the end of the story.

I hope, Mr. Speaker, that you will recognise the urgency and seriousness of this matter and that you will be prepared to grant a special debate on this vital matter.

Mr. Speaker: The hon. Member asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"those Kurdish asylum-seekers scheduled for removal from the United Kingdom this afternoon should not be removed and the removal of other Kurdish asylum-seekers should be suspended in view of the level of fear felt by the Kurds."

Again, I am sorry to give a disappointing response. Although I have listened with care to the hon. Member, I regret that the matter does not meet the requirements of the Standing Order. I therefore cannot submit the hon. Member's application to the House.

Scottish Fishing Industry

3.45 pm

Mr. Alex Salmond (Banff and Buchan): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20 for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the crisis facing the Scottish fishing industry."

Fishing is one of the basic natural resource industries of Scotland and is 10 times as important to the Scottish economy as to the United Kingdom's economy as a whole. Offshore and onshore, between the catchers, processers and support industries, it employs 30,000 people. In many coastal communities around Scotland, it is by far the dominant industry. Now the industry is in crisis, caught in the vice between falling revenues and rising costs, between low and erratic supplies and penal interest rates. In particular, the North sea haddock quota, which provides the mainstay of the Scottish fleet, is exhausted.

Thoughout the last year, fishing Members of Parliament have warned of the developing crisis and called for policy action. Instead, we have seen a mixture of complacency and confusion on the part of the Government. That complacency was well in evidence in the Lord President's reply to my hon. Friend the Member for Moray (Mrs. Ewing) a few moments ago.

Fishing Members of Parliament and the communities we represent are looking for answers from the Government. We want to know why the structures and licensing policy has been in suspended animation for two years. We want to know if the Government will take advantage of European funding for a lay-up scheme to provide major assistance to the industry. We want to know if and when the Government will introduce a decommisioning policy to restructure the fleets and reduce catching capacity in a humane manner. We want to know when the industry can expect any response to its imaginative proposals for real conservation of fishing stocks as opposed to the ineffective system of low quotas. We want to know from the Government by what mysterious process the wrecking of the finances of the fishing fleet in the north-east of Scotland through penal interest rates contributes to the reduction of inflationary pressures generated in the south-east of England.

The Scottish fishing industry is caught between a Scottish Fisheries Minister who cannot act and a Minister of Agriculture who will not act. In his first comment on the crisis, the new Minister blamed the fishermen and accepted no governmental responsibility. Given the history of the Government's inactivity in this crisis, that is an absurd claim and the Minister may wish to know that his indifference to the plight of the industry has caused enormous offence in the north-east of Scotland. Clearly he does not, or says he does not, understand the seriousness of the position. We need a debate to educate the Minister, to tell him that Scotland's fishing industry will not be allowed to be sacrificed on the altar of his complacency, to demand an answer to our questions and to force the policy action which is required to save this vital industry and the communities it supports.

Mr. Speaker: The hon. Member for Banff and Buchan (Mr. Salmond) seeks leave to move the Adjournment of

[Mr. Speaker]

the House under Standing Order No. 20 for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the crisis facing the Scottish fishing industry through the exhaustion of this year's North sea haddock quota."

Again, I have to say that I have listened to what the hon. Member has said with great care, but I regret that the matter that he has raised does not meet the requirements of the Standing Order and I therefore cannot submit his application to the House.

Clocks and Lighting

3.49 pm

Mr. Ian Gow (Eastbourne): On a point of order, Mr. Speaker. This matter arises out of the statement which you made to the House earlier. Could the House be told by whose authority the flashing clocks were installed, and at what cost? Secondly, my hon. Friend the Member for Crawley (Mr. Soames) finds the lighting in the Chamber extremely bright, and he is not alone in that. Are we not supposed to be saving energy? Why do we need another eight enormous lights over and above the other lights which we have in the Chamber, particularly when, as I understand it, mercifully, we are not yet being shown on television?

Mr. Speaker: The clocks were recommended by the House of Commons Services Committee and I hope that the House will agree that they are an improvement and help Members.

As for the lighting in the Chamber, the hon. Gentleman well knows that there is to be an experimental televising of the Chamber and these are temporary lights. I am sorry that the hon. Member for Crawley (Mr. Soames) who sits next to the hon. Gentleman, finds them a bit bright.

Points of Order

3.50 pm

Mr. Bruce Grocott (The Wrekin): On a point of order, Mr. Speaker. With regard to ministerial accountability to this House, you may remember that on 16 May there was a debate on Government publicity in which reference was made to a Cabinet Office minute on guidelines on the nature and content of allowable publicity. The guidelines mentioned that publicity should be objective and that it "should not be personalised".

In the course of the past few days, most hon. Members will have received a document entitled "Britain in Southern Africa" which purports to be an explanation—paid for by the Foreign Office, and hence by us—of British foreign policy towards southern Africa. The document, which is blue, contains a union jack and a photograph of the Prime Minister adorns the front page——

Mr. Speaker: Order. What is the issue for me in this? It is not a matter for me.

Mr. Grocott: It is. In the course of 23 pages, the document, which was paid for but not authorised by us, displays five colour pictures of the Prime Minister. I would not have the slightest objection to the document if it had been paid for by Conservative central office, but I object to having to pay for it myself. I ask you, Mr. Speaker, to determine by what authority public money has been spent on this blatant party political propaganda.

Mr. Speaker: That is not a matter to do with order in the Chamber. The hon. Gentleman must raise it with the Government; I have no doubt that what he has just said has been heard.

Mr. Patrick Cormack (Staffordshire, South): On a point of order, Mr. Speaker. Some time between now and 21 November, could you arrange for the Procedure Committee to look again at the wording of Standing Order No. 20? It is obvious that all the applications this afternoon concerned important matters—no one could deny that—but the word "urgency" needs special definition. If it is not redefined, our proceedings will begin day after day with application after application. Hon. Members are abusing the procedure by making the speeches that they would make in the debates, if you granted them.

Mr. Speaker: That is not a matter for the Procedure Committee. The words are a matter for me. I shall examine them carefully, but I accept what the hon. Member has said. Today I took into account the fact that we have been away for some weeks. Inevitably after such an absence, there is a large number of Standing Order No. 20 applications, but I hope that when the time comes to televise the House procedure will not be abused—it is important for Back Benchers.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker. I took careful note of what you have just said, and, reading between the lines, it seems to me that you may have been saying that when television comes in on 21 November applications under Standing Order No. 20 may be looked at more carefully, and perhaps refused, because of television. I hope that there will be no change in the rules merely because of the cameras——

Mr. Speaker: Order. The hon. Gentleman must not put words or even thoughts into my mind.

Mr. Skinner: If the television cameras will make no difference to applications under Standing Order No. 20, which usually deal with topical issues and which many would argue—although not today, because we have a good debate to come—are more sensible than the planned debates because of their topicality; and if hon. Members, irrespective of cameras or anything else, want to raise important matters which affect their own constituencies, I hope that it will not be said that that is an abuse of procedure. Most of the matters raised today are important and affect the nation or, in some instances, constituencies, so I hope that consideration of these matters will not be conducted against a background of television producers trying to change the system to suit themselves.

Mr. Speaker: In order to forestall any other hon. Member who may have thoughts along those lines, may I say that I strongly adhere to the view that, when television comes here, it must adjust itself to the procedures of the House. I have no intention of reducing the number of opportunities that Members have to raise important matters through Standing Order No. 20 applications. I was merely commenting on the point which the hon. Gentleman made—and this is a supposition—that when the cameras are here, there might be an incentive for some hon. Members to raise matters that are not entirely legitimate. Knowing the House as I do, I am sure that that will not be the case.

Mr. David Winnick (Walsall, North): May I remind you, Mr. Speaker, that about 10 years ago the Procedure Committee recommended that there should be restrictions on applications under Standing Order No. 9, now Standing Order No. 20? Fortunately, that recommendation was substantially defeated in the House. Do you not agree that, regardless of television cameras and bearing in mind how restricted Back Benchers already are, any further restrictions would be totally wrong?

As you know, Mr. Speaker, the procedure about points of order has been changed and they are now taken at a different time. I am not criticising that, but it would be extremely unfortunate if an hon. Member who had come to the view that a matter was sufficiently important was not able to try to raise it under Standing Order No. 20 even though we know that such applications are usually rejected. I remind you that, between 1974 and 1979, when the Conservatives were in opposition, there were on average five or six applications every day. You may remember that, Mr. Speaker, because you had a different role at that time.

Mr. Speaker: I hope that the House will not pursue this matter because, as I have already said and I now repeat, Standing Order No. 20 applications are an important opportunity for Back Benchers to put a point before the House in prime time. I have no intention of making that more restrictive. The House has charged me with responsibility for making a judgment as to whether the applications meet the criteria. That is a difficult matter and when the time comes to televise this place I and the whole House must consider whether those outside will know why the Chair may turn down an application. We may all be aware of the criteria for the Chair turning down or

[Mr. Speaker]

granting an application but an explanation must be given to those who are watching outside because they may not know the rules.

Mr. Nicholas Soames (Crawley): On a point of order, Mr. Speaker. May I raise a different point of order in connection with the matter raised by my hon. Friend the Member for Eastbourne (Mr. Gow) about the television lights? This is a serious matter, Mr. Speaker, and you and many hon. Members have expressed concern about the lack of attendance in the Chamber. The heat caused by these lights is acutely uncomfortable on the Back Benches; those of us who are members of fitness clubs can tell the House that it is roughly equivalent to the heat of a sauna. Although this is an experiment, may we appeal to you to ask the Services Committee or those responsible to ensure that the temperature in the Chamber is considerably reduced, because if it is not the attendance will be worse than before?

Several Hon. Members *rose*——

Mr. Speaker: Order. I am glad to say that there was a good attendance at Question Time and I welcome that. This is the first day of the experiment. The hon. Member should make his representations to the Select Committee looking into these matters. I share the hon. Member's views about the generation of heat, because I am wearing rather more clothing than he is.

Mr. Tony Banks (Newham, North-West): May I return to the matter raised by my hon. Friend the Member for the Wrekin (Mr. Grocott)? Surely the matter that he raised is one of concern for you and the House, Mr. Speaker.

Mr. Speaker: Order. I have dealt with it. It may well be a matter of concern, but it is not a matter of order in the House and is not therefore a matter for me. The hon. Gentleman should take the matter up with the Government. He must not take it up with me or with the Government through me.

Mr. Jerry Hayes (Harlow): Further to that point of order, Mr. Speaker. There is an easy way out of the problem. There could be a picture in that document of the Leader of the Opposition being arrested by the Tanzanian police.

Mr. Speaker: Order. We would do well to move on.

Mr. Tony Banks *rose*——

Mr. Speaker: I say to the hon. Gentleman that I can say no more than I have already said to his hon. Friend and to him. It is not a matter of order for me.

Community Care

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

Mr. Speaker: Two right hon. Members and many hon. Members have indicated their wish to participate in the debate. Therefore, I propose to put a limit of 10 minutes on speeches between 7 and 9 o'clock. If hon. Members who are called before that time also try to stay within that limit, it may be possible, in fairness to all hon. Members, to take that limit off later in the debate.

4.1 pm

The Minister of State, Department of Health (Mr. David Mellor): I am encouraged by the announcement that you have just made, Mr. Speaker, which shows that there is to be a full participation in this debate by a wide range of hon. Members, because that is precisely what was in our minds when we tabled this subject for a debate on the first day of the spillover session. As the House will be aware, my right hon. and learned Friend the Secretary of State for Health, in his statement in July, made clear the Government's broad acceptance of the principles set out in Roy Griffiths' report, but said that further work would be done in the subsequent months leading to a White Paper, which it is intended should be published towards the end of the spillover period, early in November.

It is of the essence of these arrangements that the fullest account should be taken of the views of all groups and interests. That is what we have been seeking to do during the recess, with organisations representing the disabled and the providers of care, with local authority representatives, with the Association of Directors of Social Services, and so on. Today represents an opportunity to have the most important consultation of all, because the Government will hear what the House thinks about an issue that is of fundamental importance to all of us, and of which all of us, as Members of Parliament, are only too well aware because of our pastoral work within our constituencies.

Community care is of the most direct relevance to the interests of significant numbers of our constituents and, whatever our other differences, we should be capable of discussing it objectively and of recognising the enormous benefits that will flow from our endeavours to move these policies forward. By community care, we mean policies that enable people to live as full a life as possible, in whatever setting best suits their needs. That may be in their own home, sheltered housing, a group home, a hostel or a residential home.

An increasing number of vulnerable people live in our community and they will require assessment under these new arrangements for community care. Therefore, our aspiration to provide individually tailored care will command support across the political spectrum and will be recognised as a necessity. Obviously, the real test is not that we accept that this is an important topic or that we accept that something needs to be done, but that we are able to create a framework that will enable us to turn these high aspirations into reality. That was the practical task with which Roy Griffiths was asked to deal in his report, and on which we have been engaged for some months now. I hope that the House will turn its attention to that practical task for the next few hours.

Dame Elaine Kellett-Bowman (Lancaster): My hon. Friend has referred to a suitable setting. Is he aware that in Lancashire the full cost of a local authority home place is £190, whereas these arrangements allow for only £140 in a private home? Is it not possible to raise that level so that people can make a choice and may have a chance to keep these excellent private community homes going?

Mr. Mellor: It is of significance to know the proper level of support for those who are in long-term residential care and the proper level of charging that should be made for that support. One of our aspirations is to have a range of different providers, whether from the private, voluntary or local government sectors. Such a range would establish a framework within which it should be possible for good care to be offered at a sensible cost to the public purse.

It is obvious that long-term residential care will be an expensive option, and we cannot afford to neglect the necessity to obtain value for money. We have discovered —this was one of the primary reasons for wanting to reopen this area—that there has been a massive movement of resources into long-term residential care, and this has had implications for the development of other forms of care.

Over the decade there has been a movement in the cost of private residential care from £10 million to nearly £1 billion for this financial year. With a movement of such significance, we have to ask ourselves whether it is necessary, whether value for money is obtained and, if it is not, whether enhancing domiciliary care might be a better option for some of those who, as a result of the perverse incentives which Roy Griffiths has identified, had to go into long-term residential care. I know that my right hon. Friend the Minister of State with responsibilities for social security and the disabled is only too well aware that one of the essential matters that the Government have always to keep under review is the adequacy of the financal provision that is made to meet needs.

Mr. David Ashby (Leicestershire, North-West): Will my hon. and learned Friend give way?

Mr. Mellor: I am troubled because, if I continue to give way, especially so early in my speech, I shall detain the House and prevent others from participating in the debate. I shall give way to my hon. Friend but I hope that the House will understand that I shall not be able always to give way to others.

Mr. Ashby: Will my right hon. and learned Friend consider the disparity between those who pay for their own care and those for whom the state pays? Should there not be tax relief for those who are bearing the cost of residential care because they are disabled or for some other reason?

Mr. Mellor: It is an interesting question, but my response will not give my hon. Friend any satisfaction. Tax relief is a matter for my right hon. Friend the Chancellor of the Exchequer.

I was saying by way of introduction that, while we all can agree on the need for an effective framework for community care, it is not a policy that can be easily implemented successfully. We have increased sharply the resources and the manpower that are devoted to community care over the past 10 years. As I shall demonstrate, these have been years of achievement in community care. As a central starting point and as an evidential base on which the debate can proceed, I shall explain what the achievements have been. It is equally clear, however, that, notwithstanding the achievements, we must recognise that progress in developing adequate services has not been as even or as rapid as we would like; hence the need for further effort.

Over the past 10 years there has been unprecedented expansion. For example, during the financial year 1978-88, the cost, as best as we can estimate it, of core community care services, not including administration or joint finance, was £3,444 million as against £1,169 million in 1979-80. In eight years we have witnessed an increase of 68 per cent. in expenditure of core community care services in real terms.

Back in 1979, about 55 per cent. of local authority gross expenditure was on residential care for elderly people, younger disabled people, mentally handicapped children and adults and mentally ill people, with 45 per cent. on domiciliary services. By 1987-88, local authority gross expenditure was more evenly balanced, with slightly over 50 per cent. on residential care and just under 50 per cent. on community-based services, especially on home helps, day-care centres, meal services and adult training centres.

That is a sign of movement in the direction of domiciliary services that I am sure we would all like to see enhanced as a result of our acceptance of the new framework that Roy Griffiths proposes. Most of us who deal with these matters in practical ways at our advice centres week in and week out are aware that most people would rather stay in their own homes for as long as possible if proper support can be provided, and go into long-term residential care only as a last resort.

We are in the middle of a two-decade span, when the number of the old elderly in our society—that is, those over the age of 85—will double, and it is quite clear that there will be an enhanced, not a diminished, need for long-term residential placements. We must be aware of the impact of demographics on provision, because not only do we aspire to do better for those in need of community care now, but we must recognise that, year on year, as we progress through the 1990s, there will be more people in that category. That poses a challenge not only in making resources available, but in ensuring that they are used to the maximum benefit to provide the best possible care. There is manifestly no room for waste at such a key time.

During this decade there has been a sharp increase in the number of places at day centres—up by 16 per cent.; an increase in home help staff of almost 30 per cent.; an increase in the number of meals served by meals-on-wheels and lunchtime clubs of about 14 per cent.; and a significant growth in a whole range of other personal social service provision. I am confident, looking ahead to the next decade, that there will be a similar increase in that provision; and some even envisage an enhanced increase.

In the presence of my hon. Friend the Minister for Social Security, I should also point out that the same period has witnessed a striking growth in social security payments to people in need. I have already singled out the increase in independent sector residential and nursing home support, which has risen a hundredfold, from £10 million to £1 billion in May this year. I must repeat that, when committing such large sums of public money, it is our duty to ensure that it is spent in the best and most appropriate way to provide care for the clients that best meets their needs. It is in that spirit that we asked Roy Griffiths to undertake his analysis. It is in that spirit that I believe he delivered one of the most cogent and

[Mr. Mellor]

worthwhile reports in recent times on this or any related topic. It is in that positive spirit that we have accepted his analysis and are inviting the House to debate and discuss it.

Mr. Tony Banks (Newham, North-West): The Minister is making an interesting speech. He mentioned the increase in home help staff and in the number of meals served by meals-on-wheels, but he did not fully acknowledge that those are provided by the social service departments of local authorities. Many local authorities, especially Newham, then find themselves penalised for overspending. Is the Minister prepared to reconsider social service departments' budgets and the provisions for those budgets in central Government funding, so that there may be a continued growth rather than the restrictions now being faced by certain authorities?

Mr. Mellor: I am anxious to make as much common ground with the hon. Gentleman as possible, and I welcome his remarks. We should be failing in our duty if we turned this debate into a partisan matter. I know that he is not anxious to do so, and neither am I—nor, I hope, will any other hon. Gentleman. It is in recognition of the contribution that local authorities have made and can make that, after the most careful consideration, we have decided to follow the analysis of Roy Griffiths and give local authorities the leading role in arranging the provision of good quality community care. We recognise that a great deal has been achieved in that sector, although we are also aware that there have been some conspicuous failures.

That new role will obviously require an increase in resources. The year-on-year discussions about local authority expenditure have led to an increase of 39 per cent. in real terms in expenditure on personal social services during this decade. There is also the question of the transfer of resources from the Department of Social Security to local authorities to boost their domiciliary care arrangements.

There will obviously be room for debate—the hon. Gentleman has his view and I have mine—about whether a local authority seeking to make good quality social service provision would fall foul of the Government's arrangements. I come from a borough that has an excellent social services department and has never been threatened with rate capping or any of the other problems. I suspect that that is an issue on which we shall not agree, but one thing on which we are agreed is that it is at the heart of the achievement of good quality community care that local authorities should make good provision. That is the inescapable conclusion to which we have come, and it is in that spirit that we are moving ahead with our proposals.

Mr. John Bowis (Battersea): Will my hon. Friend acknowledge that, where appropriate, we must also transfer best practice from the health authority to the local authority? For example, in domiciliary care there are cases where home helps and social workers are available only during the week, and district nurses and so on take over at the weekend. I hope that my hon. Friend will monitor the changeover carefully to ensure that full care is given to such people throughout the week.

Mr. Mellor: Given that there is a continuing role for the NHS community services, it is of the essence that there should be a better and much more effective liaison or interface—I try to avoid that dreadful word, but it is probably the best in the circumstances—between local authority social services departments and the NHS. There will plainly be people who require medical and social care and it is necessary for the two services to interlock. If we are honest, most of us will say that the provision of home help services in our localities is not necessarily the greatest ornament in the local authority's shop window. It is a service which needs to be developed. Even in the best local authorities it leaves something to be desired. It is one of those services that we wish to see developed in our aspiration for better and more comprehensive domiciliary care for those in need.

Mr. Michael Lord (Suffolk, Central): Will my hon. and learned Friend give way?

Mr. Mellor: With respect to my hon. Friend, I must push on; otherwise, there is a danger that I shall detain the House for longer than I would wish.

Mr. Lord: Will my hon. and learned Friend give way on that point?

Mr. Mellor: I hope that my hon. Friend will not criticise me if I overrun.

Mr. Lord: No, I shall not. I am grateful to my hon. and learned Friend for giving way on the point of Government funding to local authorities. Those responsible for the matter in Suffolk are anxious that the correct amount of money should go to pay for the changes for which it is designed. I believe that it is called ring fencing. My county is anxious that that money should not be part of some general grant that is then used for all sorts of different purposes. Will my hon. Friend assure the House today that such money will be specifically earmarked?

Mr. Mellor: My hon. Friend is vindicated in his decision to press me to give way. He has put his finger on one of the key issues, which we are still in the process of discussing. That is as it should be, when such new arrangements do not come into force until April 1991 and when tomorrow I shall be meeting the Association of Metropolitan Authorities and we are consulting widely outside as well as discussing the arrangements within Government.

The first point that needs to be made is that we did not accept Roy Griffiths's advice on the financing arrangements, largely because, having just changed the financing arrangements between central Government and local government, it did not seem opportune to change them yet again for social services spending. It is right that hon. Members on both sides of the House should speak up for local authorities and, since one of the principal burdens of complaint in the past decade has been an excessive determination of such issues by Whitehall, I should have thought that many would welcome the fact that we are accepting that local authorities should have sufficient discretion over the allocation of resources between the different services that they have to provide without too many of those decisions being pre-empted by Whitehall.

That is the argument in so far as it relates to the totality of Government support for local authorities. My hon. Friend the Member for Suffolk, Central (Mr. Lord) may have been referring to the funding that is transferred from the Department of Social Security to local authorities.

There is an argument that, whatever the arrangements that relate to the general transfer of funds from national to local Government—that specifically Griffiths-related transfer from the DSS to local authorities—they should be ring-fenced. The Government have reached no conclusion on that argument. It is my genuine intention and that of my colleagues ranged here in extraordinary numbers to listen with care to what the House has to say. It is well worth advancing a case for ring-fencing that part of the transfer. However, it will be wrong for me to seek now to predict how that argument will shape up.

Mrs. Maureen Hicks (Wolverhampton, North-East): Will my hon. and learned Friend give way?

Mr. Mellor: With great respect to my hon. Friend, I really must get on. I am between the devil and the deep blue sea. No doubt the flashing lights will exterminate me at the end of my speech if I go on for too long. *[Interruption.]* I am sure that that is an outcome devoutly to be wished by Opposition Members.

I hope that we can take the opportunity of exploring together these important avenues, some of which have already been raised in previous discussions. I hope that, as well as dealing with the broad thrust of the proposals, those who have expertise in dealing with some of the especially vulnerable groups will not hesitate to bring that to bear. My hon. Friend the Parliamentary Under-Secretary has taken a particular interest in the development of our policies on mental health. He will want to say a good deal about that when he winds up the debate. I shall not say too much about that now so as not to duplicate what he will be saying.

The overriding aim of our proposals is to make sense of the existing over-complicated and multi-faceted system for providing health and social care in the community. In particular, we want to promote independence and choice for the individual who needs community care. In the end, those people are the most important and their needs must lie at the heart of our proposals.

We are looking for a new partnership which, if it is to be effective, must be not only between central and local government but with the private sector, the voluntary sector and the National Health Service. If it is established in a spirit of constructive common sense and a businesslike responsibility, it will enable better and more appropriate care to be delivered to more people.

That brings me to the central pillar of our proposals. As I have already said, local authorities will be responsible for co-ordinating the appropriate care packages for those who need them. Our acceptance of Roy Griffiths's analysis is full-hearted on that point. We spent a long time thoroughly considering all the options and decided that this was the most practical way forward.

We want it to work out, and that is why the White Paper will have running through it a conscious awareness, 21 years after Lord Seebohm's famous report, that the Seebohm concept of the social services department remains highly relevant to our needs today. Lord Seebohm described an integrated social services department as

"enabling the greatest possible number of individuals to act reciprocally, giving and receiving services for the well-being of the whole community".

We believe that the key components of community care must be services which respond flexibly and sensitively to individual needs, particularly those of the most highly dependent people, and which allow for real consumer choice. The Government have set the framework for those services with those objectives in mind. There are three objectives and I shall set them out.

Our first and foremost aim is to ensure that, wherever possible, domiciliary, day care and respite services are used to enable people to continue to live in their own homes for as long as possible. Existing funding structures have worked against that in the past; but the unified social care budget that we propose, to be managed by local authorities, will provide a new incentive to give priority to those services for people at home, and to direct them towards those in greatest need of support. As I have said, many people will need long-stay accommodation, and we want them to have it. I am convinced that better domiciliary care will meet a real demand.

Secondly, we want to ensure that service providers make support for carers a high priority. We all recognise that carers make an enormous contribution, but we do not always do enough—indeed, sometimes we do not do anything—to help them. Pious acknowledgement of the role of carers is not enough; we must develop practical ways of helping them, and I believe that the provision of respite care schemes must be a priority. Policy for carers is one of the most crucial aspects that we want to develop, and I look forward to receiving further advice from the House this afternoon.

Thirdly, we want to ensure that service delivery is based on a proper assessment of need. Social services departments will be familiar with the process, but the new financial arrangements will require the task to be undertaken in a different context. That will involve taking account of all the individuals' circumstances, including their health, and the several different ways of meeting needs within the broad objectives of community care policy.

The basic aim is an individual assessment of need designed to offer the best possible outcome within the resources available. Clearly, the amount of time and effort required to make the assessment will vary considerably from case to case, as will the need to consult other agencies; but we want to ensure that when consultation is needed it takes place, particularly when residential care is being considered. An input will plainly be necessary from the National Health Service as well as from local health authorities.

Although in some instances collective consideration will be necessary, it is vital for us to recognise that in many cases not collective but individual responsibility will be essential. We neither need nor can afford a case conference on every decision. We shall want to develop with the social services departments good practice in case management, with the aim of ensuring that named individuals are responsible for individual cases. That is the basis of the exercise of responsibility within a properly disciplined framework in social services departments. I hope that those will be seen as common-sense concepts with which we can all agree.

Another key part of our proposals is the continued development of the independent sector, supplementing rather than replacing—I stress that—local and health authorities' provision, and therefore increasing the available range of options and widening consumer choice.

Mr. D. N. Campbell-Savours (Workington): Will the Minister give way?

Mr. Mellor: I will give way in a moment.

A steadily increasing number of authorities are already moving to become "enablers", and we wish that trend to continue. At a recent social services conference in Coventry, I was encouraged to note the number of authorities across the political spectrum that recognised that that was a proper role for them to be asked to fulfil. It makes a great deal of sense to look at what the independent sector can offer, in terms of both quality and cost-effectiveness.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is the Minister aware that his Government's policy of deliberately moving people out into the private sector, and then limiting the amount that they could receive in social security, is causing a real problem for many of my constituents? Having found themselves in private homes, they can no longer afford to stay there, and will soon be put in the intolerable position of having virtually nowhere to go. How does the Minister assess that idealised picture of a mix of private and public health care—which is not being provided under his command?

Mr. Mellor: I think that the hon. Lady is being less than fair. I have already pointed out that there has been a hundredfold increase in the provision of resources to enable people to enter long-term residential care. The number who have availed themselves of that opportunity has been far greater proportionately than the increase in the number of elderly people over the past decade.

I have acknowledged—and I am happy to repeat—that it is of the essence to look at the two variables. The first is what is right and proper to be charged by way of fees in these circumstances. One of the advantages of a mixed market is that there is competitive pressure to offer value for money. The second is the need to look at the amount of resources devoted to each individual.

My right hon. Friend the Minister of State for Social Security, who is present today, has said, notwithstanding the many other matters on his plate, that he appreciates that it is of the essence to keep under review the adequacy of these provisions. But I am a long way from being persuaded that the Dickensian picture that the hon. Lady paints is anything like an adequate or fair description of what is happening now.

Ms. Joan Walley (Stoke-on-Trent, North) *rose*——

Mr. Campbell-Savours *rose*——

Mr. Frank Field (Birkenhead) *rose*——

Mr. Mellor: I have an imploring trio, but I think the hon. Member for Birkenhead (Mr. Field) is the most irresistible

Mr. Field: The point that my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) made is vital. Many of our constituents, after a lifetime of contributing to the NHS, expected to be given a free service when they needed it. They now find, when they are put in what the Minister described as residential care, that they are in difficulty. In the first instance they may have found the situation satisfactory because the fees were covered in full. Increasingly, however, many of them are finding that the DHSS is not meeting nursing home fees in full. Many families are, fortunately, able to make additional contributions to ensure that the fees are paid, but gradually an increasing number are finding that they are unable to do so.

The result is that, whereas many of our older constituents expected to be cared for free in hospitals, they are finding now that they are cared for initially free in residential care but are then faced with bills of £10, £20, £30 and even £40 a week. What does the Minister say to those constituents and families who cannot make up the difference by topping up the fees, who previously enjoyed a free service but who are now expected to make contributions?

Mr. Mellor: The hon. Gentleman, whose authority and good will on these issues I recognise, paints a less than fair picture. I cannot believe that he wanted to make one point in the way in which I heard it—the idea that those in residential care should have been better placed in hospital.

Mr. Field *indicated dissent.*

Mr. Mellor: I am glad that the hon. Gentleman was not implying that. It is of the essence of sensible provision under whatever Government may be in power that we do not use hospitals as places for the long-term care of those who do not require medical as against social care.

Mr. Field: There was no price tag.

Mr. Mellor: Some saw that as a clear advantage. In other situations, it meant that people who could reasonably have made some contribution towards their residential care did not do so. We must accept that we shall increasingly be living in a society in which, while it is true that many will require full protection—and they are getting it, because I have it on the authority of the Minister of State that the majority of people are receiving full cover in this connection—some will not be receiving full cover because they and their families can make up the difference without it being unreasonable for them to do so.

I know that the hon. Member for Birkenhead wants to be fair, and he will appreciate that while in any of these policy areas one can never have all gain and that there will always be problems, my right hon. Friend has acknowledged the need to keep these issues under review. It has been a major benefit this decade that there has become available good quality residential care for the elderly provided by the private sector largely financed by the public sector. No amount of quibbling at the margin can deny that that has been a major achievement of the Government.

Ms. Walley: In relation to fairness and placing people in the independent sector, perhaps the Minister will address a problem that was represented to me at my surgery on Friday. An elderly pensioner couple with a sister in a private residential home told me that she was in receipt of £10 a week less than was needed for her stay there. The elderly pensioner couple are having to find that £10 every week out of their pension of £74 to make up the shortfall between what is available from public funds to keep their sister in that home and what is being charged by the independent sector.

I assure the Minister that that is not an isolated case. People throughout the country are facing similar situations. We cannot rely on the independent sector when

there are not sufficient funds available to cover that sector's charges. What answer does the Minister have for our constituents who are facing such problems?

Mr. Mellor: I appreciate the concern felt by the hon. Lady. I have already said that it is of the essence to assess the reasonableness of the fees charged and the reasonableness, in individual circumstances, of the amount of public assistance given. The hon. Lady will not expect me to give a substantive answer because, although I obviously know something about these matters, they are not my primary departmental responsibility and, secondly, it is difficult for me to comment on an individual case. I suggest that she writes about the facts of the case to my right hon. Friend the Minister so that the matter can be looked at.

Plainly, there are some problem cases that we must examine. I have already acknowledged that, and I do not mind doing so, but if we are to have a balanced and sensible debate, it would be helpful if all Opposition Members acknowledged that the reason that we are in this position is an unprecedented expansion in the availability of an area of care that was never available before the Government came into office.

In this mixed economy of care, it is clear that ensuring quality will be vital. Quality is at the heart of our concern. No agency has a monopoly of virtue on quality, but we will be looking to local authorities to ensure that the care provided is not simply the cheapest, the most convenient to supply or just a ratification of the way things have always been done, but the package that best meets the needs of the individual client.

To define good quality is not easy, but I hope that local authorities will begin by listening to their clients. Recently I was particularly glad to read an article in *The Guardian* by Tessa Jowell—a name rightly respected in this area—who made the point most graphically. She concluded a piece about local authority provision, which had food for thought for all of us and not just local authorities, by saying:

"Local authority provision is a badly directed mish-mash whose ineffectiveness frustrates or dispirits the provider and often demeans the beneficiary. The solution in local authorities is to listen to the customer."

I hope that that kind of straight talking will persuade local authorities to see the need for change and improvement not as a threat, or something to bridle at defensively, but as a shared endeavour which central and local government should work on together.

Mr. Tom Clarke (Monklands, West): It is appropriate for the Minister to quote Tessa Jowell as she was a well-known supporter of the Disabled Persons (Services, Consultation and Representation) Act 1986. The Minister will note that I waited 37 minutes into his speech in order to hear what the Government plan to say to local authorities—and he has an opportunity to do just that, when he meets the Association of Metropolitan Authorities tomorrow. Where do the Government stand on this Act, or are we to assume that the off-the-cuff comment of the Secretary of State on 12 July now represents the Government's definitive position?

Mr. Mellor: I was asked this question at Coventry and I understand why, but all I can give is the same answer. I have no further announcements to make of further progress in implementing other parts of that Act, but I have plenty of other plans and schemes and everything must fit in to a sensible order of priorities.

Service specifications and monitoring have a vital role in local authorities' own services. Contrary to what some have said, we are not stopping local authorities providing their own old people's homes and so on. What is clear, however, is that local authorities will need to prove better than they have ever been able to do that they are properly monitoring the standards within their own homes as well as having an arm's-length agency capable of dealing fairly with residential homes that lie within their areas. In the years to come, their ability to be fair will be one of the key tests of whether we were right to charge local authorities with those responsibilities under Griffiths.

I should like to commend those local authorities that are already developing quality assurance work within their social services departments. It is not enough that social services departments should believe in what they are doing: they should be capable of demonstrating that what they are doing is of good quality. That is essential.

Turning briefly to planning and monitoring, while quality will be an essential element in the new planning and monitoring system, there are other issues that we need to grasp. Accountability will be a central plank of an effective, high-quality public service, and we shall be looking to satisfy ourselves that authorities have plans which are in line with national policy objectives. We shall be taking new powers to call for reports from authorities where we have reason to think they may be needed. We shall want the social services inspectorate—which is well respected by local authorities of all political colours—to have access to plans and to offer advice on them. We have no desire to establish an over-bureaucratic or heavy-handed system, but it is important that future community care arrangements are subject to that additional form of public accountability.

Let me say a word or two about resources. I have already made it clear, and I am happy to do so again, that the Government have an important role in ensuring that local authorities have the financial resources they need to tackle these new tasks of assessing need, arranging care packages and buying residential and nursing home places. Our proposals are aimed at making sure the best possible use is made of all available resources, whatever their source. They represent a challenge to local authorities in terms of developing their role as enablers encouraging quality control, giving value for money, improving community involvement and enhancing consumer choice.

We have not under-estimated these demands, and recognise that local authorities will need the means to meet their new responsibilities. That is why we shall be transferring to them the money that the Government would otherwise have provided to finance care through social security payments to people in residential and nursing homes. Decisions on the amounts to be transferred, which will allow for projected growth in the numbers of people needing support, will be taken in next year's public expenditure survey. I am well aware of the importance of those discussions proceeding well. That is why we are having intensive discussions with local authority associations and others in trying to ensure that we reach some balanced judgment as to what that figure should be.

Mr. Campbell-Savours: Can the Minister explain what is happening in Brighton, as in many ways that is at the beginning of the route we are on? We understand that in Brighton a health authority has in effect handed over to a housing association responsibility for the care of 16 to 20 people with learning difficulties. The housing association has told the people who currently look after those people that they cannot have jobs if they seek to remain in the same union. Clearly, the housing association has done that because it considers that there are economies to be made and money to be saved if the people working for the housing association who take over that care are not members of the trade union they belong to in the Health Service. Is that the community care arrangement one wants for people with learning difficulties, whereby one hires people without skills, who have not been involved in that care in the Health Service from outside in the market, simply to save on wages and conditions? Is that what we are to expect?

Mr. Mellor: The hon. Gentleman has not made the best possible use of the time he took for his intervention. Obviously, he cannot expect me to comment on a case about which I know nothing. My principal curiosity is why the hon. Gentleman who represents Workington should be so fascinated by what happens in Brighton, which, so far as I am aware, is extremely capably represented by two of my hon. Friends who probably get on perfectly well without him on that aspect.

Let me say a word or two about training. We recognise that there is a significant training agenda here for local authorities, who must now be starting to consider how to meet the training needs of their staff and to plan new training programmes. At last month's social services conference in Coventry, I was glad to announce the continuation in 1990-91, at present levels, of the training support of an additional central grant of £2 million next year to support post-qualifying training in management which will be at the heart of all this. Authorities should be able to take advantage of these in preparing their training plans for the new community care arrangements.

Obviously, however, the partnership goes wider than between Government and local authorities during the implementation period. It stretches out to embrace all those involved in community care—health and social services, independent and statutory sectors, providers and consumers, advisers and assessors, care managers and carers—and it will persist as working together in a real sense after the new mechanisms are in place. Our ability to devise systems whereby those various parts of the system can work together will be a test of whether we have succeeded.

I am to be involved in this area of activity at a time when there is a real chance of making a decisive move forward towards better community care. There is, I realise, a wealth of difference between stating policy and putting it into practice. Nevertheless, I believe firmly that, given strong management and a businesslike approach, there is much that can be achieved. We can get better at meeting the needs of the public to whom we are all of us accountable. The focus should be on the needs of the individual, whether a child with a mental handicap, and elderly person who, despite disabilities, wants to remain at home, or a person with mental illness who needs help facing the problems of living with dignity with his disease.

I conclude with another passage from Tessa Jowell's article:

"It takes time, patience and a commitment to change, rather than a lot of money, to translate the vast range of individual experiences into service changes that are recognisable to the people who use them."

I add to that that of course money will be needed. I gladly concede that, but people need also to find the time, the patience, the commitment to change and the effective organisation and management of these services. If that is absent, no amount of money will give us the community care that we all want to see.

Those people who are cared for and those who do the caring deserve a better deal from community care. That is the spirit in which we have announced our proposals. I hold firm to my belief that central Government, local authorities and all the other major players in the community care world will be better able under these arrangements to forge the new partnership needed to give that better deal to the increasing number of people who need it.

4.47 pm

Mr. Robin Cook (Livingston): This is our third debate on community care in the past six months. It is the first such debate in Government time, and it was widely expected on both sides of the Chamber when the debate was announced in July that this would be the occasion when the House would debate the White Paper we were promised on 12 July in the Secretary of State's holding statement.

In reply to a question from my hon. Friend the Member for Monklands, West (Mr. Clarke) the Secretary of State said, on the timing of the White Paper:

"It will probably be in the recess."—[*Official Report*, 12 July 1989, vol. 156, c. 998.]

I believed him. I certainly believed him when I discovered that we would be debating this matter on the first day back after the recess because I could not believe that anyone would be so foolish as to expose himself to a debate on this issue unless he was confident that the White Paper would be published in advance. I now know not to believe him next time.

Like the rest of the House, I tuned in to the Secretary of State's address to the Conservative party conference. I was flattered to note that the Secretary of State found time to make two references to me, but they were two more than the references he made to the Government's plans on community care which have fallen back down to the depths of his mind. It is perplexing that the delay is not just a matter of three months since the holding statement in July. It is now a delay of 19 months since the Griffiths report was published. The Government have taken close on two years to get themselves together to publish their response to a report which was written in just over one year. When one considers that laid-back timetable——

The Secretary of State for Health (Mr. Kenneth Clarke): That is what the hon. Gentleman was going on about last time.

Mr. Cook: The Secretary of State says that this is what I went on about last time, but if the case against the Government's delay was strong in June, how much stronger it is when we meet again in October.

It is perfectly clear what is getting priority under the Secretary of State at Richmond house—his plans to

convert the NHS to market medicine. That means focusing on conditions that can be cured quickly and therefore can be priced and delivered on price. That means marginalising infirmities, disabilities that cannot be cured, that require long-term, low-technology care and nursing, that are expensive without ending, and cannot be made a commercial proposition.

One consequence of this further, unanticipated, delay —about which I think we are entitled to press Ministers, particularly the Secretary of State, since he is with us today —is the problem of the vanishing interval available for consultation on the White Paper when it is published. I grant that this is not a ministerial team noted for lending a patient ear to consultation. They have not paid a blind bit of notice of the storm that the last White Paper produced, but there it is—for form's sake, presumably they intend to have some sort of consultation when they produce the White Paper.

We understand that, if there is to be legislation arising from the White Paper, it will be included in the Government's Bill on the National Health Service proposals which, although unloved, unpopular and consistently rejected by four to one by public opinion, they intend to whip through the House.

I keep reading in the press that that Bill will be in Committee before Christmas. That is using the universal law of the guilty—if it is to be done, it is best that it is done quickly. Where does that leave the proposals for community care?

Mr. Mellor: The hon. Gentleman's debating points seem always to move further and further away from any anchorage in reality. He has chosen to make complaints about consultation and delay. Would he care to tell us which group, whose interests he claims to represent today, has briefed him to say that there has been inadequate consultation? He knows that, as I have already said, there has been the closest consultation with all local authority associations and the Association of Directors of Social Services. If it is taking a week or two longer to complete the White Paper, it is because of the thorough examination that is now going on.

Is the hon. Gentleman just making debating points or will he settle down and debate the topic seriously?

Mr. Cook: Since the hon. and learned Gentleman asks me, I am happy to say what groups I consulted when preparing this speech. They are the Spastics Society, MIND, Mencap, Age Concern and the Association of Metropolitan Authorities, all of whom remain quite mystified as to the financial arrangements that will flow from the holding statement last July and are anxious to obtain the White Paper.

Mr. Mellor *rose*——

Mr. Cook: I shall give way again, but I want to ask one question. One of those organisations told me that it has heard a rumour that, because of the narrow interval that will now exist between publication of the White Paper in late November and publication of the National Health Service Bill in early December, the Minister intends to put necessary clauses arising from the White Paper on community care before the Committee that considers that Bill. That would be only too typical of the contempt with which the Government have treated parliamentary procedure.

Since the hon. and learned Gentleman is so anxious to intervene, I shall ask a specific question. Will he give us assurances that the House will have those clauses on Second Reading of the Bill so that it may be afforded the courtesy of debating them on Second Reading?

Mr. Mellor: The hon. Gentleman—[HON. MEMBERS: "Answer!"] The hon. Gentleman wants to wriggle off a hook of his own making by posing another question. He mentioned four organisations, one of which I am meeting tomorrow. He made the accusation about lack of consultation. Will he tell us which of the four organisations complained to him about lack of consultation by the Government during the preparation of the White Paper on community care?

The hon. Gentleman can wriggle and jiggle. That was the point he was making and it is a bad point, as he well knows.

Mr. Cook: I can answer that point fairly and squarely. All of them said they did not have the July statement and that they needed clarification.

The Minister cannot escape the fact that the Government produced a statement in July and that all the organisations in this field remain ignorant of its meaning.

The Minister said that I produced another question. I have asked only one question of the Minister so far, and it is one that he has singularly failed to address.

I am grateful for the Minister's intervention—interventions at the Dispatch Box usually are enlightening. He has not ruled out the possibility of these clauses being produced in Committee. That is typical of how the Government proceed once a Bill is before the House. No doubt they will already have guillotined it. Nothing illustrates more clearly the low priority that the Government attach to community care for the disabled, the elderly and the mentally handicapped than their reducing clauses relating to them to a Committee point.

I shall now consider what we know about the White Paper, which comes from an essay, "Plan for a White Paper", published by my hon. Friend the Member for Peckham (Ms. Harman), which is more enlightening about the likely contents of the White Paper than was the Minister's speech.

As the Minister knows, concern about the draft synopsis for his White Paper focused on the passage about non-residential services. In that passage, the draft says:

"Local Authorities: To encourage the further development of mixed economy of care, to encourage diversification of private providers' entry into domiciliary care market."

I have asked only one question so far and I think I am entitled to a second. What does that mean? I am sure that it does not mean a greater partnership with voluntary agencies because there is already a flourishing partnership between local authorities and voluntary agencies. Most lunch clubs are funded by local authorities but administered by voluntary groups. The only thing that holds up expansion plans is lack of local authority resources. Nor can it mean that commercial companies will be allowed to enter the market to sell services to the consumer, because commercial companies can do that already and they have not shown the slightest interest in entering what is an unprofitable market. What I presume it means is that local authorities will be forced to hand over chunks of their provision to the commercial sector. That brings me to my second question. Does this bode putting home helps out to competitive tender at some future date?

Mr. Andrew Rowe (Mid-Kent): I cannot believe that it has escaped the hon. Gentleman's attention that, during the past decade, and in the past 40 years, there has been an enormous growth in the number of people who have disposable incomes and who have had them for most of their working lives. They are accustomed to making choices in the market place about the kind of care that they want. It would be entirely in keeping with that choice that there should be a considerable growth of a mixed economy in the provision of care, as there already has been in the provision of residential care.

Mr. Cook: The hon. Gentleman says that many people with an income are obliged to buy in the private sector what they cannot obtain from the public sector. Since the hon. Gentleman's constituency is in Kent I shall describe a situation that faces some of his constituents. His local authority is in the bottom 20 for provision of home helps to people over 75, and it provides the lowest number of meals per person to those over 75.

Mr. Rowe *rose*——

Mr. Cook: No, I shall not give way again.

It is hardly surprising in those circumstances, when there is dire, desperate and inadequate public sector provision, that so many constituents are forced to turn to the private sector.

That brings me to the Minister's observations about the increase in the provision of home helps and of domiciliary services. There has undoubtedly been an increase. There are also dramatic variations in provision across the country that ought to be of interest to the Minister. The top 20 social services authorities provide more than 40 hours of home help service per person over 75. Virtually all of them are Labour authorities.

I agree that none of those authorities would be complacent about provision. Every one would accept that there is a case for further provision and that they are not meeting needs in their area, but at least they are in the top 20. They all provide more than double the number of hours of home help service that are provided by authorities in the bottom 20, all of whom provide less than 20 hours per person to those over 75. I am proud to say that none of those local authorities in the bottom 20 are in majority Labour control.

The issue is not the Minister's barren ideological obsession with whether services are contracted out or are with a private provider but whether the services are being provided at all. My hon. Friend the Member for Newham, South (Mr. Spearing) mentioned the inadequacy of home help provision in Newham, where the number of hours of home help provided per person over 75 is 38. The neighbouring borough to Newham is Conservative-controlled Redbridge, where the average number of hours of home help per person over 75 is 16—less than half that of the neighbouring borough.

Are there so few old people in Barnet that it can get by by providing one fifth the number of hours of home help provided in Greenwich? Are old people in East Sussex so wealthy that East Sussex can get by with a quarter of the services provided in Cleveland? There is the same variation in the provision of meals for people over 75 in Kent. Can Kent get by with one tenth of the provision of meals per person over 75 as is provided in Lewisham, which is only half an hour's drive away? The variations that those figures reveal have nothing to do with variations in need, but everything to do with the political priorities of the people in charge. Throughout the country, Labour authorities are committed to meeting those needs, but the services that they provide may be put at risk by the political dogma foreshadowed in the White Paper.

The Government's worrying double standards on residential homes were revealed in the Secretary of State's statement in July and confirmed by the Minister's speech. The Secretary of State takes pride in saying that he has delivered on 80 per cent. of Griffiths's recommendations. Typically, the two major departures from Griffiths relate to money. The first is arrangements for people in residential care. The Government's proposals are not the same as Griffiths's, despite the Minister's congratulations on a cogent and worthwhile report.

Griffiths recommended that there should be a level playing field between the public and private sectors, which is what one would expect from an author committed to a free market in which people can exercise choice. Instead, Ministers are offering a rigged market in which one choice is off limits. One will receive social security support only if one chooses private provision. One will be lucky to receive local authority provision because, inevitably, Labour and Conservative-controlled authorities will be obliged to steer people towards the sector that enables them to maximise revenue and protect their fixed budgets. On this playing field, the public sector will be playing up hill.

I note in the synopsis of the White Paper a delphic line that reads:

"Explanation of the rationale for this."

I look forward to reading that. I do not know how Ministers propose to wrap it up, which may be a cause of the delay. We are already aware of one reason for the delay —to force local authorities out of direct provision. If anyone doubts that, he should consider what is happening in local authorities where the Conservatives already have their hands on that direct provision. In Bradford, they are selling old folks' homes, not necessarily to be used as such once they are sold. Since the publication of the Secretary of State's statement in July, the authority in Wirral has divested itself of all old folks' homes.

In those circumstances, what happens to the rights of the users of those homes? What about the choice of residents who live in them? What guarantee do they have that they will be allowed to continue to exercise their choice to stay in a local authority home?

The truth is that there is a mixed market in residential care, and that no one in the public sector is arguing against it. Indeed, precious few people in the private sector are arguing against it. The only voice urging retreat by public sector provision is that of Ministers. That dogma matches the prejudice with which Ministers are currently booting local authority representatives off the health authorities at the very time when community care requires greater co-operation between the two.

Mr. Peter Thurnham (Bolton, North-East): The hon. Gentleman said that only Ministers were calling for more provision by the private sector.

Mr. Cook: I did not say that.

Mr. Thurnham: That certainly was the drift of the hon. Gentleman's remarks. I should like to draw his attention to remarks that the Royal College of Nursing made in its report. It said:

"Inspectors are setting standards for the private sector which are not adhered to in the public sector, especially in residential care homes."

Perhaps the hon. Gentleman will take that on board.

Mr. Cook: The hon. Gentleman should be on this side of the Chamber. The Government propose to leave registration inspection in the hands of local authorities. The Labour party proposes that registration inspection should be carried out by a national agency and not left with local authorities, but that is a debate that the hon. Gentleman can have with his hon. Friends and not Labour Members.

Local authorities are being invited to make long-term dispositions about residential care homes on the basis of the rigged market that will be introduced in 1991. The next Government will remove the absurd discrimination against the public sector. We shall restore to local authorities the right to compete fairly and the ability to be direct providers of residential care.

That brings me to the Secretary of State's second major departure from Griffiths. Griffiths recommended a specific community care grant to meet half the total expenditure of local authorities on community care. No specific grant was included in the Secretary of State's statement to the House. I was astonished when the Minister said that the Government had not yet made up their mind about that. It is perfectly clear from the Secretary of State's statement on 12 July that he had made up his mind. I asked a specific question about this issue, to which the Secretary of State replied:

"As to money and resources, we are following Sir Roy Griffiths's recommendation to transfer resources and the care element of social security to local authority budgets . . . We have not followed Sir Roy's recommendation for a specific grant."—[*Official Report*, 12 July 1989; Vol. 156, c. 982.]

If the Minister is saying that the Secretary of State is having second thoughts, that is most welcome, but I should like to tempt the Secretary of State in his second thoughts to go beyond the specific minor element to which he referred—the transfer of the present social security provision to those in residential care. If that is the only commitment to money being diverted to local authorities and a specific grant, I warn hon. Members that we are not talking about large sums. We are talking not about the £1 billion that is currently given to those in residential care who are on social security, but about only the care element of funds that the Department of Social Security would otherwise pay out on persons admitted for the first time to residential care after April 1991.

The increase last year in DSS expenditure on residential care was less than £200 million. The Minister has not told us how much of that is the care element, but if we assume that it is about one third, we are talking about a transfer from DSS funds to local authorities of less than £100 million—perhaps £750,000 for every social services authority in England and Wales. We are not talking about sufficient grants to meet 50 per cent. of their community care expenditure. Local authorities are worried that they will not be receiving enough even to carry out the function of substituting for the DSS and maintaining people in residential care.

It is not enough for the Minister to dismiss the intervention of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) as Dickensian. The point that she made about the under-funding of those who are currently on social security in residential care is well documented. A study carried out in Oxford identified almost one third of those residents having a shortfall in excess of £30 a week. A firm of accountants, on behalf of the British Medical Association, is studying that picture.

There is no mystery about it—the gap dates from 1985, when the Department of Health and Social Security changed the rules, no longer met the full fee of the homes and residential care and annually uprated only a flat charge, which in every year since 1985 has gone up by less than the rate of inflation. Tens of thousands of elderly people are driven frantic with worry because of a shortfall between what they receive in benefit and what is required to keep the roof over their heads. The nightmare for local authorities is that, if and when they get this new money transferred from the DSS, it will entirely vanish on topping up the shortfall that already occurs on existing provision, never mind fresh provision.

That brings me to the key question. If the Under-Secretary of State wishes to choose a question to which to reply from the multiple choice questions, this is the one that I would most prefer him to tackle. A new duty has been placed on local authorities to sponsor elderly and disabled persons who are admitted to residential care. Along with that, there is the duty to assess whether they are appropriately admitted to residential care. In this new system, if the local authority carries out the assessment and decides that residential care is appropriate, will it then be obliged to find a place and will it be guaranteed the resources to meet the cost of that place, or will applicants be told, "Yes, you are entitled to residential care and you pass the assessment for residential care but, sorry, we have hit our cash limits and we cannot afford to place you in residential care"?

The worrying feature is that we are moving from a system in which cash from the DSS is awarded to the individual on individual entitlement to a system that will be based on a fixed budget and will therefore be cash-limited. It is difficult not to conclude that the elaborate rhetoric of a new direction in community care conceals the fact that the Treasury has now got what it has long been looking for—a device to cap the bounding social security expenditure on residential care. The device will consist of sitting back and letting local authorities take the strain or, as Chris Heginbotham of the King's Fund expressed it rather bluntly, but tellingly, there is a real danger that local authorities will be "politically stuffed".

That brings me to the critical question of why there is no specific grant for the transfer of resources. As we understand it, the transfer of resources will be buried in the revenue support grant, where they will be so small that even the Secretary of State will require his best pair of ornithologist's binoculars to spot it. Certainly no one else will be capable of seeing what is going on, and that, of course, is what local authorities suspect is the intention behind not ring-fencing this transfer of resources.

The Minister asked about the voluntary organisations that I consulted. Every one of them pleaded for the transfer of resources to be ring-fenced so that it could be separately identified. The Minister keeps referring to the importance of the private sector. The joint care committee, which represents the commercial sector, is terrified about what will happen if the transfer is not ring-fenced, because it is worried that local authorities will not have the resources to meet the claims of the claimants currently in their homes.

[Mr. Cook]

I raised the matter with the Secretary of State in July. In responding to my intervention, he said that the separate specific grant proposed by Griffiths was intended as a control menchanism—the implication was that local authorities should be pleased that he was not imposing this control mechanism on them. Possibly the most remarkable voice in support of a specific separate grant is that of local authorities. They are willing to accept the deal of a specific grant for specific services. That is a control mechanism that they are confident they can meet. They want it also because it will be a control mechanism on the Secretary of State as well. A specific grant would make it clear to everyone how much he was putting into community care and who was responsible if it was not enough. the person dodging the control mechanism is the Secretary of State; it is not the local authorities.

The Minister's comment on the carers of those in need of care was welcome and generous. However, the House should recognise that the bulk of care in the community is met by informal carers, by which—let us be blunt about it—we mean the nearest female relative, time after time. It is impossible not to salute the dedication and sacrifice of those carers. The Minister of State went to the AMA conference the day after I did, and no doubt found as I did that every delegate to that conference had been deeply moved at the plenary session when a number of carers had been specifically selected by Tessa Jowell to talk about their experiences and needs. They included one woman for whom that was the first hour in two years in which she had been out of the house and away from the person for whom she was caring.

The Minister is right to say that we cannot be pious in deriving a warm glow of satisfaction from contemplating the devotion of those carers, but the response of the House in contemplating that dedication and devotion should be shame—shame that we provide so little help to them, that we do not provide any training for them and that we provide little respite care and minimal relief for them.

There are undoubtedly a number of pertinent questions that can be asked about the Government's intentions. One set relates to how the Government intend meeting the need of those carers for an income of their own. I am glad that the Minister for Social Security is with us, because the way in which this Parliament has treated the benefit rights of carers is a disgrace. If the carer lives with somebody who claims social security, it is almost certain that, by definition, that person was one of those getting higher social security levels, based on allowances and extra payments for heating, diet and other needs, all of which were abolished in April 1988. Therefore it is likely that such a carer now finds himself or herself stuck in a household on transitional protection, with a frozen income for the past three years. If the carer was on social security in April 1988, she would have found herself in April 1988 in the only group on long-term supplementary benefit which got no premium on transfer to transitional protection, and therefore she would have lost the equivalent of £5 a week.

I was deeply moved a couple of months ago when I read an article by a woman who gave up work four years ago to nurse her terminally ill sister. She explained how she got out of the house only twice a week. At the end of those four years of constant nursing and after her sister died, she applied for unemployment benefit because her invalid care allowance had expired. When she applied for benefit, she was told that she did not qualify because, as a result of the Social Security Act 1988, credits for ICA no longer counted towards unemployment benefit.

Mr. Rhodri Morgan (Cardiff, W...): A kick in the teeth.

Mr. Cook: As my hon. Friend says, it was a kick in the teeth. The woman's emotions and reactions to that were greatly exacerbated when the person behind the counter, no doubt well-meaning, but essentially tactless, said that caring for a relative was not a proper job.

Mr. Frank Field: Does my hon. Friend agree that the position is even worse, because no carers get credits for unemployment benefit? Therefore, when the person for whom they care dies and they claim benefit they are told that they do not qualify for any national insurance benefit. The Government say how important it is to support the carers, but does my hon. Friend agree from experience of his surgeries that about six months after the person for whom they have cared has died, many carers often have a breakdown, such is the pressure on them? If the Government were serious about supporting carers in their move back into work, the very least they could do today would be to announce that all carers would qualify for benefit when they cease to be carers.

Mr. Cook: I agree absolutely with my hon. Friend. All the medical surveys that have been carried out show that not only those who are in need of care are infirm or disabled, but the people who care for them are less healthy than the rest of the population.

I stress that however much we improve the service to carers and whatever solution we find to the serious problem they face in obtaining independent income, it would be an immense mistake for any hon. Member to imagine that we shall be able to palm off the growing number of those in need of care on to a growing number of carers. Most people over the age of 85 have children—if that is the right term—who are now in their early sixties and who are on the verge of needing domiciliary support. There are not enough younger relatives to go round. Already, 29 per cent. of single women between the age of 45 and 64 provide full-time care for disabled relatives. In the real world that percentage cannot be increased. Other Ministers, especially the Secretary of State for Employment, have other plans for these women and want them to step into the breach caused by the declining numbers of school leavers.

The harsh reality is that individual solutions in private families cannot match the growing need for care in the community. It will take collective provision by public agencies for the community. That will not be achieved by a Government who persist in regarding local authorities as whipping boys and every increase in public expenditure as a defeat and who, when faced with a social need, see only a market opportunity. Those are the real reasons why Ministers are having such difficulty writing the White Paper after 18 months and why all the signs are that when the White Paper appears it will not match the challenge that we face. They are part of the reason why the public outside this place are increasingly impatient to be rid of the Government.

5.22 pm

Sir Geoffrey Pattie (Chertsey and Walton): I followed closely what the hon. Member for Livingston (Mr. Cook) was saying and I had some sympathy with his point about carers, because I am most concerned in case there is any belief in Government circles that the voluntary sector can in some way, in totality, take over the responsibilities which have hitherto been the purview of the state.

In 1971 my wife was involved in establishing an emergency social health scheme in the Brixton area of south London. After it had been going a few years and a partnership had been developed with the local authority, it had five full-time paid employees, who were paid for largely by the local authority. There were also about 80 volunteers. Without the five full-time employees, it would have been impossible to keep the 80 volunteers in the field. I would be happy to be reassured, but I am concerned that there is a belief that the 80 could be extended and the five full-time employees could be taken away so that the entire scheme—which is replicated throughout the country—could be run on a completely voluntary basis. Quite frankly, it cannot.

We seek reassurance from the Government that they will look at the importance of funding some paid employees in local schemes to act as false multipliers to make it possible for the considerable amount of voluntary good will which exists to be utilised. They must not regard volunteers as a substitute for paid effort.

I know that many people want to speak in the debate, so I shall be brief; but there are some points that require further elucidation and clarification from the Government. It would be extremely helpful if, when replying to the debate, the Minister could tell us when the Government intend to transfer the management and staff of long-stay mentally handicapped hospitals to social services departments. There is a considerable gap on this subject and we should like to hear about it.

There is also much concern about what the care packages will consist of. There is a problem between what constitutes a care cost and what a housing cost. In my own part of the country, one of the specialities of the North West Surrey health district is respite care breaks. There is a great deal of demand from individuals and carers for such respite care. In order not to disadvantage the individuals, they would need to be able to pay not only for their respite care, which is a care cost, but for the rent on their homes, plus rates, heating and water, which are housing costs. They should also pay something towards the hotel charges incurred by the providers of respite care, which is a housing cost. Therefore, the formula for calculating care costs must include provision for the housing element; otherwise, there would simply not be enough to pay for the service.

Mr. Chris Heginbotham, who has been mentioned in this debate, has spoken in favour of the desirability of setting up various forms of trusts to help to administer housing needs in areas where there is a considerable degree of pressure. In my part of north-west Surrey we must have sufficient capital, revenue reserves and resources provided otherwise we shall be in great difficulty when following through some of the excellent initiatives that we have. There is much that is good in what the Government have been proposing; now we want further clarification on some of the points that I have raised.

5.27 pm

Mr. Jack Ashley (Stoke-on-Trent, South): I shall try to deal in a few moments with a few of the points made by the right hon. Member for Chertsey and Walton (Sir G. Pattie), but shall begin by saying that the Minister of State is a pretty dab hand at putting a gloss on the policies he presents—that is, when he gets round to doing so. I was disappointed that he took so long to get round to community care. The Government have had the Griffiths report for a long time, as my hon. Friend the Member for Livingston (Mr. Cook) has constantly mentioned.

Today, the Minister of State is making friendly overtures to those people who need community care, but I was not that impressed by the substance of his speech. Community care is one of the greatest social problems of our age, affecting old and disabled people. I would have thought that the Government would have given the subject a much higher priority and dealt with it more quickly.

Despite the vagueness of the new proposals mentioned by the Secretary of State in April and filled out a bit today by the Minister, they show that a new financial burden may be added to those shouldered by people who receive community care. Many people are fearful that, if local authority care is to be privatised, it may mean that the Government will replace free provision with means-tested care. That is a point of great importance to disabled and old people, because the consequences would be devastating.

If that fear were justified, it would mean that thousands of elderly and disabled people would gradually lose their savings, and nothing could be more important to them than that. They might even have to sell off their houses as their resources melted away in payment for essential care services. I hope that the Under-Secretary will be able to give a categorical assurance that the Government will not privatise community care. I would welcome that. If he cannot, I shall take that, too, as a statement of Government policy. If the Government privatise community care and charge for it, that will be scandalous; it will be the equivalent of selling it like cigarettes or detergents.

The Minister of State expressed good will to people who receive community care. I shall tell him where Government policy is wrong. The fundamental shortcoming of the Government's new policy is its assumption that the acknowledged inadequacies of community care can be remedied by shuffling responsibilities, not by increasing resources. The truth is that we need new polices and new money, yet we do not seem to be getting them. Indeed, the level of finance may even be reduced. It may leak away because of the Department's refusal to make specific allocations.

On 12 July, the Secretary of State said that he had not gone down the specific grant route but would use the inspectorate route. Today we heard the Minister of State say what the inspectorate would do. He has been led up the garden path if he thinks that it is a substitute for specific grants. He said that the inspectorate would "offer advice". What is the point of that? Intransigent local authorities which are not prepared to allocate funds for community care will not be impressed in the least by advice from any quarter.

We must have specific allocations by the Government for realistic and genuine community care.

[Mr. Jack Ashley]

One of the problems facing Ministers is that specific grants would enable people to identify the true cause of poor services—the Government's inadequate funding. Without specific grants, blame can be diverted to local authorities, which may well be why the Minister has rejected such grants.

Local authorities are under great pressure to divert funds to badly needed housing or to repairing decaying school buildings. That could be tempting to some impecunious local authorities—and to some mean ones. It would devastate old people if the cash were diverted in that way.

Few things are more insulting to disabled people than being patronised or refused consultation, or denied someone to represent them. I know that these things can be and sometimes are done on an ad hoc basis, but disabled people want such consultations as a statutory right. That is very important. Improved community care for disabled people will develop only from consultation with them and their representatives when that is a statutory right, and I hope that the Minister will be able to say today that the Government will implement sections 1, 2, 3, and 7 of the Disabled Persons (Services Consultation and Representation) Act 1986. If he does not, that will show that, despite having quoted Tessa Jowell's view of caring in the community, the Minister is not prepared to go as far as disabled people want him to.

The mentally handicapped and mentally ill are of special concern because of the appalling way in which many of them have been shunted into an unprepared and often indifferent community. Hon. Members on both sides have made that point strongly. An eloquent Conservative Member demanded recently improvements. These matters concern all hon. Members, and I do not believe that the policies spelled out by the Minister will deal with them substantially. I hope that the Under-Secretary will be able to enlighten us more about what the Government intend to do to keep these people off the streets, out of the prisons and out of the cemeteries.

The Minister of State spoke at some length about carers and I was glad to hear him say that they should have top priority. Many of them bear enormous and unfair burdens. Carers are more overworked, worn out and exploited than workers in any sweatshop in the east end ever were. They are the martyred millions; 6 million of them have had their lives pushed out of kilter because of their affection for relatives. The Minister said that they had been given £1 million more, but they have saved billions of pounds by the care which they have devoted to people in need. It is not possible to solve their problems with £1 million or even more—they need much more cash and they must be given the money. It is imperative that they get it. They must be recognised, consulted and supported. They need respite care, specifically allocated financial support and involvement in the creation of new care packages for their dependent relatives. When the Government provide those, we shall be on our way to proper community care for Britain's disabled people.

5.37 pm

Sir David Price (Eastleigh): Unlike the hon. Member for Livingston (Mr. Cook) I welcome the fact that we are having this debate before the White Paper, because we heard from the Deputy Prime Minister in Blackpool that the Government have become a listening Government, and I shall take them at their word. In the interests of brevity I intend briefly to put to the Government some of the issues that I hope will feature in the White Paper. Inevitably I shall cover some ground which has already been covered by others.

I want to take up a point mentioned by the right hon. Member for Stoke-on-Trent, South (Mr. Ashley)—the recognition that some people need permanent asylum: I use the word in the proper technical sense. The House will recall that the Social Services Select Committee produced a report in the session 1984-85 which dealt with the mentally ill and the mentally handicapped. We were concerned about the speed with which profoundly mentally handicapped people were being turned out of long-stay institutions without adequate provision. In theory, there were plans for their care but in practice they were not being carried out.

I remind the House of what we said at the time:

"While the disabilities of long-stay patients may well be heightened by institutional care, the simple facts are that there is little prospect of major change for the better for many mentally disabled people . . . The concept of asylum has nothing inherently to do with large or isolated institutions. Asylum can be provided in a physical and psychological sense in the middle of a normal residential community: traditionally indeed, in the midst of a busy church. We must face the fact that some people need asylum."

I repeat our conclusion that some people need asylum.

We also need to take into account the demographic facts upon which my hon. and learned Friend the Minister touched. We must recognise, as the Royal College of Nursing has said, that among those over 75 the rate of various forms of dementia requiring 24-hour nursing care is currently running at between 21 and 22 per cent. The college says that there is no reason to suppose that that percentage will drop. In real terms, by simply extrapolating demographic trends, we see that by the end of the century we must make provision for between 80,000 and 100,000 more dependent people with dementia. We are talking about nursing care. It is not fair to ask ordinary care attenders or social workers to cope with that. That is my first point—the need for asylum.

Secondly, there is a need to quantify the number of clients with whom this public policy is trying to cope. I remind the House of the wise words of a famous Scottish physicist, the late Lord Kelvin, who said:

"When you can measure what you are speaking of, and express it in numbers, you know that of which you are discussing. But when you cannot measure it, and express it in numbers, your knowledge is of a very meagre and unsatisfactory kind."

It is time that we made the message a little less meagre and less unsatisfactory. I hope that the White Paper will attempt to quantify it.

The task has been made infinitely easier by the reports of the Office of Population Censuses and Surveys on the number of disabled people in our midst. Extrapolation of the demographic trends and percentages such as those that I have quoted from the Royal College of Nursing on the elderly can give us a reasonable estimate of the number of people with whom we shall have to cope. I can tell the House that there are far more such people out there needing support than are recognised in official statistics.

My third point follows from that. It is that we must have better resourcing of care in the community. We all agree that if we are to make public policy more effective,

it must be properly resourced. That means that it must be more generously and more effectively resourced. That is the message of Griffiths, of the Audit Commission and of every organisation in the health care business that submitted evidence to us. No mention has yet been made in this debate of the telling report from the Audit Commission. In the simple language of the King's Fund Institute:

"More and better-used resources will be required."

Does my hon. and learned Friend the Minister and the Treasury agree?

If the local authorities are to be the vehicle for these more and better-used resources, it is imperative that the contributions of central Government should be in the form of specific grants and should be ring-fenced. I think that every hon. Member who has spoken in the debate has made that plea, and I should like to reinforce it. Whatever earlier hesitations he had, I trust that the Minister, having listened to the debate, will accept that argument in his White Paper. It should appeal to the Treasury and certainly to the Audit Commission.

My next point is about the need for an inspectorate. The proposal for local authorities to make arrangements for independent care facilities to be inspected by them is welcome. Nevertheless, some major organisations have argued for national standards covering both the private and public sectors. Here central Government must play their part as the procurers and enforcers of standards. The social services inspectorate will have powers to monitor community care plans, but unless it is given wider powers its recommendations can be ignored by local authorities —as they currently are.

I plead with the Minister to beef up the social services inspectorate. If he is worried about that being a revolutionary advent, I remind him that under the first Elizabethan poor law, which, as the House will recall, was administered by the parishes, the Privy Council had a duty to monitor the effectiveness of the parishes in implementing care in the community as it was conceived in those days. Therefore, there is good precedent behind my argument.

Finally, may I return to the old theme with which I have burdened the House in the past and which I have noticed other hon. Members have taken up—the importance of private carers? In so doing I declare a personal interest. Far more dependent people are being cared for at home than are being cared for in all the hospitals, institutions and rest homes whether statutory, charitable or private in the kingdom. Therefore, the first priority of any more active policy for care in the community must be to improve the lot of private carers. In his July statement, the Minister praised that concept and my hon. and learned Friend the Minister of State did the same today.

Are the Government and the House aware that two thirds of live-in carers receive no help at all from any service? Some of them may be caring 24 hours a day for very dependent relatives and may be working round the clock with no support. Caring for the doubly incontinent is no gentle pastime and looking after a dotty old relative is demanding and exhausting. That fact alone puts into perspective the role of the carer in our society. From its own experience, the House will know that carers come in all shapes and sizes and that they cover the entire age spectrum. Many elderly people are themselves carers. That fact must be emphasised and, given the demographic forecast, the number will increase.

While the personal circumstances in each case may vary greatly, the common factor is that most carers have consciously chosen, or accepted, the role of looking after their dependent relatives because they love them. For that reason they do not want to hand over the job to anyone else. However, caring for someone who is heavily dependent is continuous, tiring, stressful and restrictive. It can impose serious strains upon other relationships in a family.

We should think of the effect on other children in the same family that comes from looking after a severely mentally handicapped child. There is no 40-hour week in the caring game. Outside help at key times on both a regular and a one-off basis can make the difference between a total breakdown and a successful and loving partnership between the carer and the cared for.

I hope that we can all agree that carers need more backup, regular support and emergency assurances. They especially need sound professional support if they are to fulfil their mission as carers and still have any hope of even a modicum of a personal life of their own. I invite the Minister to spell out in his White Paper how the community can support the carers more effectively. That is essential if we are to make a success of any improved national policy for care in the community. I and I suspect other hon. Members will judge the validity of the White Paper by the extent to which the Minister succeeds in doing just that.

5.48 pm

Mr. Ronnie Fearn (Southport): Although I welcome once again the opportunity to debate this subject, I thought that this important issue was to come before us quite soon and that during the recess we would see the White Paper. However, that was not to be. Like everyone else, I naturally assumed that, as the Government had scheduled community care as the business for today, the purpose would be to discuss some concrete proposals. From what the Minister said, I understand that the White Paper is now expected in early November. If that is so, I doubt whether what is said in the debate will have time to make a great deal of difference to the content of the White Paper.

The matter is extremely urgent, as previous debates have shown. The lack of care in individual cases in some areas and in certain sections of the community service has led to an intolerable level of neglect. Social services departments are presently working at crisis level. I say that from experience of my own authority of Sefton. They are responding with short-term solutions. Many long-term strategies are abandoned because of the shortages of funds and grave doubts about what the future holds.

I know that community care is a complex issue that requires thorough investigation, and I should be a little happier about the delay if I thought that it was due to Ministers conducting an in-depth study to ascertain what the true needs of the community are, in terms of care for the elderly, the handicapped, the disabled and the mentally ill, and then devising plans as to how best the needs can be met. However, I fear that the delay has more to do with the conflict in policy and ideology between the Prime Minister and her many advisers and to the narrow terms of reference within which the proposals for community care are now to be drawn up.

[Mr. Ronnie Fearn]

I am referring to the fanaticism with which some members of the Government approach any service that is remotely connected with the welfare state and the need that they see to reduce public spending while increasing support for the private sector. Such thinking is often coupled with the view that local government can be tolerated only if it has its hands tied firmly behind its back.

It is clear that the recommendation by Roy Griffiths that local government should act as the lead agency for community care services was accepted only reluctantly by the Government. We must now ensure that local authorities receive the resources that they need to fulfil this role, not only financially but in terms of manpower and training. I was pleased to hear the Minister say that there would be a full commitment to training. We must take care that local government does not become the Government's whipping boy. I take that view not because, I am soft on local government—far from it—but because, if that were to happen, many people in need of community services would not receive them.

We all know that a policy of care in the community is not a cheap option, but we do not know what will be the true cost of that policy. There is no adequate means to assess the many different forms of care, and I hope that some investigations are carried out to rectify this. What is certain is that the present level of resources is not enough. Too many people are out in the cold and too many have been allowed to slip through the net. I fear for the future. We have little knowledge about the allocation of funds to local government except the few hints given to us by the Secretary of State in his statement on 12 July, which in effect amounted to a cash-limited system.

We were also told that funds would not be earmarked. This will make it difficult to identify the amount allocated for community care services at national and local level. This raises a number of issues that I hope that the Minister will address. Given that there is already a great shortage in the amount of money required, will he guarantee extra resources to meet the demands not only of providing for the numbers who need support but of ensuring the type of support that is needed? The requirements and costs of care for the elderly, the handicapped, the disabled, and the mentally ill are different, and I hope that the proposals will allow for assessments of funding for the needs of each client group.

It is expensive to provide constant 24-hour care for those suffering from senile dementia, the numbers of which increase every day. This point has been mentioned already, but it needs to be mentioned again. When local authorities are forced to make choices between services, such a community care group will be neglected. The poorer authorities, where often those in the most need live, will be the hardest hit in any cash-limiting exercise.

The Government's attempt to put pressure on local authorities to use the independent sector by refusing to fund people in local authority homes will have devastating consequences. The provision of private and voluntary homes varies considerably across the country. It is not viable for the voluntary or private sectors to set up all those homes in some inner-city, rural or suburban areas. Some people will be cared for in local government homes out of necessity and others out of choice. Neither should be discriminated against.

We support the provision of personal care packages, which would involve a pluralist approach to community care. My party has long called for the Government to act as an enabler—I was pleased to hear the Minister say this as well—rather than a universal provider. We are adamant that some public provision must remain as an option in community care services. It is intolerable that, even in the present circumstances, local authorities are being forced to sell off their residential homes to ensure that there are adequate standards of care. In the interests of choice and as a means of last resort, the individual client and carer must be given access to public provision.

The public sector has not generally provided care for the more vulnerable members of society, and the voluntary sector should not be expected to take too many contracted-out services. If it does, it is inevitable that its services will change in character and the community will lose the benefits of the flexibility, innovation and new initiatives that many voluntary organisations now provide.

There is not and cannot be any obligation on the independent sector to make provision for any form of community care, and if it closes down its operations in an area without public provision, it will be difficult and expensive for the local authority to restart its residential care provision. Once again, the more vulnerable and the disadvantaged will suffer the most.

I said earlier that community care is a complex issue. Unless one has experience of it or is advised by those with some experience on the ground, one will never grasp all its complications and implications. I have much to learn, but the Secretary of State has even more. After his statement on 12 July, I asked him about housing within community care and whether he would direct that local authorities would receive more finance for this purpose. While I accept that the solution does not entirely lie with the Department of Health, the Secretary of State's reply—

"but I honestly do not think that housing finance is remotely related to what I am talking about today"—[*Official Report*, 12 July 1989; Vol. 156, c. 984.]—

leaves me with little hope of a co-ordinated community care policy from the Government.

Does the Secretary of State not know that many community care projects involve housing and capital finance? These include the provision of housing for those with special needs to live independently, ordinary housing for handicapped people to be trained for independent living, sheltered accommodation for the elderly, hostel provision for the more vulnerable and special units to provide short-term respite care for the carers. I could go on, but I hope that I have made my point and that the White Paper offers some proposals for ensuring some provision for capital finance for community care projects.

I shall look with interest at the proposals in the White Paper that lay out the respective responsibilities of the health authorities, family practitioner committees and local government. For instance, will it make clear who is responsible for a patient who is discharged from hospital with certain needs but who is assessed by the local authority in a way that does not meet those needs? Who will provide the care? Will it be the health authority, the local authority or the general practitioner? Above all, who will make the decision? This is critical to the whole matter. Will there be a single point of access for clients and carers or will they, as they do now, have to negotiate a mammoth maze before reaching their objective?

Will the White Paper spell out how the Government's proposals relate to those contained in the White Paper "Working for Patients"? Will self-governing trusts have responsibility for ensuring that adequate community care provision is available for discharging those in need, such as the elderly after an acute illness? Who will be responsible for community units that opt out? Will it be the Secretary of State, the health authority or local government?

What guarantee will there be that health authorities will provide the medical services such as geriatric care, including geriatric psychiatry, that any care in the community requires? Will they retain enough funds to provide community services, or will those funds be drained off by the acute sectors, the hospitals?

The dividing line between medical care and social care is not always apparent or easy to define. It is important that an atmosphere of co-operation and co-ordination exists between all agencies so that the client and carer do not find themselves stuck in no man's land, which often happens now. One of the important measures to assist in that direction will be to ensure that each agency has sufficient funds to prevent the practice of dumping.

It is important also to ensure that all sectors are involved and represented at strategic planning level and in the plans for the everyday operation. Without clear-cut lines of responsibility between the agencies and without safeguards for the consumer, there could be catastrophe. Changes to the National Health Service taking place at the same time as community care services will create chaos. I only hope that both services come through them in a recognisable form.

It will be virtually impossible to plan for the future, as there will be so many unpredictables. One essential step is to extend the statutory duty of local government to include all community care client groups. The proposals that are set out in the White Paper, which we hope will create a system that is based on individual selection and packages of care, must include national guidelines and standards of care, with the mechanisms to monitor them, so that we can ensure a degree of equity and access to services along with quality of services.

The client and the carer should have easy access to information that sets out their rights and their entitlements, including the right to be consulted and involved in the decisions that affect them. They have a right to advocacy and to a simple procedure for complaints.

On 12 July, the Secretary of State said:

"The great bulk of community care will continue, as now, to be provided by family, friends and neighbours."—[*Official Report*, 12 July 1989; Vol. 156, c. 976.]

I hope that the right hon. and learned Gentleman has taken on board some of the comments and concerns that have been expressed by the Carers Association. I have the honour of holding office within it in the branch that is local to me. Demographic trends show clearly that the elderly population is increasing rapidly while the proportion of those who are available to care for the elderly is declining.

Another factor is the trend of Government Departments to pursue polices that are designed to attract women into the work force. I hope that the White Paper will contain a package of care for informal carers that takes into account their loss of earnings and career opportunities as well as the need for a wide range of support services, including short and long-term respite care.

I call upon the Government to show their good faith by implementing in full the Disabled Persons (Services, Consultation and Representation) Act 1986, which among other things provides for local authorities to take the needs of the carer into account when making assessments. If the Government were to provide the resources to enable local government to carry out its duties under the 1986 Act, I would have rather more confidence in assurances that adequate resources will be provided for whatever the White Paper may contain.

If the Government were to accept the premise that care in the community is not a cheap option and commit themselves to providing sufficient funds, they might find an improvement in the popularity of the Conservative party among the electorate. A MORI poll, which was published in *Reader's Digest* under the heading "Britain, a Caring Society", shows that on average people are prepared to add £2·28 to their individual tax bill to support disadvantaged groups. In the order of priority it was those groups in need of community care that appeared at the top of the list.

Community care should not be left to charity. It is one of the rights that is part of being born into a privileged and civilised society.

6.5 pm

Mr. David Atkinson (Bournemouth, East): I welcome the Government's response to the Griffiths report as, I believe, do all the organisations which are involved in the caring services, even including, perhaps, the British Medical Association.

My right hon. and learned Friend the Secretary of State is right to reaffirm the principle of community care and to seek to build on what has been achieved already which has been considerable during the past 10 years. There has been a 40 per cent. increase in resources in both health and social services for community care. That it is no mean achievement and the Government deserve full credit for bringing it about. The increase in benefits for supporting people in private residential homes increased from £10 million a year in 1979 to no less than £878 million last year. That is remarkable.

It is vital that the rate of increase be maintained, for three good reasons. First, we must ensure that the Griffiths recommendations are properly implemented by the new community care authorities. Secondly, we must be able to cope with the increasing number of elderly people, about which we are increasingly being warned. We are told that the problem will hit the country generally, but we in my constituency have more experience than most of accommodating an elderly population, and I think that we do so quite successfully. Thirdly, I believe that there is a serious underestimate of the numbers of the mentally ill who are in need of care. Their numbers will increase in the years to come as a result of the breakdown of family life and of marriage. The trends are upwards. There are also the consequences of an inability to cope with the technological changes that are taking place, which will undoubtedly continue in future. All of us have met such people in our surgeries and have done our best to help them.

In passing the buck of community care to social service authorities we must ensure that they will have enough bucks to do the job. The Dorset authority is concerned because neither it nor the Government have undertaken

[Mr. David Atkinson]

any accurate quantification of demand and cost. The authority feels that there will be a shortfall and it looks to the White Paper for reassurance. It is concerned especially, as I am, that social security payments to people in the community for board and lodging have not kept pace with the increase in the cost of living.

From the representations that I continue to receive from members of Dorset Association for Sheltered Homes, who I believe undertake one of the most valuable and underrated forms of community care in offering hostel and sheltered lodging for the mentally ill and those who would otherwise be homeless, it would appear that current payments no longer meet the cost of living, especially as the maximum rate for hostels has been pegged since 1986. I do not see how such establishments can be expected to survive much longer on that basis. I must warn my hon. Friend the Under-Secretary that unless the private and voluntary sectors that are involved in community care are financially viable, far from filling the greatly enhanced role that is expected of them, as recommended by the Griffiths report, they will contract and the recommendations set out in the report will not succeed.

It is right, however, that the social service authorities should be the new community care authorities. Having chaired a social services area committee, I believe that county councillors, who are in close partnership with their officers and with local carers, are in a unique position to identify local needs and to initiate new ideas. Why cannot those who represent areas that are covered by neighbourhood watch schemes ascertain what can be done to extend the security aspects of the schemes to include care?

A widespread complaint that I receive from carers is that there is insufficient information about the care services that are available. Perhaps county councillors can ensure that sufficient information is available.

The new community care authorities will have some extremely challenging decisions to make, not least the future of local residential homes. As my right hon. and learned Friend the Secretary of State has emphasised, and as my hon. and learned Friend the Minister said when he opened the debate, the authorities will have new roles as enablers and funders of care, for which they will have a budget, rather than being mere providers of social and residential care.

This policy, however, must be phased over years. The sudden announcement of a proposed closure of a residential home without any immediate apparent alternative would not encourage public support for community care. It would have a devastating effect on the residents in the home, who had expected to live out their remaining years in what had become for them their one and only home with their fellow residents and the staff, who had become to them their family. There is such a case in my constituency with the recommended closure of the Henley Court home. The residents—my constituents—are understandably concerned and confused about what will happen to them, but no one in authority can yet tell them what their future will be. Elderly people, for whom the local authority has undertaken to care, cannot be treated in that way.

The same principle should apply to the proposed closure of a residential home as that which the Government rightly insist should apply to the closure of mental hospitals—that is, that a clear plan for suitable alternative provision for the residents must accompany any plan for closure. All the residents should be kept together if that is possible, and if it is their wish. My hon. Friend the Member for Bournemouth, West (Mr. Butterfill), whose constituency also faces the closure of the Labourne House home, has asked to be associated with the concerns that I have expressed.

As social service authorities become the enablers of care, there will be a wider interest in residential and nursing care opportunities outside their own areas, but I question whether there is an adequate centralised source of information available. I commend to my hon. Friend the Minister the Elderly Accommodation Council, a charity for which I act as honorary adviser, without an interest. It has computerised information on most of the residential and nursing homes and sheltered housing throughout the country and provides a unique placement service for carers.

There remains considerable scope in the private sector for better inspection and monitoring of residential and nursing homes, notwithstanding the improvements that the Government have introduced during recent years, and which both the Griffiths and Wagner reports recommended. I fear that frail, elderly and confused people may be regarded as a soft touch by unscrupulous and insensitive carers, who provide services devoid of any quality and imagination. They must be snuffed out.

I wish to confine my remaining remarks to the care of the mentally ill, in which I take a personal interest as parliamentary consultant to the National Schizophrenia Fellowship. As many hon. Members are aware, that organisation is composed of the relatives and friends of sufferers. They are the real community carers, who work without pay, support, training or holidays, and often for a lifetime. In many ways, they are more expert than the experts in dealing with schizophrenia because they must live with what is happening on the ground. They did much to campaign for the Griffiths review, and they are delighted with the concept of the comprehensive care package as outlined by my hon. Friend the Minister in his statement on 13 July. However, they remain concerned at the rising percentage of readmissions, which suggests a lack of social support for those who have stayed in hospital for less than six months. Of the 26,000 people diagnosed as suffering from schizophrenia in 1986, 24,000 left hospital after a stay of less than six months. As most of those are not covered by section 117 of the Mental Health Act 1983, many experience squalor, misery and neglect, which in turn leads to crime and suicide.

My private Member's Bill dealing with schizophrenia after-care was especially directed at those people. It is still before the House, and it seeks to disapply the after-care of schizophrenics from current legislation concerned with the mentally ill, and to provide a package of measures exclusively for those people, so that following discharge they do not slip through the net of community care. I urge my hon. and learned Friend the Minister to ensure that his individually tailored care programmes for those discharged will include all that my Bill proposes.

6.14 pm

Mr. Frank Field (Birkenhead): I think that this is the first time that I have followed a speech of the hon. Member for Bournemouth, East (Mr. Atkinson). I was somewhat confused when listening to him because he suggested that out of the proposals would come a community care authority. My criticism is that while that name may be used, in reality there will be no such body emerging from the proposals that the Government put before the House prior to the Summer recess.

Like the hon. Member for Eastleigh (Sir D. Price), I am pleased that the matter is being debated prior to the publication of the White Paper because the Government might listen to what we say today. The hon. Gentleman was right to remind the House that the Government are now a thinking and listening Government, but my old gran used to say that the proof of the pudding was in the eating. We shall await the White Paper to determine whether there has been any change in substance.

The hon. Member for Eastleigh made a powerful and important speech. He probably knows more about this topic than any other hon. Member in the Chamber. He said that it was unlikely that there would be a community care authority—not for the reasons that I shall give, but because most care takes place in the family, unnoticed unrecorded and unaided. I hope that the new caring, thinking Government will, before they produce the White Paper, dwell on that point and come up with some concrete proposals which, although they will not cost a great deal of money, will mean a great deal to those who care for others in the community.

It is an interesting point that when Ministers come to the Dispatch Box they talk about the wonderful "job" that carers do; they do not talk about an "activity" or a "pastime". Most of us understand the meaning of "job". It is work and employment. Yet for all the reasons given by my hon. Friend the Member for Livingston (Mr. Cook), the Government treat it as far from a job. When carers cease their caring activities they are not eligible for any benefits in their own rights, yet the provision of benefit is important to them. They face real difficulty re-entering the labour market, so I hope that the White Paper will cover training schemes for some of the younger carers who wish to re-enter the labour market when those for whom they care have died. They should also be eligible for unemployment benefit. Those would be two small but important reforms, which should be announced in the White Paper if we are really serious about changing the status of carers.

I am facing the difficulty faced by all my hon. Friends when we have to follow the opening speeches of my hon. Friend the Member for Livingston. Indeed, while sitting here today I thought of a reason why I should not vote for him in the shadow Cabinet elections—although I assure him that I will not follow that through. There is real difficulty following him because, on the terms of the motion before us, he has actually completed the debate. Perhaps we should be big enough to say that the debate is over, that we await the Government's response, and all go home. I do not intend to cover the ground covered by my hon. Friend, but shall take the debate a step further.

The Government say that their proposals are the Griffiths proposals, but, as my hon. Friend clearly said, they are not. I therefore fear that there will be the opposite in community care to that which the Government say they want from their health proposals, which is money following the patients. If the Government go down the road announced by the Secretary of State, the opposite will be the case and a major opportunity will be lost. It is one reason why I disagree with the hon. Member for Bournemouth, East. If there were to be a community care agency, the Government would be radical and brave and bring together all the functions of the different statutory authorities, whether the local authority, the family practitioner committee, social services, education or housing, and put them into one health and community care authority.

Indeed, we could go one stage further—as the hon. Member for Eastleigh has done in private conversation, which I am sure he will not mind me putting on the record—and that would be to put such a body in charge of the whole budget. The reason that the manager, or whatever he will be called, will not be able to deliver on the care package referred to by the hon. Member for Bournemouth, East is that he will have to deal with all those different authorities.

We know perfectly well who will win. I want reforms that will deliver to the consumer. It is political consumerism that will dominate the next decade and the decade after that. Unfortunately, the Government's proposals are backward looking, backing the producer and those with vested interests. Many hon. Members with constituents with an interest in receiving a necessary package of care will find that their needs take second place to those of the producer.

Mr. Morgan: I want to confirm what my hon. Friend has said about the package of care that should be produced by the combined resources of the health authority and the local social services department. It was drawn to my attention last night that in Cardiff, following the withdrawal of the community evening nursing service, there has already, pre-Griffiths, been a deterioration. One elderly person, a stroke victim, has had his community evening nursing service withdrawn. Therefore, he has to be put to bed by the afternoon nursing service at 4 pm and does not get up until 19 hours later. He is mildly incontinent and, since the withdrawal of the community evening service, he has developed pressure sores which are turning into septicaemia. He will probably have to spend the rest of his life in hospital, costing the state a great deal more. That appears to be care in the community, Tory vintage 1989. That is not good enough.

Mr. Field: No, it is not. If the Government were serious about delivering the community care that the consumers—the people in need of care and the carers—need, the package that we are discussing today would be very different.

Let me make three suggestions to the Government. If they wanted to modify their proposals now and make sure that the money follows the patient rather than vice versa, those three suggestions would find a prominent place in the White Paper.

First, as we know that our constituents would lose out against the producers of the different services, it is crucial that each year part of the budget of those statutory authorities becomes footloose so that workers in hospitals can fulfil part of their contract working in the community.

[Mr. Field]

No amount of saying that community nursing is needed will deliver community nursing if people are trapped, via their contracts, into working in hospitals.

Secondly, while many people in need of care and those caring for them will be grateful not to have choices and to have delivered what the social services deliver to them, many others—a growing proportion—want a crucial say in the care that they get. If the Government do not want to turn the world upside down, they should be saying that part of the budget—an increasing part of the budget, if that is what consumers want—should be given to those who need care, or who care, in the form of vouchers. In that way they will be able to have more home helps or more community nurses and rather less institutional care. I fear that the institutions have vested interests and that they will deliver packages suitable to them, which may or may not be suitable to their constituents.

Thirdly, the Government should look carefully at one of their reforms about which they have forgotten and build up the side of community care which gives money to our constituents who need care and who are caring. If I were to ask hon. Members whether they knew what the independent living fund was, most would have only a vague recollection of having discussed it at some time. I shall give way to any hon. Members who can tell me how many of their constituents draw help from the independent living fund. None of my constituents do, but I hope to put that right shortly. Yet that Government initiative allows those who need to buy in care to do so, whether it costs as little as £2 a week or as much as hundreds upon hundreds of pounds a week.

If we were serious about a consumer-led community care policy, the Government would remove that benefit from the Official Secrets Act. Will the Minister give an undertaking tonight that some forms will be printed about that benefit and that they will be made available in post offices, citizens' advice bureaux, social security offices and general practitioners' waiting rooms? Hon. Members might even be given a few as well. The Minister should then say that that will be the development of the future rather than the forgotten benefit that the Government announced because they were so embarrassed about what they were doing to disabled people in the change to income support in 1968. That should become the flagship of the future development of community care. Rather than being covered by the Official Secrets Act, that benefit should play an increasing part. Many of our constituents would benefit enormously from receiving such a benefit.

Let me give one example of what that benefit meant to a family in Wigan where the mother, because of her age, is finding it increasingly difficult to remember what is going on. Her daughters sleep with her during the week, but, because of the independent living fund, they are relieved of that responsibility at the weekend. Neighbours are paid —not a fantastic amount—to look after that lady, a resident in their road. The mother has dignity because she is paying for that care rather than putting on her neighbours. That makes a great difference to her and to her daughters and it makes a great difference to her neighbours and to the hospital services which would otherwise have to look after that lady across the river in Wigan.

I understand why the Government have made the change from an open-gate system whereby anybody who is eligible for income support can pick up income support and go into residential care. However, until my hon. Friend the Member for Livingston spoke, I did not understand just how clever the Government would be in ensuring that the total budget does not go to the community.

For all its faults, the old system had one wonderful advantage, which was apparent to me from my surgeries, as I am sure it was to Conservative Members. In the absence of an adequate inspection system, daughters carried out inspections. I say daughters, because we are mostly dealing with old ladies being cared for by their daughters. Women live much longer than men. As my hon. Friend the Member for Livingston said, for all sorts of reasons it is women who have taken the lead role.

Because the money follows the old ladies, as soon as a daughter finds that a home is inferior, she works like billy-o to find another. Entry to that home was open because its owner knew that the money was coming from social security with the mother. However, I fear that, even if all the money goes to the social services departments, they will offer a list from which to select a home. We would then have the problem that residents of council accommodation experience when they want to move and the authorities ask what is wrong with where they are living since all sorts of other people are living there and why should they be so fussy about it. Once the bureaucrats take hold, the freedom to choose is lost.

I hope that I have effectively put across two points. We have a thinking, listening Government. The hon. Member for Eastleigh suggested that we cut the cant about worrying about the carer and start delivering something. The first easy move would be to ensure that when a carer ceases his work of caring he should have a full national insurance record for a pension and unemployment pay.

Secondly, younger carers will have difficulty returning to the labour market. Let us make sure that we have training schemes to help them to do so. Many of them have missed 25 years of their career fulfilling their caring functions.

Thirdly, as I said in an intervention in the speech of my hon. Friend the Member for Livingston, I am struck by the number of carers who, six months after the death of the person for whom they cared, have a breakdown. It is at that point that the strain breaks through. We should be thinking not only about preventing such breakdowns but about providing adequate support if we fail to do so.

Despite all the Government's talk about making the consumer the sovereign body, I fear that in the hotch-potch of proposals which they call the Griffiths proposals, the consumer will be in the back seat rather than in the driving seat.

I advanced three proposals: first, that new contracts be issued to allow flexible staffing among the different bodies providing care; secondly, that vouchers be introduced to enable people to choose the statutory body from which they wished to buy their care; and, thirdly, that the Government put behind them their secrecy about the independent living fund and proclaim that, above all their other proposals, as the flagship for community care in the future.

6.30 pm

Mr. Nicholas Winterton (Macclesfield): The hon. Member for Birkenhead (Mr. Field) has done the House a great service with his contribution. The hon. Gentleman chairs the Select Committee on Social Services with considerable knowledge, compassion and commitment, and I believe that my hon. Friend the Under-Secretary of State is now on an upward learning curve for the purposes of his inquiries into the independent living fund. Perhaps, however, the hon. Gentleman was a little unfair to my hon. Friend in that that aspect is not really his responsibility, but that of my hon. Friend the Minister for Social Security.

Let me endorse the articulate message in the hon. Gentleman's plea about provision for carers. There is too much cant in this place about the importance of carers, and all too infrequently do we do anything about them. As my hon. Friend the Member for Eastleigh (Sir D. Price) said, without carers tens of thousands of people would have to be found places in residential accommodation or hospitals. Carers are therefore of paramount importance, and the White Paper on the Griffiths report should clearly devote much more thought to provision for them.

I thank my hon. Friend the Under-Secretary for visiting my constituency during the recess, thereby honouring a commitment that he made in the House in July. When he came to Macclesfield in September, he paid quite a lengthy visit to the Parkside hospital for the mentally ill, and also visited the young persons' unit in Macclesfield, which caters for young people with emotional and behavioural disorders. I know that he was immensely impressed not only with the facilities at Parkside hospital and the level of care provided by its staff, but with the tremendous work undertaken by Dr. Peter Wells at the young persons' unit, which is probably more successful than any comparable unit in the country. I hope that my hon. Friend will ensure —as far as his responsibilities enable him to do—that the environment and level of care at Parkside hospital are not reduced when parts of the hospital are sold off for development, and that Dr. Wells's team can continue to provide fantastic rehabilitation, care and treatment for young people.

I also endorse what has been said by almost every speaker: that although we may be disappointed that there is not yet a White Paper on Griffiths, the Government are genuinely listening to the debate and will take on board the extremely good points that so many hon. Members have made. Those who have spoken so far are immensely knowledgeable: far from voicing instinctive views on issues about which they, in isolation, hold fervent beliefs, they have advanced informed proposals based on a knowledge resulting from lengthy involvement in community care.

How right my hon. Friend the Member for Eastleigh was to quote Lord Kelvin, who said that anyone who spoke of such matters should have the facts at his fingertips. Let me pick up the point made so articulately by my hon. Friend the Member for Bournemouth, East (Mr. Atkinson), who does a great deal of work for the National Schizophrenia Fellowship—with which I, too, work closely. He mentioned the 1986 figures relating to the admission of schizophrenics to mental hospitals in England, which totalled over 25,000. That figure is not plucked from the clouds; it matches the figures for 1984 and 1985, and thus presents a typical picture.

My hon. Friend did not, however, mention what I consider a particularly important figure. In 1986, 90 per cent. of schizophrenics admitted to mental hospitals were being readmitted after having a relapse. I mention that because it is clear to me that long-stay psychiatric hospitals are needed—in the right environment, of course, and rehabilitated and brought up to date. It would be a tragedy for us to allow such wonderful sites, some lying within communities, to be destroyed. My hon. Friend the Minister has seen Parkside hospital in my constituency: it has a superb environment of peace and tranquillity, and it is vital that that facility—as well as the building itself, and the superb staff who go with it—should continue in being.

I warmly welcome much of the Griffiths report; I think it important, however, to put down a number of priority markers. In respect of assessment, I consider it vital to draw up a national scale of need so that even standards may be ensured throughout the country. That has been suggested by many organisations—not only those in the public sector, but private-sector bodies such as the National Care Homes Association. I welcome the Government's determination to achieve better standards. Surely, however, what is needed is a national registration and inspection system—independent of any one sector and covering all residential homes—so that the independent private sector is not monitored only by the public sector, and the public sector does not in turn neglect its own house, which would be very dangerous.

As for resources and funding, it is essential—as the hon. Member for Livingston (Mr. Cook) said—that the care element of cost should be ring-fenced to prevent diversion of money for other purposes. If the Government are serious about Griffiths, they must ensure that that is done; otherwise people will suspect—rightly or wrongly—that they are trying to get away with making the change on the cheap. That would be a tragedy.

As my hon. Friend the Member for Eastleigh said, the Social Services Select Committee carried out an in-depth inquiry into community care for the mentally ill and mentally handicapped, the report of which was published in the 1984-85 Session. The Committee concluded that, far from requiring less money, community care would inevitably require much more. Those involved in community care would have total trust in the steps proposed by the Government if they admitted that fact and were prepared to provide specific grants.

There must be comprehensive and continuous monitoring of the performance of local authority social service departments, and local authorities would be happy for that to happen. The only way to ensure the delivery of the community care we need is to achieve proper standards throughout the country through an effective permanent body answerable to the Secretary of State, and I support those who recommend the establishment of a national community care agency or other body. Local authorities and the independent private sector would like to see such a body set up.

I have been committed for many years to the area of provision for the mentally ill. The Minister recognises that the mentally ill represent a special problem and I am aware of the representations that he has received from, among others, SANE and the National Schizophrenia Fellowship. Those representations have led him to take a close interest in what is happening to the mentally ill.

I am pleased that the Government have issued instructions to the effect that no patient shall be discharged

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from a psychiatric hospital unless there is proper care and accommodation at an alternative site or within the community. I am pleased that the Minister stressed the importance of the fact that no mental hospital, such as Parkside, shall be closed until there is adequate provision, accommodation and care elsewhere in the community for the patients of that hospital.

Having taken an active interest in matters relating to the mentally ill for 10 or more years, my sincere view is that there is and always will be a need for long-stay hospital care, particularly for the more acute patients suffering from schizophrenia. I hope that when any application is made to the Department by a health authority for the closure of a hospital for development or other purposes —remembering how valuable such sites are and how badly many regional and district health authorities require the money—the Minister will consider the request carefully to ensure that the standard of care and extent of provision for the mentally ill is in no way eroded by the closure. Indeed, he should feel sure that the standard of care and provision of accommodation for the mentally ill will be enhanced by such a closure and the money that might result from the development of the site.

I hope that the Minister, who now has a considerable understanding of the difficulties facing the mentally ill, will have taken on board the points that I and others have made and will ensure that when the White Paper is published, the mentally ill are, and will continue to be, a priority.

6.43 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): A frightening aspect of the Government's attitude towards health policy is their ability to take what is basically an important idea—such as care in the community—and turn it into something different, like an organist who takes the song of a nightingale and turns it into the sound of a cash register.

It is clear from the debate that hon. Members on both sides fear what is really behind the Government's attitude towards care in the community. Indeed, already in the constituencies we can see some of the practical effects of the changes that have occurred. The hon. Member for Macclesfield (Mr. Winterton) spoke of mental health care. He and I, with the hon. Member for Congleton (Mrs. Winterton), have a common interest in a large hospital at Cranwich, where we see in microcosm many difficulties that I foresee arising from the attitude to Griffiths that is being taken by the Government.

Cranwich hospital is a large Victorian establishment spread over many acres. A great deal of money had to be spent on it, and despite some valiant efforts to update it, much remained to be done. The agreement among the patients and their families towards changes that would result in many of the patients going out into the community, and otherwise being cared for in changed circumstances, was obtained on the undertaking that, within the grounds of that enormous Victorian hospital, special village accommodation would be built.

During the time I have been in the constituency, a different picture has emerged. There have been constant moves towards developing the acreage for housing and pressure to move the patients out of the existing buildings and into the community, in some cases irrespective of the quality of care that they would receive. There has been no agreement to develop the plans for building a village for the patients requiring to remain within the mental health care services.

That is the reality of the situation, and when we consider the steps that the Government propose, we are frightened about what will happen next. Having listened carefully to the Minister's remarks, I heard not one clear undertaking that he is prepared to go in for the necessary training, to provide the money that is needed and to find ways to seek suitable management facilities for the changes that he is proposing. There is no clear evidence that local authorities will be able to provide the increasing sums that will have to be made available to make those changes work. The difficulties that are now emerging in my constituency and elsewhere will lead to continuing problems.

There have been cases of purpose-built old people's homes run by county authorities closing because the authorities can no longer support them and provide the level of care that is necessary. Those authorities have been forced, despite tremendous local opposition, to close homes. I have in mind an elderly persons' home on a site which only one political party tried to retain on that site. The only alternative to what the local authority proposed was the suggestion that the home be put into a private trust.

Let us consider what happens when NHS or social service facilities are hived off into private trusts, and I speak with authority on this issue because what I have described has happened more than once. In the first instance, people are happy to give a commitment to retain a facility that they appreciate is essential. They then spend great effort and time trying to raise the necessary money. Within a short while, however, it becomes clear to them that the constant raising of cash to support such voluntary organisations makes it impossible for the facility to continue on a professional basis, as was the case when the state supported it.

I foresee, at a time when a determined attempt is taking place at what I can only call the balkanisation of the NHS, nothing but total chaos ahead, especially if the Government's proposals go ahead in parallel with hospitals being allowed to opt out and GPs having constantly to worry about the extent of their budgets and the facilities they can provide.

Who will police adequately the standards of care of the elderly in the community? Elderly folk in my constituency are already being told that there is no NHS facility available for them and that they will have to go into the private sector. When they are offered the list of homes to which they can go, they immediately find a discrepancy between the money available from social security and the fees that have to be paid in the private sector. Some people can absorb that difference, but many people cannot, and it represents an increasing difficulty.

What does one say to a state registered nurse, herself desperately trying to keep a private unit viable, when she says, "I have an elderly gentleman, who is doubly incontinent and who has had a stroke. He has been with me for three years, but I cannot get an increase from the state for his support and he has no living relatives or any assets to find the difference between my fees and the amount of money paid for his care"? If the Minister can give me the answer I shall be comforted. I assure him that

that example demonstrates that the onus of care for an elderly person has been moved from the state and from those who should decide on the right level of care to the management of a private home, which is then faced with almost insuperable difficulties. In the future that problem will become more and more common. Those nursing homes will be forced to ask whether they should evict those who have been in their care and then worry about whether they will be picked up from the street outside or whether they should continue on a declining path until they reach the point when they can no longer produce viable profits to meet the economic demands necessary to keep those homes going.

This is the Government who insisted on the explosion of private health care and it is they who are closing down the local authority alternatives. For purely dogmatic reasons, they are making it impossible for many elderly people who want to remain within the state system to find a suitable place.

Time and again today the case has been made for real support for the carer. There is little reality in the glossy phrases used to praise those carers. We know that they find no joy in their situation even though they dearly love their relatives. When they are utterly exhausted they find it impossible to see that justice will be done to them under the existing system.

During my time in the House my grandmother, who was 98 and nearing the end of her life, was nursed at home. To give her 24-hour cover took five adults and three of them had medical or paramedical qualifications. I assure the Minister that few people in my constituency could offer that degree of cover. To say to a women of 5ft 1in that for all but one hour a day she must nurse an 18 stone, 6ft 1in man who has suffered a massive stroke is to condemn that woman to an insufferable life. Such care diminishes the quality of the carer's existence and frequently leads to a deterioration in the health and future life of that carer.

The paper before us gives no clear future plan for how health care will be delivered to the elderly or, especially, to the mentally ill. It is a glossy representation of an empty policy. If the Minister is sincere he will say not just that the Government are prepared to commit resources to meet the changes that they are suggesting, but that they are prepared to give training and to decide who will do the assessments and how they will be carried out. Above all, in the interim, the Government should make it clear that they will give sufficient resources to local authorities so that there is an alternative to private care. In that way, those who do not want to go out to the private sector can remain within local authority care in the places that they know and where they are and will be happy.

I can tell the House what happens when one decants, to use the fashionable phrase, a number of elderly people from a home where they have lived for a long time. They save one a lot of bother; most of them die. That is not my answer to health care, and nor should it be the Minister's.

6.54 pm

Mr. John Marshall (Hendon, South): In the summer when I spoke in the debate on community care, I did so for precisely three minutes. I cannot promise to be equally brief tonight, but I am conscious of Mr. Speaker's advice that we should speak for no more than 10 minutes.

Since the summer I have spoken to a number of people who have been the victims of the community care policies followed until now. I refer to the relatives and parents of schizophrenics who suffer twice over—they suffer the agony of the illness of their sons, daughters or relatives and they also suffer a sense of dissatisfaction at the hopelessness of the treatment offered to their relatives.

Common characteristics have been apparent in the cases that have been brought to my attention. The first is the acute difficulty that relatives encounter in having their sons or daughters sectioned. In one case, the parents told me that their son had been in and out of a mental hospital six times, but he had been sectioned only once. Another set of parents told me that their daughter had been in and out of mental hospitals for 10 years, but never once had she been sectioned. In another case a father walked into my surgery in an extremely distressed state. His son had walked out of Napsbury hospital, gone to the local building society, taken out all his money and travelled to Marseilles. The father had been asked to go to collect him or to ensure that he could be brought home.

There is no doubt that until the 1950s we were far too willing to force people to go into mental hospitals. I believe, however, that we have moved from one extreme to the other and that now it is too difficult for someone to be detained compulsorily. When someone deals with an individual suffering from a physical illness he knows that that person will agree to accept a course of treatment. We must accept, however, that in mental illness the course of medication may be unpleasant and that the victim may be unwilling to suffer it until the end of the course. When such people move into the community for care they are often unwilling to continue with their medication. Frequently that medication is unpleasant, frequently the patient feels cured and, frequently, there is inadequate supervision.

Many patients discharged from mental hospitals are not registered with general practitioners. Who will supervise them? There is an inadequate supply of community psychiatric nurses and as a result many such patients go unsupervised. The parent of a schizophrenic wrote to me saying, "Brian never turned up for treatment and no one ensured that he did.". No one took any action to ensure that that individual who needed treatment undertook it. As a result of such neglect, a number of those who have been let out and who have been recommended for care in the community turn to violence.

In one case I was told that Dr. X struck off the individual because of his bad behaviour and that no other practice was willing to accept him. That man has no solicitor either. The solicitor refused to act for him because of his impossible behaviour. The man has no home. The hostel that the probation officer found for him has banned him because of his aggressive and impossible behaviour. It is ironic that some of those who sleep rough are people who have been sent into the community for care, but they end up with no doctor, no solicitor and no home. As a result, a number of such individuals turn to crime.

It was written of one of my constituents:

> "He returned to live in Barnet. Since then he has been arrested by the local police a few times. They have called the crisis team who do nothing. Next morning Hendon Magistrates Court do nothing."

It is a supreme irony that we are closing mental hospitals, which are expert at treating the mentally ill, and we are building additional prisons where some of the mentally ill who have been sent into the community for care in the community will end up. Many of those who are sent to receive so-called care in the community indulge in

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anti-social behaviour. I remember a deputation coming to one of my surgeries and asking for help. They lived in a block of council flats where one of their neighbours was a discharged patient receiving care in the community. He played his hi-fi system for 16 hours a day starting at 8 o'clock at night. That was not care in the community for him and he was causing many problems for his neighbours.

It was written of another of my constituents:

"His neighbours live in fear of his verbal abuse, loud music played day and night and at times violent behaviour."

All that is a denial of care in the community. It is good neither for the victims nor their neighbours and relatives.

Of course, these stories cover only a minority of schizophrenics. Many will recover, but I am referring to the hard core who will always be vulnerable. For them a mental hospital is a genuine asylum; a refuge for them, their relatives and the rest of society. We must accept a greater role for compulsory care. There must be a greater willingness to issue a section notice. For those who are going into the community, a community treatment order would ensure that the treatment that they were meant to receive was undertaken. Surely it is nonsense that people should be encouraged to go into the community to receive treatment and then not receive adequate treatment with no one to check up and find out what is going wrong. Only if that happens will the individual have a chance of recovering. Everyone who leaves a mental hospital must be registered with a general practitioner before entering the community. What hope has he if he goes into the community without being registered with a GP?

Finally, Dr. Tannoch was surely right to say that there should be a computerised list of all those who have been released into the community so that people can check up every six months that they are receiving the care and attention they deserve. Every six months we all receive a notice from our dentist requesting the pleasure of our company. We do not always reply saying we would like the pleasure of his. If a dentist can check up on us, there is no reason why we cannot check that those who are meant to receive care in the community are receiving it.

It is clear that the quality of care in the community could and should be improved. There is inadequate supervision and support, and too few psychiatric nurses, day centres and occupational therapists. As mental hospitals close, they generate substantial capital receipts. If a business man was relocating production in a new factory, he would not wait until the existing factory was closed before he built a new one. The National Health Service financial rules which tell a health authority that it can invest the money only when the facility has been closed are wrong. I see no reason why health autorities should not be allowed to borrow on the strength that an asset is about to close and invest that money so that it can provide new and adequate facilities as soon as the hospital closes.

We must also look at the rest of the world. In Japan they compulsorily detain 250,000 patients. Italy passed a law saying that no one could be compulsorily detained, so instead they renamed them "hospital guests" and the effect is the same. We should not indulge in either extreme. We must recognise, first, that for some people there will be a constant need for long-term treatment in hospital; and, secondly, that care in the community cannot be care on the cheap, but must be seen as more effective care. It has not always been seen as that, and it has not always been that, but that must be our goal. We must also remember that to have decent care in the community we need to have a strong economy, and I believe that this Government are more likely to provide it.

Mr. Deputy Speaker (Sir Paul Dean): Order. I remind the House that the 10-minute limit on speeches is now in operation.

7.5 pm

Mr. Gerald Bermingham (St. Helens, South): When I read the letter dated 12 February 1988 from Sir Roy Griffiths to the then Secretary of State, paragraph 18 was of particular interest to me because in my constituency there is a very large mental hospital called Rainhill, which has existed for many years. When I first became a Member of Parliament, there were more than 1,000 patients. At present there are fewer than 500 patients there, which means that in the past six years at least 500 patients have been discharged into the community.

Paragraph 18 of the letter reads:

"Dominant in discusssions and visits was the question of the closure of the large mental hospitals."

One sometimes gets the impression that some of these large mental hospitals are not being closed simply because they are large mental hosptials. I may be overtly suspicious by nature, but the fact that Rainhill is surrounded by some 200-plus acres of prime building land, may have something to do with the view taken by Rainhill hospital by those who run our health authorities. However, I do not have much time for health authorities whose prime object in life appears to be to dispose of large assets without providing alternative facilities in advance of the closure of the hospitals said to be out-of-date, as the hon. Member for Hendon, South (Mr. Marshall) rightly said.

Nor do I have much time for the assurances of Ministers, if my own experience at St. Helens is anything to go by. In St. Helens we are a bit short of beds for the elderly. I think that we have about 0·5 out of 10 instead of the 10 out of 10 needed to meet our requirements. A delegation of the community health council, councillors from all political parties and myself went to see the Minister with our all-party all-body agreement complaining about the closure of geriatric wards at Whiston hospital and the closure of other wards at another hospital so that those beds could pass into the private sector, with no replacement in the public sector. Several months later, as I had half expected, we heard that the Minister was not coming to our aid.

In my constituency, not only is a large mental hospital being run down but we face the reduction of public sector geriatric beds. We have also seen the steady development of the private sector and one understands that the private sector is developing in that area, as my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said only a few moments ago and as I know from my own surgery last Saturday. An elderly couple came to see me saying, "Our brother-in-law is in an old people's home in the private sector. The fees are so much and the trouble is that the money that we get from the social security does not meet the fees. We are about to retire, and the shortfall that we have now carried for many months and years is £25 a week. We cannot afford £25 a week. We have run out of savings. He has terminal cancer and is dying. The doctors say, 'Don't move him,' so what shall we do?

What should we do? We are talking about human beings. The letter written on 12 February 1988 says that dominant in our thinking must be the need to protect people being released from long-stay hospitals. Paragraph 6.37 states:

"Those services must include the nomination of a care manager for each long stay patient discharged."

When I go and talk to nurses and staff at Rainhill hospital—who have done a magnificent job over the years—and I ask where those patients have gone, they tell me to try the streets of Birkenhead and Liverpool, and a trip to the church there and to the old people's homes in Colwyn Bay. They are people who lived in that hospital for 30 years. Many of them have now gone to meet their maker. They have died because, as my hon. Friend the Member for Crewe and Nantwich said, everything they ever had was taken away from them. After 30 years in a mental hospital, it was their home, where they had their friends and their social life.

The hospital is not perfect. It is not wonderful. Conditions are sometimes not very good. Nevertheless, we take that all away from somebody aged 60 or 70 and tip them back into the community, but which community? The one whence they first came? It may well be that she got pregnant in 1928 and the easiest thing in the world was to put her into a mental hospital because that is what we did in those days. The Minister talks about care in the community. We tip them out. It is a death sentence. By all means let us have care in the community, but let us not mess about. Let us do it properly

As hon. Members on both sides of the House have said time and time again, care in the community costs. Let us have proper mental hospitals. As a practising lawyer, I declare an interest. I am fed up with going into prisons to see people who should be in mental hospitals. We are a modern society, but what do we do with people who are least able to defend themselves? It is not their fault that they are mentally sick, or mentally handicapped at birth, but it is our responsibility.

The hon. Member for Eastleigh (Sir D. Price) is quite right to refer back to the old Privy Council rules. Two hundred years ago we talked about village care, because the village and the community cared for the weakest among them.

When Griffiths comes to be enacted, we must be prepared to ring-fence and allocate the necessary money because local authorities such as mine, which has a large number of patients who are yet to be discharged, and which has nowhere else for them to go need it. Such patients have to stay in St. Helens. It is the only place they know. They were not born there, but we have a duty to them. We have to be given the facilities to build homes and to maintain them at standards people need.

As has been said, we need long-term hospitals. There is a desperate need for them because some patients need long-term treatment or they cannot be cured. In and out does not do them any good. The handicapped need care and support at all levels.

We must not pursue cheap and easy solutions. We have to invest in the future and build a structure that we can be proud of rather than the one we have at the moment, which we can only be ashamed of.

7.13 pm

Mr. James Couchman (Gillingham): As I am Parliamentary Private Secretary to my right hon. Friend the Secretary of State for Social Security, I shall obviously not comment about benefits or money during my speech on this important subject.

As I am a former chairman of a health authority and a social services committee, I have long been involved with care in the community. I have been worried by the ambivalence of responsibility of the Health Service and social services departments, particularly in relation to the mentally ill and the mentally handicapped.

Like my hon. Friends the Members for Eastleigh (Sir D. Price) and for Macclesfield (Mr. Winterton), I was a member of the Select Committee which, in 1983 and 1984, considered care in the community in an in-depth study which ranged from here to San Francisco. During our deliberations and investigations we saw the worst and the best of care for the mentally ill and mentally handicapped.

In America, we saw the ghastly St. Elizabeth's hospital outside Washington, and an extremely old-fashioned place in Nebraska where the mentally handicapped were cared for. We saw soup kitchens in San Francisco and the hostels where people who had been de-institutionalised were decanted, in that wealthy city.

One of the best programmes that we saw during the year was for mentally handicapped people in Nebraska. There was a most progressive scheme for the mentally handicapped within a factory which gives them real work to do, and makes one-to-one care in residential homes available. That was available and being made good use of, and people with severe handicaps were able to have a worthwhile quality of life in the community.

During our deliberations, my hon. Friend the Member for Macclesfield obviously came to certain conclusions which he has expressed in the House on a number of occasions. It is clear that he would prefer to keep long-stay hospitals—the old asylums. In many respects, I sympathise with his worry about people being decanted into the community for whom the community can never be a real place to live. Among the mentally handicapped it is quite clear that the autistic represent a special problem. It is most unlikely that they will ever easily be able to live in the community, and I speak with knowledge on this, as I have an autistic brother-in-law.

I welcome my hon. Friend's statement on 12 July—particularly his assurances with regard to the closures of long-stay hospitals. He said that they will not be closed and that patients will not be discharged into the community until proper and appropriate social and medical provision has been made. That is most important. If we have learnt nothing else over the past 20 years, since the de-institutionalisation and decanting of schizophrenics at the onset of neuroleptic drug treatment, we must have learnt that these people must be cared for properly in the community.

Closure of long-stay hospitals is not easy. I remember the early meetings about closing down Darenth park hospital in north Kent some 12 to 14 years ago. Last year, the last patient left Darenth park. That is the sort of time scale that we are talking about. The creation and provision of appropriate residential and day care facilities for people takes a great deal of providing. We must ensure that those facilities presently available on long-stay hospital sites are bettered when people are moved into the community.

[Mr. James Couchman]

I welcome the fact that local authorities have been given a lead role by my right hon. Friend in seeking to clear the line of responsibility. I ask what powers they will have to ensure co-operation on a number of fronts by health authorities. I am particularly worried about the level of expertise within local authority social services departments. Seebohm took us away from specialisation towards generalised social working practice. It is only quite recently that some social services departments have decided that they should go in, once again, for specialised workers, particularly in the areas of mental illness and handicap.

I ask my hon. Friend to tell us what discussions he has had with the Association of Directors of Social Services and the Central Council for the Education and Training of Social Workers, with regard to the future lead role that local authorities will have.

We have heard much about the training of social workers and that is going to be terribly important. It will also be important to train at lower levels than social worker level. Too often, people in the care of the social services departments are being looked after by very young, inexperienced people. Training is essential at that level too. I am not certain that the present qualifications for social workers will fit the bill of my hon. Friend's vision of community care in the future. Perhaps my hon. Friend will say what further thoughts he has had over the summer about these important matters.

My hon. Friend the Member for Macclesfield stressed the number of schizophrenics who return to hospital. Over a period of years, they do so on a revolving door basis. Will that revolving door remain when the present responsibilities are removed? Will local authorities be able to readmit schizophrenics to a hospital appropriate to their needs?

I add my reservations about local authorities being their own monitoring and inspecting agencies for the provision of that important care facility, which will affect many people. An extension of the hospital advisory service may be appropriate, but there must be a national scheme to monitor local authority provision of care.

7.20 pm

Mr. Dafydd Wigley (Caernarfon): A debate on community care is of much importance to use in Wales, not only because of the Welsh contribution to the development of the welfare state by people such as Lloyd George, Aneurin Bevan, Jim Griffiths and, more recently, the all-Wales initiative for mentally handicapped people, but because of our interest in the community dimension —the emphasis and value placed on the community.

I could not disagree more with the Prime Minister when she suggested that people do not live in a community, that there is no such thing as society, that we are all individuals and families. I strongly believe that the community is a vital dimension. It has been relevant to the sharing of problems in Wales, which is probably part of our Christian-Socialist tradition.

The sharing of a burden, whether it be problems faced by physically disabled people, the aged and infirm or mentally handicapped or mentally ill people, cannot be left only to friends and families; if it is, the burden falls unfairly, usually on those least equipped to cope and often particularly on women. What about those who have no friends or families to help them?

I recall several cases that have come to my attention recently, such as the wheelchair-bound person in his mid-forties who had a degenerative condition. He lived by himself and had to contemplate going to bed at 5 pm because he could not get assistance to set his splints. The only possibility was to get a volunteer to help, which underlines the need for more community-based nursing services.

Another young man, in his forties, had a history of psychiatric illness. He lived in a flat in the community and discharged his social worker. He died from an overdose of drugs and his body was not found for three weeks, which underlines the need to consider who is in charge of such cases and who is the defined key worker.

A case came to my attention in the past week of a mother of a handicapped child whose husband had died. She had had her invalid care allowance withdrawn at a time when she most needed that support. In another case, a stroke victim's wife dearly wanted to have him home, but he was too heavy for her to handle, she was elderly and the domiciliary nursing services insufficient to enable him to live the remainder of his days at home. Those are only examples, but hon. Members can give further examples to show why we must pay greater attention to community care and ensure that facilities are available for those who need them.

In the past, perhaps too much emphasis has been placed on institutional care. I understand the points made by hon. Members about discharging people from long-stay hospitals without adequate services being provided, but in this debate I would rather concentrate on how we can ensure that people are not drawn into long-stay institutional care in the first place. We must ensure that that is done coherently, by providing the community-based services that are so needed. If those services were available, many people would not need to be incarcerated in institutional care. Inevitably, some people will always need such care, but many do not, which is why we must pay greater attention to community services.

In recent years there has been massive growth in private residential care. The explosion in demand has been created partly by the Government, through the social security system that they have adopted. The system has directed elderly people to residential care irrespective of whether it is what they want or best need.

It is undoubtedly right that Parliament should be considering the workings of the system to ensure three things: first, the flexible provision of care based on individual need with emphasis, where possible, on enabling the individual to choose; to facilitate continued independent living as a valid choice; and to provide proper services that make that practical, irrespective of the individual's ability to pay or otherwise.

Secondly, we must use public resources in the most effective manner to provide the most appropriate care for the individual in the light of the individual's needs. In many cases it may be less expensive to provide domiciliary services—home help, community nursing and domiciliary physiotherapy—than to provide a place in a private residential home. The decision must be taken, however, not because it is cheaper to do that but because it is right for the individual to make that choice.

Thirdly, we should be considering the efficient working of the system to allow effective assessment of individual need, the right of advocacy to enable the individual's wishes to be articulated and respected, the general availability of community-based services in all areas and the resources to ensure that there is growth in services in line with the inevitable demographic growth in demand. We need a certainty of provision to give clients the confidence, the security, that they are entitled to expect.

Those are the essentials of any new system towards which we may be moving and are the criteria by which we should be judging the Government's response to not only the Griffiths report but the Audit Commission report, the Firth report and the Wagner report in particular. I hope that today's debate will take those other reports into account.

The Government took much time to respond to the Griffiths report and many questions remain unanswered. I should like to highlight a number of the uncertainties, while welcoming any genuine move to greater personal choice and freedom and greater emphasis on community-based care. The first and overwhelming worry is finance. Many hon. Members have spoken of the need to ensure that the finance given to local authorities is ring-fenced and used for its intended purposes. The Government intend to approach the new policy from a cash-limited perspective, and I am worried about that. The present system is demand-led. People who cannot afford to pay for residential care can get help from the social security system without any cash limit on the global sums that are available, although there may be cash limits on individual sums. The Secretary of State suggested that the new system may be constrained and defined by a budgeted pool of money. On 12 July, he said:

"decisions on resources can only be made in the public expenditure round".—[*Official Report*, 12 July 1989; Vol. 156, c. 985.]

That is a warning of things to come. From time to time, shortages of finance will make life extremely difficult for people.

The second worry is that the social worker's role may be compromised. He will have to have one eye on limited resources and the other on how to get the best deal for the client. Social services departments will be in the difficult position of trying adequately to monitor the services they provide while having to take cash-limited decisions.

For that reason we must consider the minimum general standards that are acceptable. We must assess not only quality but quantity. Paragraph 6.2 of the Griffiths report is right:

"Local authority social services authorities should be responsible for identifying people with community care needs in their area."

It should be a statutory responsibility for local authorities to know what the needs are and to ensure that they respond to them.

I am worried also about the possible effect of privatisation and competition on the delivery of services. I wonder whether voluntary bodies such as Crossroads will be a part of such a competitive world. That has not been their nature in the past. People involved in them may not want to be a part of a fundamentally different approach.

I should like to draw the Minister's attention to the issue of uncertainty. What will be the position of a widow who sells her home and goes into a private residential home? She may get £30,000 from the sale of her home, which can keep her going for two or three years, but then she drops below the threshold. At present, she would automatically get help from the welfare state. Under the new proposals, presumably her position will have to be assessed. When that happens, is she likely to be returned to the community? If so, she will think twice about going into a residential home in the first place. She may find herself in some uncertainty.

In summary, we need a system that identifies and assesses all the needs. We need an individual and personal plan tailored to the needs of each person. We need a generality of services in all areas, rural and urban, and an independent monitoring system. We need finance that is ring-fenced and not cash-limited. We need a crash recruitment and training programme for people to carry out this vital work.

7.31 pm

Mr. David Nicholson (Taunton): As both my parents, who are in their mid-70s but fortunately are in good health, live on the island of Ynys Môn next to the constituency of the hon. Member for Caernarfon (Mr. Wigley), I listened to his speech with not entirely uninterested pleasure.

I agree with the point made by my hon. Friend the Member for Eastleigh (Sir D. Price), and reiterated by hon. Members on both sides of the House, that these services need to be resourced more generously and effectively. I listened with considerable interest to the points made about carers, especially those made by the hon. Member for Birkenhead (Mr. Field), who speaks with such authority on these matters. Like my hon. Friends, I will be interested to hear the Government's response to those points and I will study the hon. Gentleman's speech in detail.

There are two large hospitals in my constituency—Tone Vale hospital, which deals with the mentally ill, and Sandhill Park hospital, which deals with the mentally handicapped. We all appreciate the extremes to which placements in long-stay institutions can go. In recent months, we have seen on television the dreadful scenes on the Greek island of Leros. As some Opposition Members have said, in previous years pregnant single young women and other members of families whose relatives have got tired of them were easily shunted into these establishments. I agree with my hon. Friend the Member for Macclesfield (Mr. Winterton) that we must be careful how we go about closing such hospitals.

I welcome the commitment made by my right hon. and learned Friend the Secretary of State, which was reiterated at least three times on 12 July—in columns 985 and 990 of *Hansard* and in reply to me in column 991 of *Hansard*—that he will ensure that NHS hospitals do not discharge patients until he is satisfied that proper arrangements have been made. I welcome my right hon. and learned Friend's assurances that

"My social services inspectorate will have an increased ability to step in and inquire into the delivery of services. I shall have increased powers to order reports and inquiries."—[*Official Report*, 12 July 1989; Vol. 156, c. 987.]

My local health authority, Somerset, is making progress and its detailed proposals will be produced shortly. I welcome the inter-agency work between the Health Service, social services and the voluntary and private sectors, which are all playing their part. In the north of the county—you will have some knowledge of this, Mr. Deputy Speaker, since it affects services in your

[Mr. David Nicholson]

constituency—the number of beds in the Mendip hospital has been reduced to 124, with considerable development of community services. Those of us in the remainder of the county will need to monitor these developments closely. Tone Vale hospital in my constituency has reduced the number of beds from 504 to 420 since 1987. Day services have increased by 40 per cent. and community mental health teams have become operational. The intention is to continue to develop community-based services throughout the county, with the objective of closing the large mental hospitals.

I have had the opportunity of studying the excellently terse briefing from the National Schizophrenia Fellowship. My hon. Friend the Member for Macclesfield has referred to the impressive and startling 1986 admissions figure—90 per cent. of schizophrenic admissions were readmissions after relapse. The National Schizophrenia Fellowship points out that withholding ministerial approval for hospital closures shuts the stable door after the horse has bolted, because most beds have gone. There should be recognition of that point. The fellowship referred also to the reply given to my hon. Friend the Member for Cheltenham (Mr. Irving) on 13 April 1988 in column 174 of *Hansard* on the number of community psychiatric nurses in 1986. Eight district health authorities had none, 17 had five or fewer and the best staffed, Leicestershire, had 43. That echoes the point that we constantly make about the NHS—there are considerable variations in services, equipment and efficiency.

Indeed, the December 1986 report by the Audit Commission states:

"A very uneven pattern of local authority services has developed, with the care that people receive as much dependent upon where they live as on what they need. In well over half of local authorities, expenditure on services for mentally ill people is less than £1 per head of population even though one in ten people each year consult their general practitioner about a mental health problem, and one in a hundred is referred to the specialist psychiatric services".

This problem was brought home to me by a visit that I had two weeks ago from a constituent. The notes that she gave me should sound a note of caution when authorities consider putting patients into the community without ensuring that services are provided for them. I realise however that, on the whole, the position in my area is satisfactory. This lady's son was a former schizophrenic patient of Rampton secure hospital. Four years ago, he returned to Tone Vale hospital and two years ago was released. His parents bought him a house, and this was successful in giving him independence. All seemed to go well. He went back to Tone Vale once or twice for a few days and then returned home.

About five weeks before my constituent came to see me, he announced to his parents that as he was so well he had decided to "cut back" his medication—this often happens in these cases. A few days later, he went off in his car to the south-east. When he returned, his parents noted that he was "much more disturbed". They advised him to go into hospital as an informal patient, but he would not. The parents asked the medical services at Tone Vale to assess whether he needed to be sectioned and were asked three times by the GP, "Do you want him sectioned?" The decision whether he should be taken in was, apparently, to be left to them. Surely that is a decision for experts in the medical and social services.

A few days afterwards, the son smashed the windows in the house, strewed pills everywhere, upset furniture, left and drove away to another part of the south-east, where he severely upset other relatives and appeared to be extremely disturbed. At this stage, in the car were a crossbow, three arrows and two Stanley knives. I should point out that his mother emphasised to me that he had never actually been violent, but there was an element of threat there. She continued:

"We feel that nobody listens to parents. We see tell-tale signs of illness and feel that if our son had been persuaded into hospital three weeks ago he would certainly be more stable by now."

He was eventually taken into hospital and I believe that he is going to be sectioned.

Such loss of control over a former patient was, first, bad for the patient because he will require far more care and will face more difficulties in future as a result. Secondly, it was bad for the parents who had been through an extremely tense time because of the pressures placed on them. Thirdly, particularly given the weird weapons in the car, it was a considerable source of worry, provoked alarm and could have posed a threat to the wider community if anything had gone wrong.

The Minister must take care to ensure that our resources are properly used. We must ensure that these services are properly resourced. I agree with my hon. Friend the Member for Hendon, South (Mr. Marshall) that, despite our current difficulties, only a Conservative Government can ensure the economic success which will achieve that goal. The Labour party talk about resources, but when it was in power it failed dismally to provide those resources. I welcome the debate which has now started and the forthcoming appearance of the White Paper so that those resources can be properly and efficiently used in our society.

7.40 pm

Mr. William McKelvey (Kilmarnock and Loudoun): Thank you, Mr. Deputy Speaker, for giving me the opportunity once again to speak in the debate about the Griffiths report. If my memory serves me right, this is the third recent occasion on which the House has had the opportunity to discuss the report. The previous debates were initiated by the Opposition. I have to register my disappointment, as I did in the two earlier debates, that the Government are dragging their heels in implementing some aspects of this report.

We have not agreed to everything outlined by Griffiths, but I certainly think that we can all agree on our disappointment that there is no real movement by the Government. Some progress has been made, inasmuch as the Government have at last initiated the debate on the Griffiths report. However, it is disappointing that no White Paper is available for this debate. I was naive enough to go to the Vote Office to ask for a copy of the White Paper in case it contained points which I might want to raise in this debate.

I wish to cover two aspects which I have covered before. I do not want to be repetitive, but they are extremely important. Several Members have talked about the growth industry. Certainly in my area of Ayrshire the fastest growth industry involves residential homes. It has slowed

down somewhat because the last anticipated increase in fees was not given by the Government. Nevertheless, it has not reached saturation point as yet and the plans show that some people still think that it would be profitable to have a residential home in Ayrshire. The fact that it has a coastline and many large, comfortable, mansion-type houses which are easily adapted to residential homes probably means that it lends itself to such speculation.

A great many of the residential homes are extremely well run, although some of them could, perhaps, be better run. It is for that reason that many hon. Members on both sides of the House have clearly shown that, if we are to proceed evenly with an expansion and extension of residential homes for the elderly in the private and public sectors, we must have an inspectorate that watches both sectors from the constitutional point of view. It would be impossible and hopeless to have an inspectorate for each sector.

When I raised this matter in an Adjournment debate, a Scottish Office Minister assured me that he would respond by letter to the point I raised. Sadly, I am still waiting for his response.

The argument remains one which we should underline. It is not sufficient to leave local authorities to look after or inspect their own establishments. There are weaknesses in doing that, one of which I have outlined previously: people in homes are often afraid to complain because they fear that they may be turned out. If that happened they would not have sufficient finances to go to a private home and would face extreme difficulties.

Another difficulty is the plight of the carer. We have heard pious statements from hon. Members from all parties. I am as guilty as anyone of making pious statements about the role of the carer. However, no Members of Parliament could fail to be moved by the horror stories about the plight of individual carers which are told to them by constituents who come to their surgeries. As a young Member of Parliament 10 years ago, I used to be extremely concerned when I heard of cases and I sometimes thought that they lacked credibility. I could not believe that people were in positions where everything seemed to be so desperately wrong for them. Since then I have been to see some of these people and I have in my constituency an active carer who knows the business inside out. As a result of my experiences and much of the guidance that she has given me, I believe that there is an indisputable case for carers' problems to be scrutinised by the House in this debate.

We have raised with consecutive Ministers the problems faced by carers, particularly those related to their financial means. If an invalid care allowance is paid only to those who deserve to be paid, surely there is a case to be made that invalid care allowance should be a free benefit and not one which is calculated together with other benefits and, therefore, at the end of the day, proves to be worthless.

Elisabeth Reid, who is my mentor in these matters and works for carers, dropped me a note. Her lines are cryptic. She says:

> "Willie, you'd better read again the 'Griffiths Report'. It frightens me! It is yet another money-shuffling exercise between Departments."

The Minister said nothing today to dispel that woman's fears. It does appear to be a money-shuffling exercise. The Minister could have said from the Dispatch Box—perhaps if will be said in the wind-up speech—that however we move about the resources and finances for caring in the community, if we give local authorities the responsibility to look after and link together all the strands of caring in the community, we must protect that money by ring fencing. If not, it will be used for all other sorts of, perhaps good, causes. The money must be protected so that the local authority is accountable to its people. This will show that the Government actually mean what they say and ensure that the money so desperately needed in those areas is actually put up front.

In an intervention, my hon. Friend the Member for Monklands, West (Mr. Clarke) made a pertinent point about the disabled. It is all right to make fine statements and it is good for the Government if a couple of lines appear in the press, but it does not bear examination if money is not put in with the legislation as it is passed. Certainly, we ask for a guarantee that the money will not only be put up front and be adequate, but will be ring fenced so that it is protected.

The Griffiths report calls for the setting up of a system of registration and inspection of residential homes. It should be underlined that, whether in the public or private sector, the rules and regulations must be the same. One matter that concerns me about the Griffiths report is that it advocates the establishment of a new group of community carers to assist the professional care workers with tasks such as shopping and home help duties. The voluntary sector plays an important part in that. I hope that the Government are not attempting to direct young people into this work—young people who, through no fault of their own, cannot find work, especially in areas such as the one I represent. We do not want some form of home help on the cheap, and we will not tolerate it. I should be interested to hear the Minister's comments on my suspicions.

The thrust of the Griffiths report is the strengthening of community care and the extension of consumer choice, which we all welcome. Of course we want elderly people to have some choice. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) spoke eloquently and passionately of the carer—usually the nearest available woman relative—who is forced into looking after that relative by her conscience and by circumstances. I have learnt through talking to such people that when the person to whom they have devoted many years of their life dies, their first feeling is one of overwhelming relief because at last they can enjoy some release from unrelenting drudgery. That feeling is immediately followed by an overwhelming sense of grief, and of guilt for having felt the relief in the first place.

If we are to have a system for looking after people in the community and if the onus continues to be thrust on those who want to keep their relatives at home, we cannot solve that problem by pious remarks in the House. The real solution lies in an established plan backed up with the necessary finance. The Government managed to pull £1 billion out of the air to sort out some of the anomalies of the poll tax in England. Let us hope that they will pull out whatever amount is needed to solve the problems of those who need care and of those who care for them in the community.

7.52 pm

Mr. Andrew Mitchell (Gedling): I have no doubt that this is one of the most important debates in which it has been my good fortune to be called to speak, because it is about one of our most challenging social issues. As a civilised society, we have an opportunity to put in place a structure that can make a real contribution and a tremendous difference to the quality of life of some of our most vulnerable constituents. We all know that too often there is confusion between all the different agencies and bodies involved, and that confusion allows people to slip quietly through the net.

The Audit Commission's report of 1986 has already been mentioned tonight, but it sums up the problems that existed and still exist in the service—problems of continual waste of scarce resources, with care and support either lacking entirely or being inappropriate to the needs of some of the most disadvantaged people in society as well as to those of the relatives who look after them. I shall return to those relatives later in my speech.

The Health Service already owes a great debt to Sir Roy Griffiths for his earlier managerial reforms, which I had the interesting experience of seeing implemented when I was a member of a health authority. His second major report confirmed that too often good intention is married to a system that is ill-suited to delivering community care and insufficiently accountable. That is no reflection on the professionals who deliver the care: they are saddled with the system. Nor is it to suggest that there has been anything other than a steep increase in the necessary funding. In recent years there has been a real increase of almost 40 per cent. in expenditure by both the NHS on community-based services and by local authorities on personal social services.

I hope that the White Paper will contain a blueprint for excellent management of community care coupled with clear accountability for its delivery on the ground and efficiency in that delivery. I am sure that there will be a role for the Audit Commission in that, too.

We need to be absolutely clear about several key principles and requirements. The first is that community care must be based on a clear response to the needs of the individual and their family. The individual and their family must have a major say in how to meet those needs. There must be clear and open regulation of standards and quality of care, and I look forward to an enhancement of the role of the social services inspectorate. While a national policy sets the framework, it is for one single and local entity to take responsibility for the services available and for their delivery.

Within that framework, we must make a real contribution to improving the ability of those who wish to continue to live in their own homes and environment to do so. That is partly a housing matter, of course. We need continued growth in the development of sheltered homes for the elderly and of bought sheltered housing, such as Bridge Housing in my constituency, which can offer great security to older people without penalising their capital. This is not a trouble-free area, as escalating service charges have shown, but I know that my hon. Friend the Member for Fylde (Mr. Jack) has done much good work in this area by promoting a proper code of practice.

However, if we are to enable elderly people to continue to live in their own homes, we must enable more assistance to be given to those who provide the lion's share of community care—friends, family and those who live next door. Too often, the presence of a willing daughter or daughter-in-law is taken for granted instead of being built on and supported as a cornerstone of the needs of the family. We especially need to support and strengthen the ability to cope of the vast army of volunteers who shoulder these responsibilities.

Supporting people in their own homes is not only a policy which runs with the grain of basic human desires: it is also in tune with demographic realities. By the year 2000 there will be over 70 per cent. more people aged 85 and over than there are today. All too frequently in the past, elderly people have been shoved in a home because the local authority lacked the money to provide the help that they needed to continue living in their own homes.

If responsibility for all this is to rest with one authority, as it must, the Government are right to reach the conclusion that local authorities are best placed to take on that responsibility. That presents an opportunity and a challenge. We must ensure that the cry of inadequate funding is not allowed as a camouflage for failure; but equally, inadequate resources would merely saddle the local authority with the problem rather than giving them the means with which to effect a solution.

I recently re-read the report to his committee of the director of social services in Nottinghamshire on the Secretary of State's statement to this House on 12 July. His report is constructive and encouraging and, I am sure, bodes well for the future.

If local authorities are to succeed, it is essential that they see themselves principally as enablers, not as providers of local services, because, just as it is a caricature of local authority homes to say that they are bureaucratic and unfeeling places for elderly people, so it is a caricature of private sector homes to see them as motivated by profit and greed. I believe that local authorities will genuinely find their tasks easier to fulfil if they set out whenever possible to be enablers of community care and not to take upon themselves its provision. The safeguards which they and we require rest in effective monitoring and regulation, and I endorse everything said on both sides of the House about the need for a separate national body to carry that out.

There is inevitably concern about the interface between health authorities and social services, the break point of responsibility for someone who is released from full-time medical care. At present, the customer is presented with a kaleidoscope of people who may be responsible for helping them: the GP, the hospital, the social services, community services or the voluntary sector. We must ensure that there are clear lines of responsibility. Naturally an effective partnership between all those groups is essential, but a clear lead must be given.

I hope that the White Paper will properly recognise the role of the GP in determining the right level of community care in conjunction with the local authority. After all, the GP receives the notes when a patient is discharged from hospital. He is involved in the service of health as well as of ill health. We need to enshrine the role of the GP.

The parish priest can make a contribution as the eyes and ears of the community as he goes about his pastoral work. He should see it as part of his role to act as an early-warning system for developing difficulties; many

priests already do. I pay tribute to the Bishop of Southwell, who has recognised the role that his priests can play in this important area.

The support services for people who can continue in their own homes include a galaxy of helpers—home helps, meals on wheels, day care services, twilight nursing and incontinence services; but we often hear stories of district nurses ending up having to do the shopping. Do we not need to build up a much simpler "general health" or sitting service by which a low-skilled level of assistance can be supplied? It could be less specialised and provided at much lower cost but could give the extra specific support that is needed by the client.

I have talked mainly about the care of the elderly, but I should like to end by speaking about the care of the mentally ill. Some of the speeches in the debate have demonstrated a misunderstanding of our policy of closing some of the dreadful old asylums and placing people back in the community. All too often there is genuine public misunderstanding about that matter. Some people believe that community care is no care at all and is a cheap option, but nothing could be further from the truth.

In saying that, I draw on the experience of the health authority in Nottingham which looks after many of my constituents. It is closing some of the appalling Victorian asylums. The policy is working extremely well, precisely because the funding is matched to the speed at which the asylums are being emptied. The policy is not a cheap option. I continually follow up cases where it looks as though someone has fallen through the net. I regularly discover, as the authority confirms again and again, that it has lost track of none of the people who moved into the community.

What some hon. Members have been describing is the failure of the working of the policy but not failure of the policy itself. That is extremely important. Twelve people who were in Saxondale have gone to Broomhill house in Gedling village in my constituency. It is well staffed and people have been given what they never had in the asylums —a much better quality of life. There is day care support nearby and the policy is working extremely well. Hon. Members should go to see some of these old asylums. If they do, they will realise that people have a much better quality of life outside if they are properly supervised and looked after.

I am not, of course, being disparaging in any way about the service provided by the people who work in the old asylums. I spent half a day in an asylum in my constituency and I have no doubt that many of the people who work there are saints who must deal every day with appallingly difficult human problems. The money obtained from selling such dreadful places will provide the health care that my constituents want in the next decade and into the next century. The release of those assets will make possible far better, modern, up-to-date and brand new health facilities.

I welcome the Government's response to Griffiths and I welcome this important debate. I look forward with keen interest to the White Paper.

8.2 pm

Rev. Martin Smyth (Belfast, South): I am privileged to follow the hon. Member for Gedling (Mr. Mitchell) and should like to take up two of the points that he made. I am not convinced by his deduction about policy and systems. In audits we discover that it is the systems that are important, not the working of them. I am not sure that the policy has always been right. I confirm the hon. Gentleman's view about the use of parish ministers. However, I regret to say that regularly the professionals in the field look askance at the clergyman who appears to interfere in the care of their patients or clients.

I wish to underscore the hon. Gentleman's point about the place of the doctor. In the suggestions before us the doctor is expected to communicate with the social services about his patients who require back-up help. He is not required to do so, but it is important to place a requirement upon the doctor because doctors are regularly out of touch even with what is available from the social services.

I was fascinated by the comment of the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey), who said that he had taken part in three debates on the Griffiths report. Many hon. Members also comment on the fact that we have still not seen a White Paper. I was reminded of the old cinema serials which have been replaced by the modern soap operas. We watched them and were left in suspense, but the next part of the serial left us wondering why we bothered to turn on at all. I trust that when we receive the White Paper there will be no sense of disillusionment but that the input from the debates will have sharpened the Government's perspective. The Government have heard hon. Members from all parts of the House expressing deep concern and raising specific issues.

The Minister spoke about being in Coventry during the recent social services conference. I am sure that, like me, he discovered there a deep concern about the avalanche of legislation that is coming forth and about the lack of facilities and training. The Children Bill will come on line and we will have a Bill based on Griffiths. There is a deep feeling, especially among social service workers, that they are not adequately prepared to meet such change at such a rate. Specific attention should be given to the training and preparation of workers in the field.

The pressure of time makes it impossible to cover everything but I suggest that the implementation of the Disabled Persons (Services, Consultation and Representation) Act 1986 and the corresponding Northern Ireland legislation of 1988 would go a long way towards meeting a great many needs. I call into question the Government's intention about the implementation of the various sections. For example, at a recent meeting of the all-party disablement group, the Minister with responsibility for social services and the disabled was committed to the concept of advocacy. Will the Government fully examine the implications of sections 1, 2 and 3 as a means of putting that concept into practice? How do they propose to make the services fully accountable to disabled people? How do they propose to consult disabled people about their community care needs? Will the Department fully examine those three sections as a means of ensuring user accountability?

At that meeting, it appeared that section 7, which deals with people's discharge from hospital was to be the next priority for implementation. However, the Secretary of State later contradicted that, because in parliamentary answers the Government have said that they are still in discussions with local authority associations on section 7. Is there a time limit on those discussions about the implementing of the sections? If they were implemented,

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we would be on the road to providing the framework of legislation that is required to provide care in the community.

We must be careful when talking about resources. Most areas appeared satisfied to a degree, but when one probes one discovers problems. One area is convinced that it has a fine spectrum, and has its workers out in the field. However, it sees difficulties because of the soaring cost of land and property.

When I challenged the need for an inspectorate, especially in Northern Ireland, I had a telephone call from a constituent of my right hon. Friend the Member for Lagan Valley (Mr. Molyneaux) who asked me to visit his home. It was a small residential home with six people and it was ideal. It was not a large mansion-type institution but a home. That man said to me, "I am not by any means wealthy, but I am comfortable and I take £140 a week from the residents."

We must be careful about setting national standards for finance which will raise the overall cost and not meet the real needs of the people. We must examine more carefully the place and role of an inspectorate for national standards of care so that local authorities or whoever is charged with this will not just minimise it to suit its own position. However, if we consulted people, particularly the carers and those requiring care, we would discover that they would benefit by more personalised care in their own homes rather than being in a home or an institution.

Has enough attention been given, difficult though it might be to implement, to giving respite care not in an institution but in the residence of the person in need? All of us know that, especially as people get older, they can be disoriented if taken out of their familiar surroundings. It would be better for them to have respite care in their homes. In that context, I pay tribute to the work of bodies such as Extra Care, which have gone a long way to providing personal attention for those who desperately require it.

How will the Government's stated intention of shifting the financial aspects of community care in nursing and residential homes from the social security budget to the health budget work? What will be the effect on residents and nurses in private homes? In that context, I support the cry for ring fencing. We were recently informed of a local authority that used the funds that it had been given to implement an aspect of the Griffiths report to pay the wages of the road menders. I do not doubt that the roads might need mending, and that those involved might need payment, but that was not a proper use of the funds.

8.11 pm

Mr. Peter Thurnham (Bolton, North-East): I welcome the debate. I am sorry that Labour Members were hoping to have the White Paper before it, because I see it as proof of a listening Government who want to hear, on the first day back, what we would like to see in the White Paper. This is an excellent opportunity for us to tell the Government what we want to see in it.

I agree with all my colleagues who have said that we need substantially more resources. I call on my hon. Friend the Minister not to be shy, and to ask the Treasury for more money, because more money will be needed. The issue is how that money should be used, and there are differences about that between the Government and the Opposition. The hon. Member for Livingston (Mr. Cook) implied that if there were a Labour Government and all local authorities were Labour, everything would be simple and fine, but we know that if we go down that road we shall have the IMF cuts. We should remember the remark attributed to a former head of the DHSS: "If you are not confused about community care, it shows that you are not thinking clearly."

To understand why that is so, one should read the excellent speech of my hon. Friend the Member for Eastleigh (Sir D. Price), who went to the heart of the matter when he said that the essential ingredient is love by carers. We have over 1 million unpaid carers, two thirds of whom have no help at all, and whose care could be valued at upwards of £10 billion if it were paid for. They are dealing with a vast bureaucracy of social service workers —200,000 of them—who are mostly paid to do a job from nine to five and whose motives, by definition, are different from those of the unpaid carers who are doing this work through love. Here we have the essence of the conflict and of the Government's difficulty in seeing that the extra money that is desperately needed is channelled to help carers and the disabled rather than to swell this vast army of workers.

I shall illustrate the point with two examples that have recently come to my attention. Today I received a letter dated 9 October from the Association of Directors of Social Services, briefing hon. Members on today's debate. The letter says about assessment:

> "The way in which individual consumers are assessed for community care services is crucial. We seek clarification on the statutory requirements being placed on local authorities . . . It is important, for example to know whether a consumer who has been assessed as requiring certain services has a legal entitlement to expect all those services within a given timescale. If so, how will the funding be guaranteed? If not, what right of appeal should exist?"

That is how the bureaucracy looks on the responsibilities placed on it by statute.

Let us compare that with the remarks made by Mrs. Pat Nelson at a Barnardo's conference held in Liverpool a few weeks ago, which was attended by Princess Diana. Mrs. Nelson is the mother of six, three natural children and three adopted Down's children. She said that the children had taught her what is really important in life:

> "Courage, honesty, truth, love and relationships. They don't ask 'What is your job? How much do you earn? What sort of car do you drive?' They ask 'Can I trust you? Do you love me? Will you always be there for me?'"

That can be compared with the example from the Association of Directors of Social Services. There is a complete difference in approach and the Government's difficulty is in seeing that the extra resources that are needed go where they are needed and not just into the bureaucracy.

I am a supporter of the Disabled Persons (Services, Consultation and Representation) Act 1986, which is a great credit to the hon. Member for Monklands, West (Mr. Clarke). That Act will not go away, and it is disappointing that the Government have not given it a better response. However, I see the difficulty, because the Act is oriented on local authorities. This is where we must pin down the local authorities' responsibilities. We must ring-fence the local authorities—although not by money because it is a mistake to think that if local authorities are given more money, that means more care—so that we can give them the extra responsibilities that are called for in the

1986 Act without leaving them with responsibility for additional provision. The money should be directed more to voluntary groups such as Crossroads.

More money is needed. My hon. Friend the Minister should not be shy. He should tell the Treasury that £10 billion is needed. It will not be needed straight away, because there will have to be time to pin down local authorities to what they should be doing rather than what they are pretending to be doing. Time is needed to build up voluntary groups such as Crossroads. I am pleased that Crossroads now has agreement to start a scheme in Bolton because it provides care for 12,000 people and has another 7,000 on its waiting lists. There are tens of thousands more in areas where it does not have schemes. Such groups should be built up and that is where the money should go.

I am a voluntary unpaid carer and chairman of the newly formed Conservative Disability Group. I hope that the White Paper will allow more money and more say for the voluntary groups and, immediately, more respite care for the carers.

8.17 pm

Mr. David Hinchliffe (Wakefield): It is clear from the debate that, although the Government have been in power for 10 years, they have yet to develop a coherent strategy in their policy on community care, particularly in relation to the elderly. In everything that they do, the Government have only one policy—economic. That is the kernel of tonight's debate. What has been said tonight, and what has been said before in the Chamber about community care, shows that the Government see their central challenge as how to free the market, in domiciliary as well as residential care, and how to reduce the huge £1 billion per annum Exchequer grant going to private residential care.

I shall break the consensus that we have had so far and comment on a fundamental question that has not yet been touched on. It is whether the market is an effective mechanism to determine the nature and quality of care for vulnerable and dependent people. That question must be addressed in the context of the way in which the Government intend to respond to the Griffiths' report. No one doubts that the private sector has played a part in the provision of care, and will continue to do so under every Government. Is it appropriate that the bulk of care provision should be left to the private sector, with the market determining the extent, the nature and, especially, the models of care that are being provided? I do not think it is.

A number of problems stem from the market approach and I shall mention some of them. First, it is an unplanned approach. We have heard much about the way in which services have or have not developed over the past 10 years, but I am concerned especially about the clear bias towards institutional care, with that being the easiest area for the market to develop.

The Government have landed themselves with a huge albatross around their neck, that of institutional care. They have allowed that sector to develop because they have institutional tunnel vision. They should be aware of the huge range of options that is available. Residential care, however, is the easiest option when one has in mind a business proposition.

Business expansion means institutional expansion. We increasingly see intimate private homes being taken over and expanded so that they become large institutions. During the summer recess I had a dialogue with the developers of a new home in the Wakefield area, which will provide 100 beds. When I was starting in social work 20 years ago, I remember that from Government level efforts were made to establish a policy that homes should be built with no more than 35 beds. It is unfortunate that we seem to be returning to the huge impersonal institution. The owner of the home in the Wakefield area told me by letter that a home that provided 100 beds provided economies of scale. In other words, the owners can make more money if they pack in more people. That worries me.

Leaving care to the market means insecurity in many instances for those who need to be in private homes. The inability to meet fees has been mentioned several times by hon. Members on both sides of the House, and we are all aware that many of our constituents are having to top up and subsidise within their families because income support is inadequate. I shall introduce tomorrow a ten-minute Bill designed to give people security when they are in homes. That form of security is not provided now.

With the development of the private sector, we talk about community care, and the Minister has talked about putting money into that form of care. He has spoken of a hundredfold increase in provision, but he was referring to institutional care. The community care that he is talking about often means that people have to move into communities that are many miles from where they have lived hitherto. That is not community care.

The Minister told us that he seeks the advice of the House on what should be included in the White Paper, but the Government have had more than 10 years to develop a policy. Instead of developing one, they have been content to sit back and allow to develop what can be described only as a shambles of a policy of community care. Any action that the Government have proposed has been anchored to a free market ideology that prevents rather than facilitates the development of a wide range of provision to meet the varying needs of the elderly.

I believe that the selfishness and greed engendered by 10 years of Conservative Government are rapidly coming to an end. We have on the horizon the likely election of a radically different Government with a radically different philosophy, who will be seeking to develop markedly different policies from those which are now available under a Government tied to the market.

Central to the strategy of a Labour Government will be a major policy commitment that those who wish to remain in their own homes should be enabled to do so, even if that means enormous expense to support them and to support the carers who give up so much of their lives to ensure that others can remain in their own homes. In taking that course, carers face great difficulties. With such a policy, there will have to be the development of radically new models of care that do not stem from the institutional framework. We have been stuck with the institution because of the hangover of the Poor Law. We still have the mentality that prevailed those many years ago. We must bring it to an end and move in the direction that has been taken by many other countries. It has been decided elsewhere that there should be a move away from the idea that people should end their lives in an institution.

I look forward to the development of elderly person support units, which makes intensive efforts to ensure that the elderly remain, with support, in the community. The Labour party is advocating flexible home-care provision. It should be possible, if necessary, to support someone

[Mr. David Hinchliffe]

intensively 24 hours a day, seven days a week and 365 days a year. That is reasonable and the option should be available if people prefer it.

Housing provision has been neglected as a result of the market being left to determine care. Many elderly people do not have the resources to purchase. This means that they cannot enter the private market and the private market has not developed strategies to care for those who are highly dependent. We must develop sheltered housing that enables those who are extremely dependent to be looked after in their own homes. They should be able to remain in their own environment. They should not have to be moved into impersonal institutionalised care. That must be a central plank of the policy commitment of the next Labour Government.

Above all, we need vision and commitment, but we also need planning. Thought must be given to the future. We cannot leave issues as serious as those that we are discussing to the whims of the profit and loss account, the market, or the speculator, but that is precisely what the Government have done with the support of £1 billion of public money each year.

We have had 10 years of bankrupt Tory ideology. That is the only way to describe the experience. Members of this place are only too well aware of the tragic cases with which they are confronted in their surgeries. My colleagues and I meet people who are facing appalling consequences. I look forward to the next few years. I believe that we shall see the election of a different Government who have a different strategy and philosophy from those which we have seen pursued by the present Administration. The next Labour Government will alter radically the provision that is made for the elderly and many other groups who are currently grossly neglected by the present Government.

8.27 pm

Mr. Michael Irvine (Ipswich): Two months ago in Ipswich, reductions were implemented in the amount of home help available for the elderly and disabled people. It was not that overall expenditure on the home help services was being cut; the problem was that the rapidly increasing demand for home help was putting severe pressure on even an increased budget. Part of the pressure was due to demographic reasons. We have seen an increase in the number of people living in Suffolk aged 75 years and over of nearly 60 per cent. during the past two years. That increase is set to continue.

An even more significant source of pressure stemmed from the expansion of home help services to provide personal care for the seriously disabled and for those recovering following hospital operations. As the National Health Service has become more efficient, as more operations are performed, and as people are discharged at an earlier stage following operations, there follows a massive increase in the burden on the home help services.

Home help that consists of shopping and cleaning may involve no more than three or four hours a week, but home help that involves intensive personal care of someone who has returned at an early stage after a hospital operation often involves five or 10 times that number of hours. That is a significant factor to be considered in the face of the increasing burden that is being placed on home help services.

The pressures are not set to diminish. Indeed, they are set to intensify. It is clear to me that significantly increased financial resources will be required to meet the pressures. I was glad to hear my hon. and learned Friend the Minister of State acknowledge that fact in his opening speech. I was glad also to hear that he has not closed his mind altogether to the ring fencing of the contribution from central Government. It is certainly the strongly held view of the Suffolk county council chairman of social services that ring fencing is a necessary and important safeguard.

However, increased resources and ring fencing by themselves will not be enough—every bit as important will be the effective and efficient administration of community care. Voluntary organisations make a magnificent contribution, but there is always the risk of lack of co-ordination with other groups and agencies. There is a need for permanent, specialist, high-quality administrative support to guide the voluntary groups and to make the maximum of their considerable efforts. We need co-ordination, accountability and clear lines of responsibility, and I am glad that the Government have accepted the recommendations of Sir Roy Griffiths.

It is important to recognise that a great deal more staff will be required to meet the additional demands and pressures of the next decade. I agree with paragraph 35 of Sir Roy's letter that accompanied his report, which said that there was a risk of over-elaboration, both of the professional input and of the amount of training required for such staff. As Sir Roy pointed out, many of the needs of the elderly and the disabled are for more practical help such as shopping, cooking, cleaning, and so on. It would be a waste of professional qualifications to overtrain people for that job. However, that does not mean that there should not be the most careful selection of those called upon to work as home helps.

The elderly, the disabled and the mentally infirm are vulnerable, and never more so than in respect of those who have access to their homes. The opportunities for theft, manipulation and the like are only too obvious, so those who help them in their homes must, above all, be honest, tactful, responsible and sympathetic. I am glad to say that, on the whole, standards are high, but there may be pressures on those standards in the coming decade because the very demography that is placing increasing strains on home help and other social services will be accompanied by trends in demography and social factors that will reduce the number of people available to carry out those services. There is a risk that the standards of honesty, tact, responsibility and sympathy might slip, and it is important that that is not allowed to happen.

I wish to touch on a theme mentioned by many hon. Members, which is the role of the carer at home. Family care and support is often the most effective and appreciated care of all. It is almost certainly the cheapest. In calling for improved and more plentiful community care, we must never forget the risk that when the state or a local authority takes responsibility, it might dull the sense of duty that every family should feel towards its elderly or less fortunate members. The state and the local authority can and should give support to those family carers, who bear a very heavy burden indeed and need respite and help. I agree with the wishes expressed by my hon. Friends the Members for Eastleigh (Sir D. Price) and for Macclesfield (Mr. Winterton) that, when the White Paper is published, proper account will be taken of that very important factor.

8.34 pm

Mr. Tony Worthington (Clydebank and Milngavie): In the short time available, I shall restrict my remarks to the issue of the mentally ill. I wish to draw attention to a statement made by the Secretary of State for Scotland:

"I propose to maintain the current arrangements which have generally worked well for sharing responsibility for services to the mentally ill between health and social work authorities."—[*Official Report*, 12 July 1989, Vol. 156, c. 534.]

I simply do not understand where the Secretary of State gets his information from or how he can reach such a conclusion. The relationship between the social work and the health authorities in Scotland is quite disgraceful. For a long time I was involved with Strathclyde regional council and the linking with several health boards. Everyone in the social work authority saw as one of the areas of shame the total failure to develop adequate relationships with the health boards.

Scotland has twice as many in-patients in mental hospitals as the remainder of the United Kingdom. Throughout the whole of Scotland during 1987 only one local authority had a day centre for the mentally ill. There is no comprehension of the numbers of old people who are sent to prison; Scotland is only just beginning to count them. Scotland only received support financing in 1980, four years later than England and Wales. It was only in 1985 that support and joint financing were introduced to put Scotland on an equal footing with the remainder of the United Kingdom—10 wasted years after it had been introduced in England and Wales.

I regret to say that the Secretary of State for Scotland, unlike the Secretary of State for Wales, has failed to give any lead in that area. Once again, Scotland lags behind Wales, which has had a co-ordinated strategy for the mentally handicapped for the past 10 years and has now introduced a co-ordinated strategy for mental illness. Scotland has nothing like that. I do not know how the right hon. Gentleman can claim that the relationship between the social work and the health services is working well. In 1979-80, the very excellent report "Scottish Health Authorities Priorities for the Eighties"—SHAPE—identified as category A priorities care of the elderly, the mentally ill and handicapped, physically handicapped and prevention and community nursing—all issues in the community care area.

Despite those category A priorities, at the end of that decade the proportion of expenditure on areas such as the mentally ill and handicapped had fallen—yet the Secretary of State says that it works well. The right hon. Gentleman played his part in producing the "Working for Patients" document, which achieved something quite remarkable—in its 100 pages it failed to mention mental illness. It takes a great deal of effort to write 100 pages on health and fail to mention mental illness. The numbers of the mentally ill are awesome—1 million people a year need some form of psychiatric care, and one person in eight will spend some time as an in-patient during his lifetime.

The White Paper is nothing but a cost-cutting exercise because it just deals with areas where a great deal of money is spent, such as acute care and drugs, and questions how that expenditure can be reduced. It does not address the Cinderella services such as mental illness and care of the elderly.

The White Paper is obsessed with increasing the number of a doctor's patients. I am reminded of a visit that I made during the recess to a hospital in my area and the comments made there by mental health patients. One of them wrote to me saying that five years ago she found that getting a general practitioner to take her on to his list was a problem. That person said that she had since gathered information from other patients, one of whom was told, "I am not taking you. You will call me out at night." Another had to try three doctors, each of whom turned her down, before the fourth took her on his list. The letter went on:

"My own case was dramatic as a local doctor's receptionist accepted me and made an appointment for the end of the week. My hospital registrar then wrote to the GP telling him my history and on the Thursday I had a recorded delivery letter stating that a mistake had been made and the GP could not take me on. The appointment was therefore cancelled."

That was before the "Working for Patients" document. I cannot see how we can have an adequate service that just needs smoothing.

We should point out to the rest of the United Kingdom that we had a Minister who was responsible for community care. The responsibility for health and social work was shared by the hon. Member for Stirling (Mr. Forsyth). However, he has now been given other duties saving endangered species.

We must stop the crass target-setting that is going on. Gartnavel hospital has 165 patients in long-term care. The target is for that to reach 19 in five years and many have already been discharged. That leads to the sort of thing that happened to one of my constituents. She had a brother who had been in a mental hospital for 37 years and she had been approached by medical staff who asked what she intended to do to provide a home for him. Such a thought was horrifying to the brother and the sister.

We must also change many of our stingy attitudes to the voluntary organisations. It is offensive to expect voluntary organisations to raise money which is then matched pound for pound. The backbone of many of those voluntary organisations is exactly those carers about whom many golden words have been spoken today. Lord McCluskey says:

"If the Navy needs three new frigates, we don't tell the Admiral of the fleet to run a charity bazaar in order to match pound for pound the monies to be made available from the taxpayer. In the field of community care those, particularly the volunteers, who seek to provide services are faced with just such requests. It is depressing for those who want to offer their skills to have to devote so much of their time to trying to raise money from charities and to jump through bureaucratic hoops."

Such an attitude must be dropped.

One point that has not yet received adequate attention relates to the need to set up patients councils for the mentally ill and to ask the patients what they think is needed. The professions say that they own people. Whether they are social workers or doctors, they say, "A bit of me is what these people need." Patients councils would put more emphasis on, for example, the need for asylum, for there to be some place to which they could escape; on the need for work opportunities; on the need for housing opportunities and on the need for crisis facilities and support, particularly at weekends. Such issues would loom much larger than they have so far, as would the need to support self-help groups.

We are glad to have had this debate. The test is now there for the Government. Hon. Members on both sides of the House have had 30 years of pious words. They must come to an end. As Griffiths said, the one thing that we cannot do is nothing. We have done nothing for far too long.

8.44 pm

Mr. Andrew Rowe (Mid-Kent): I am delighted that the hon. Member for Livingston (Mr. Cook) has just re-entered the Chamber. I have attempted to educate him before but I will try to do so again because he is an hon. Member with much to offer if he learns a few lessons.

The important thing for the hon. Gentleman to understand is that Kent may appear still lower in the league table of home helps over the coming year because it has changed the whole nature of the service that it offers. It has preferred to go for home care service which, as my hon. Friend the Member for Ipswich (Mr. Irvine) pointed out, is a different kind of service and includes such assessments as whether somebody needs help to get out of bed or to get back into bed and to be cared for in a variety of different ways. That intensification of service is proving a great deal more useful and valuable than simply an hour or two from a home help. Kent will remain unashamed of its appearance among the home help statistics.

It is worth remembering that we should have a mixed economy in care. That is the other important element. I intervened earlier to say that it is a serious mistake for people who have been in the habit of choosing how to dispose of their resources throughout their lives and who have had the opportunity and good fortune to do so, suddenly to arrive at a stage in their development where they become the passive pawn of some institution, however well meaning.

As my hon. Friend the Member for Gedling (Mr. Mitchell) said, the picture of community care and the discharging of people, particularly from hospitals for the mentally handicapped, is far too gloomy. When a mental handicap hospital in my constituency was half empty, its administrators kindly thought that it would be fun for those already discharged into the community to visit their friends who were still there. They took them in a bus to the hospital but only one patient was prepared to get out of the bus because they were so terrified that they would have to stay, despite that being a well-run mental handicap institution. Where community care works well, it is vastly to be preferred to big institutions.

I congratulate the Government on the appointment of Sir Roy Griffiths. It is a fine example of the way in which private enterprise can assist the public sector. His contribution to the debate has been much valued on both sides of the House. He took a far more realistic view about the amount of resources available. I share with every other hon. Member who has spoken the belief that we need more resources for community care. We need them not only because of the demographic profile but to provide a better deal for carers, more respite care and for all the other reasons that have been given. However, if we were to add up the cost of all the demands that have been made in the Chamber, either explicitly or implicitly, we would arrive at a figure so unrealistically high that it would be a cruel deception to everyone to imagine that such a sum could be made available. When Sir Roy Griffiths said that he was concerned about the proper expenditure of whatever sum was available he was speaking realistically.

There is a clear need for a much better assessment of clients and potential clients. For example, clear evidence is mounting that a substantial number of confused elderly are confused because their bodies are in a state of imbalance due to drugs. When people lose a spouse they can become very stressed and unable to sleep well. The doctor then gives them tranquilisers and they may then develop some sort of headache which the doctor treats with another drug, and so the spiral goes on. It has been shown that if a proper assessment of such confused elderly people is carried out and they are gradually restored to a proper balance, they are frequently able to live in their own homes without being a burden on the community care services.

It is vital that we build on the strengths of all the professions. People have professional pride and attachment and, just as some doctors are reluctant to see their patients handed over to social services departments, so teachers of children with special needs have a similar anxiety. A great deal of training and careful joint work will be needed to obtain an effective system of working together. Teachers, speech therapists and the professions allied to medicine must be brought into the system. One of the reasons why the parliamentary panel for personal and social services extended an invitation to the professions allied to medicine to meet it and the support group—the four professional social work associations—is that suddenly those professions find themselves with a third major purchaser of their skills. It is important for them to start making links.

It is vital that we give the client or patient a real choice. My hon. Friend the Minister should remember the demands that we made earlier for there to be opportunities for advocacy for those not able to choose for themselves from the varied or unvaried, menu, presented to them by the social services departments. I am cautious about having "professional" advocates because there is a danger that as they become more experienced they may start to hype up the demands of their client to what will eventually become a totally unrealistic proposition. We need to think about that.

One issue that is fundamentally important but which will not feature in the White Paper is housing design. How realistic is it to assume that we will be able to keep in their own homes the 6 million old-age pensioners whom we expect to have by the year 2000 if the homes in which they are expected to be kept are structurally unfit to shelter them? At a recent seminar that I ran with the Helen Hamlyn Foundation, which looks after frail elderly people, a shopping list of desirable features for a home for the frail elderly was put forward. If such requirements were included in a house that cost about £44,000 to build, the total cost of including them new would be about £8,000, or 16 per cent. of the total. If they were to be included later, the cost would rise to about 55 per cent. of the total. Every year we add to our housing stock more and more new build which cannot possibly accommodate a wheelchair or anybody not totally fit.

We have mentioned sheltered housing, which is valuable. There are about 44,000 units in the private sector and a similar number in the public sector. However, sheltered housing, no matter how desirable, often creates a ghetto; an area in which people meet only others like themselves. What sort of choice is that? We have to reintroduce to our new building the requirements that will enable us to have flexibility in the housing stock. If we do not do that, community care will become a farce.

My hon. Friend the Minister should take the issue seriously. We may have to go back to considering some

sort of space requirements on new build housing and finding a way of paying for it that does not necessarily fall on the shoulders of the first-time buyer.

I support the idea of a national inspection. It is unrealistic to expect local authorities to inspect themselves and the private sector well enough without some central guidance. I hope that we can have a central inspection.

8.55 pm

Mr. Tony Banks (Newham, North-West): I must pick up a point that was made by the hon. Member for Bolton, North-East (Mr. Thurnham). If I do not, my wife will certainly not forgive me because she is a social worker and she will not be amused when I go home tonight and tell her that she works in a vast bureaucracy on a nine-to-five basis. I can assure the hon. Gentleman that that is not the case for many social workers, including my wife. They are often called out at unearthly hours in the early morning, in order to take children into care. The hon. Gentleman should revise what he said and thinks about social workers. He will not be on my wife's Christmas card list this year.

I am not surprised that it has taken so long for us to reach this point in consideration of the Griffiths report, for the simple reason that Griffiths had at the centre of his recommendations the role of the local authority. That must have been a major stumbling block for the Government. I would dearly love to have seen the Prime Minister's face when the report was thumped down on her desk by some quivering civil servant or Minister who said, "Do you know what he has done? He has said that we have to give a central role to local authorities." The Prime Minister's hatred of all local authorities is well known in the House. Griffiths showed good sense and I congratulate those Conservative Members who were able to convince the Prime Minister, despite her well-known and practised prejudices, that she and the Government should go along with a number of the recommendations made by Griffiths, particularly with regard to the role of the local authority.

In the few minutes that I have left I wish to mention the hidden needs of care in the community. Hon. Members know from experience in their surgeries that many needs are hidden because few services exist to meet them. The hon. Member for Bolton, North-East said that two thirds of live-in carers receive no help from any of the services that could bring them some relief. They may be caring on a 24 hour-a-day basis for dependent relatives. That becomes a form of house arrest if they receive no support. In areas such as the London borough of Newham in my constituency, elderly people from black and other ethnic minority communities find the existing statutory services inappropriate and inaccessible.

The trouble is that we have no estimates of the real levels of need for care in our communities. Last week I went to look at the Newham Crossroads care attendance scheme, which is based in Forest Gate in my constituency. We discussed some of the problems in the knowledge that today's debate was to take place. Just 10 care attendants were present. They are paid by the Crossroads charity and receive support from the local council, as do most of the Crossroads schemes; payment, however, is limited to the rate for a 260-hour week. They told me that in the previous week they had already exceeded that, and were eating into the funds that they receive from jumble sales and other voluntary activities.

The care attendants relieve carers, sometimes for only a few hours a week, sometimes for a day a week. That is much appreciated, but they tell me that it is only the tip of the iceberg. The House, and the Government in particular, must address the problem of all the people who we know desperately need relief from caring for dependent relatives or friends. Most carers, I was told, are in the 55-to-70 age range.

I asked each of the 10 care attendants to give instances of people whom they were currently looking after. Time will allow me to mention only three. A case that I found particularly pathetic was that of a mother who was looking after her daughter. That sounds perfectly reasonable; however, the daughter is 45 and the mother 76, and in no fit state to look after her daughter. She has the additional worry of what will happen to her daughter on her death —which cannot be far off, given the amount of work that she must put in.

Others had different tales of personal tragedy to tell, concerning younger people. A 29-year-old single woman is looking after both parents. Where has her personal life gone? Where is her chance of a future? Her sense of responsibility prevents her from going out, meeting others of her own age and forming her own relationships. Her life has been blighted. There is also the male equivalent: a single man of 35 is looking after his mother, and has problems in trying to lead his own life outside. I was told that the budget allowed no money for training.

This is what I found most disgraceful of all—listening to what was said by people whose commitment was clear although many looked as if they needed a bit of care and attention themselves. It is not surprising that there is a great deal of poverty in that part of London; but there is also a great deal of readiness to help out—and it is often those who can afford to give least who give most when asked to put their hands into their pockets or purses for charity.

Those care attendants receive the magnificent sum of £3·75 an hour for bringing relief to carers throughout the London borough of Newham, and two weeks' money is kept in hand. They do not receive as much as home helps or district nurses, but that is all that the charity says that it can afford. One young care attendant has to pay £70 a week for a bedsit in Newham: that is the going rate in the private sector.

None of the matters that we are discussing can be entirely divorced from others over which the Government have influence. It is no good talking about having more care attendants, and about how much they should be paid, if a Bill going through Parliament will force up the cost of private accommodation in boroughs such as Newham and make it even more difficult for people to come forward to perform such vital functions.

Most people who have relations in need of care are compassionate and concerned, and what they do not want from the House are pious platitudes and expressions of hope for the future. They want resources. They want a commitment. They want the Government to say, "We believe in what you are doing, and we will back it up with hard resources." I hope that, when the White Paper is published, it will contain strong recommendations to back up the pious sentiments that we have heard from Conservative Members tonight.

9.3 pm

Mrs. Rosie Barnes (Greenwich): Thank you, Mr. Speaker, for giving me the opportunity to participate in what has been a very constructive debate, with a remarkable degree of consensus from all corners of the House. I should like to dissociate myself from the remarks made a few moments ago about sheltered accommodation, which I found entirely contrary to my experience; but I have no time to dwell on that.

Some steps proposed by the Government have broad acclaim—for example, the fact that there is to be an identifiable point of access, including a named person, that there is to be a unified budget and that some of the restrictions on financial planning have been removed—and there is general welcome for at least some move towards an assessment system.

But that does not go far enough in terms of a national commitment to properly established national principles which are adequately funded. It does not go far enough in giving rights to people who need community care and in making the obligations statutory. Nor does it pay enough attention to the way in which what is proposed will bite.

In that connection, I suggest that something along the lines of the statements that are given to children with special needs should be given to people in need of community care. The statement, which should be multidisciplinary, should enable resources to be commanded, for without resources no proposal is worth the paper on which it is written. There must be a national level and quality of service, not least to ensure that the public money that we devote to this sphere is properly used.

I welcome the commitment to the concept of compulsory assessment and treatment of patients suffering from mental disorder in hospital, but I, too, call for some compulsory treatment for those who are still in the community and, like other hon. Members, I am thinking particularly of schizophrenics.

Parents of schizophrenic young people in my constituency are desperate to know what to do, because once those concerned are out of hospital and have decided to stop taking the medication, their situation becomes intolerable. Those who most want to care for them find it impossible to do so. In other words, they are not controllable by those nearest and dearest.

In taking an overview of the policies and proposals that we are discussing, I feel that the lack of definition of needs and rights is accompanied by what amount to no more than vague promises about the funding of what is proposed.

Government figures suggest that as many as 35,000 previously institutionalised patients have been released into the community in the last decade. An optimistic estimate is that no more than 9,000 of them have been offered full-time residential places in their own communities. That leaves 26,000 vulnerable people dependent on domiciliary care or community support. Some of those have fallen through the net and are receiving no help whatever. Some of those undoubtedly contribute to the number with whom the social services have lost touch and who form some of the homeless, whose plight we have discussed in the debate.

We must know on what basis the transfer of resources to local authorities will be based. The levels transferred must not perpetuate the existing shortfalls, and it is agreed that considerable shortfalls exist. We have little or no knowledge on a national basis about the adequacy of current resources. Indeed, it is generally believed that there is a major shortfall, particularly in relation to carers.

Much has been said about carers, and I endorse everything that has been said. Many of those carers are children, and that fact must be taken on board. I reiterate what has been said about the cost implications of caring for people at home rather than in a home. The National Care Homes Association estimates that to look after people in a residential home on a 24 hours a day basis cost 84p an hour, whereas to look after somebody in their own home, providing a service on the basis of only 14 hours a week, costs £19·44 an hour. So, even allowing for some possible exaggeration of the figures, the differences are enormous. When we call for care at home rather than in homes, we must be clear about what we are talking. If we do not appreciate the facts, carers will continue to foot the bill for having their charges at home rather than in one.

The likely shortfall must be set in the context of what the Royal College of Nursing has described as

"the lack of a defined and exclusively dedicated budget for community care".

Today we have talked about ring fencing and I add my voice to the many who have asked for such ring fencing to ensure that the right amount of money is allocated to the right places.

The aging population suggests that we will be faced with an increasingly vulnerable group who will lean heavily on community care. That dependency will be coupled with a significant decline in the number of young people able to provide that care.

It is important to consider the bottom line regarding responsibility for the proposals. At the moment there is some input from the health authorities and, primarily, from the local authorities. The added dimension is the local hospitals, including mental care hospitals, which may be self-governing. When boundaries do not coincide and when it is unclear where funding will come from, it will be important to discover who will make the decisions. That must be resolved if the proposals are to be dovetailed into the National Health Service Bill, which we expect imminently. There could be an automatic temptation for a health authority to discharge someone from hospital and for the local authority to feel itself unable or unwilling to pick up the financial burden, which will then be in its court.

To make things work, we need national standards and national funding. Without that commitment, we shall, in common with so many before us, pay only lip service to community service.

9.11 pm

Mr. Ian McCartney (Makerfield): I want to discuss children and adults with learning difficulties. I have always found the term "mental handicap" a negative and ugly one. It describes many people who live in the community or who are subject to institutional care. The term does not adequately describe either the nature of their disability or the contribution that they can make to society. Because of the ugliness of the term, many people in the community switch off immediately when others discuss with them the concept of involving people with disabilities and learning difficulties in the wider community.

This morning I entered the House with a great deal of trepidation because as I went up the stairs of the

underground I was met by a phalanx of junior doctors and nurses wearing bandanas who were asking for a contribution towards the funding of the London hospitals. A few hours later, however, for the first time in 10 years, I sensed some hope because, from both sides of the House, there is a common approach and a recognition of the role of the public sector, the local authorities and the primary services in the development of care in the community.

It has taken 10 long, hard years for that lesson to sink in and perhaps that is why the Government have taken so long to publish a White Paper in response to the Griffiths report. It was never the Government's intention that the Griffiths report would be written in the fashion that it was. As the hon. Member for Macclesfield (Mr. Winterton) said —I am tempted to call him my hon. Friend, but that would get him into a great deal of trouble—Griffiths was driven to his conclusions by the weight of evidence, which has been shown today. I hope that the Minister will appreciate the quality of the debate, the genuine compassion and, most important, the deep understanding felt by hon. Members about what must be done in relation to the development of community care policy through to the turn of the century and beyond.

Many of us who have spent a lifetime working with people with learning difficulties have attempted to provide care patterns as a result of discussions with the families of those involved and with local authorities. We have attempted to produce a care pattern that provides choice for disabled people, whether they suffer from a physical disability or from severe learning difficulties. That pattern of care and the development of choice must underpin the Government's commitment to providing resources. We cannot have a national framework recognising the role of local authorities if, in the final analysis, we do not provide the resources to develop that expectation. I wish to discuss that expectation.

In the pattern of institutional care and care in the community, there are some essential choices that must not be made by us. We must provide the resources for disabled people to make those choices. In all our debates in the past decade we have failed to recognise that those individuals have the right to choice, the right to family life, the right to develop friendships inside institutions and to maintain those friendships when they leave the institutions, the right to proper housing and to care within housing in the community, and the right to education, training and employment.

Local authorities have a central and pivotal role to play. Since its inception in 1972, my local authority, Wigan metropolitan borough council, has developed four training centres and a factory and has developed within that factory the employment of disabled people to the point at which almost all the factory, including the management, is run exclusively by disabled people for disabled people, operating and selling its services in the market place, to other local authorities and to private industry. Wigan also provides sheltered working arrangements for severely disabled people with learning difficulties and physical difficulties. It has transformed their lives in the community, allowing individuals to make choices and their families to be involved in those choices.

At the very point at which we are discussing developing a national framework, all those schemes are put at risk by leaked reports and suggestions that local authorities will have to put these provisions out to tender. That flies in the face of evidence and in the face of all that we were hoping to do to develop within the community choices for people with physical and learning difficulties.

We also have to provide choice in health care. My hon. Friend the Member for Leigh (Mr. Cunliffe) and I know all too well about cuts and the lack of resources in the development of health care facilities in our community for those with physical handicaps. We are currently fighting off proposals to close five units in the metropolitan borough of Wigan, all with a co-responsibility for care facilities within the community, linking them with the National Health Service and selling them off in an asset-stripping exercise to a property developer who will develop the sites for housing in the green belt where most of the sites are located. That does not ring true with what we are debating today and the attitudes that have been struck by hon. Members on both sides of the House. I ask the Minister to intervene at this early stage and put down the nonsense of asset-stripping large parts of the National Health Service and its resources. Those resources are needed as part of the core services for care in the community.

We must also develop within our care plan choices for personal expression. Many of the most profoundly disabled people can still express themselves through art, music and other cultural activities. We have to challenge the ethos that in this country the arts will be provided mainly through private donations and sponsorship. For many profoundly disabled people, the arts are the only form of expression that they have been able to develop, and much of that is at risk with the cuts in expenditure in local authorities and the development of alternative arts and crafts within local authority social service departments.

During this debate, hon. Members on both sides of the House have set out clearly the priorities for the Government. They are about the nature of the care to be provided, the types of framework necessary to ensure that that care is provided and the nature of the funding that is required.

If the Minister is serious about listening, this debate will have laid to rest the 10 years of mismanagement of community care and the ethos of the private sector and market forces delivering care. Let us hope it has been buried here and that we can have a fresh start, because out there millions of people, carers and the disabled, look to this House for salvation.

9.20 pm

Mr. Tom Clarke (Monklands, West): I think that the House will agree with my hon. Friend the Member for Makerfield (Mr. McCartney) that this has been an excellent debate. The cameras that have witnessed our proceedings would have done a great service to Parliament had it been possible to project the debate to a wider audience. The public would not have been disappointed.

The Minister of State said that he sought a non-partisan debate. In many ways, he has been given his wish. Whether speeches were robust or coded, it has to be said that there was precious little support for the Government's priorities for community care and for their failure to respond in any tangible way to the Griffiths report in the 19 months that have elasped since it was published.

My hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) said that he attempted to obtain

[Mr. Tom Clarke]

the White Paper before he came to the Chamber. I am not surprised. After all, as my hon. Friend the Member for Livingston (Mr. Cook) reminded us, the Secretary of State told the House on 12 July that the White Paper would be available during the recess. That has not happened.

We are getting used to broken promises from this Government and this Secretary of State. It is not surprising to me that yet another pledge has gone, to coin a phrase, "just like that." The great pity is that so many of the Government's other pledges have gone with it. We have not seen the challenge for community care policies being matched by resources. It was clear from speech after speech from hon. Members on both sides of the House, that, whatever reservations we might have about some of Sir Roy's recommendations, we agree that we have had far too much rhetoric that has not been matched with resources.

As we have waited for the Government's response, the problems that have been identified have grown. The problems of the elderly have been mentioned and carers have been an important aspect of the debate. Only yesterday we had a compelling report from the National Association of Citizens Advice Bureaux which underlined the appalling problems of young people leaving care and facing, in many cases, crime and even prostitution. Opposition Members hope that that matter will finally be tackled in the Children Bill, when we debate it in the House next week.

The Government have said that the purpose of this debate is to give them the opportunity to listen. Have they been listening? Although I am pleased to welcome the hon. Member for Galloway and Upper Nithsdale (Mr. Lang), it seems to me that the capacity of the hon. Member for Stirling (Mr. Forsyth) showed a measure of listening fatigue. I am sorry if that is the case. If time allows, I hope to refer to some of the hon. Gentleman's comments later.

If the Government are truly listening to the House and to the voluntary bodies to which my hon. Friend the Member for Livingston referred, there are two things which must concern them above all others. First, the House has made it clear that there is an overwhelming case for ring fencing as we identify priorities. The hon. Members for Eastleigh (Sir D. Price) and for Caernarfon (Mr. Wigley) underlined that theme and it has been widely echoed.

My hon. Friend the Member for Birkenhead (Mr. Field) spoke for the House when he made a plea for a full national insurance record for carers. Yesterday, I had the privilege of meeting Maureen Oswin, who spent five years of her life looking after her sister who was dying of cancer. I was impressed that she displayed no bitterness. She made a genuine plea from the heart, based on her experience, for the House and the Government to accept their responsibilities to carers. My right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley) and my hon. Friends the Members for Crewe and Nantwich (Mrs. Dunwoody) and for St. Helens, South (Mr. Bermingham) underlined that important plea based on their constituency experience.

I welcomed some contributions from Conservative Members. I hope that I do not embarrass the hon. Member for Gillingham (Mr. Couchman) when I say that his remarks on training were appropriate. We will not achieve the objectives that we all share, which represent the major recommendations of the Griffiths report about cost-effectiveness, if proper funding for training is withheld.

The hon. Members for Belfast, South (Rev. Martin Smyth) and for Bolton, North-East (Mr. Thurnham) mentioned the Disabled Persons (Services, Consultation and Representation) Act 1986. I had a little to do with that Act, which received tremendous support from all hon. Members. Nevertheless, there was a time when I felt a little embarrassed about raising it. My embarrassment is a fraction of the embarrassment that the Secretary of State and his Ministers should feel when they attempt to defend the Government's squalid position on that vital legislation.

I want to examine in detail the relevance of the Act to the Griffiths report and to any debate on community care. Section 7 is crucial to every point that has been made, including the important points made by the hon. Member for Eastleigh, about people being discharged from long-stay psychiatric hospitals. There is talk about listening and consultation, but there was immense consultation throughout the passage of that Act, which was endorsed by both Houses without a vote. On 12 July the Secretary of State said:

"On the health side, I will ensure that discharges of seriously mentally ill people from hospital will take place only when adequate medical and social care is available for them outside hospital."—[*Official Report*, 12 July 1989, Vol. 156, c. 978.]

How does he plan to do that without proper assessment under section 3? Practical measures must be introduced or the Secretary of State's words become mere rhetoric of the type that Sir Roy identified.

The Act says that assessment should be carried out prior to discharge. In the best spirit of everything that has been said today about the consumer, the Act says that the consumer should be consulted about assessment by the health authority and by social services. For many people who would not be able to be involved in the process, section 1 deals with advocacy and representation and ensures that their needs are not ignored.

If we are talking about consumerism, we are also talking, especially in terms of discharge from hospital, about national standards. The message from hon. Members, which we have heard clearly from constituency after constituency, is that people are sick and tired of hearing about the accidents of geography and patchy planning.

Hon. Members have told us about the National Schizophrenia Fellowship and the 90 per cent. of admissions of schizophrenics that are re-admissions after relapse. Where is the economy in that? How can the Treasury take a hard line with any justification, given that it is not even financially viable, apart from being socially unacceptable?

Again, on 12 July, in an off-the-cuff remark in reply to the hon. Member for Exeter (Mr. Hannam), the Secretary of State said:

"We do not think that, on this occasion, it is right to use the 1986 Act to implement any part of what we are doing today."—[*Official Report*, 12 July 1989; Vol. 156, c. 192.]

Many hon. Members found that comment staggering. If that statement represented a change of policy, the House was entitled to hear about it long before it did and in a more formal way.

If this is a change of policy, I invite the Minister to tell us why the Department of Health issued the booklet "Discharge of Patients from Hospitals", which clearly

identifies the responsibility of social service departments and health authorities in terms of section 7 of the Disabled Persons (Services, Consultation and Representation) Act 1986. More important, given all the Government's discussions with local authorities and given that the House was told by Minister after Minister, including the Prime Minister, that section 7 and the rest of the Act would be implemented when resources became available, the House is entitled to an explanation as to why that commitment was lightly dismissed.

I turn to residential provision and the problems of the elderly. Hon. Members have said that they appreciate that all Governments would have a problem in terms of demography. More and more people are living longer. This should be seen as a challenge and opportunity, not something that is hanging around our necks. The Government have said that they will not take a particular approach until they have consulted and heard our debates, but they give the impression that they do not accept the case for the mixed economy. My hon. Friend the Member for Livingston confirmed that this is the Labour party's approach. It is realistic and reasonable. It would be difficult to remove the influence of local authorities in terms of not only enabling but providing.

I disagree with the speech of the hon. Member for Gedling (Mr. Mitchell), which appeared to be out of step even with the views of other Conservative Members. I shall not pretend that local authorities have a monopoly of wisdom, but the case for a national inspectorate for the private and the public sectors has been underlined. There may well be more support in Whitehall circles for the view of the hon. Member for Gedling—the hon. Gentleman may feel that I tend to flatter—than for the view of other hon. Members, but it would represent a setback in terms of enabling as well as providing.

I am sorry that the hon. Member for Stirling is not present. The Opposition do not ignore the role of the Adam Smith Institute in giving advice to the Government. A few days ago, it published a document on community care—*[Interruption.]* I point out to the hon. Member for Bolton, North-East that our proceedings are not publicly televised yet. With that document it published a news release which said:

"The report also calls for local authorities to turn over all"—

I emphasise "all"—

"their care homes to private and voluntary care providers in order to avoid any possible conflict of interest. Michael Forsyth, Scottish Health Minister writes that 'There is no question of local authorities providing a full range of services directly themselves. We have made it quite clear that the maximum possible use should be made of the voluntary and commercial sectors so as to widen individuals' room for choice'."

The Government cannot have choice if by their policy on social security and their approach to residential care they discriminate quite clearly and deliberately, as the Adam Smith Institute would advocate, against one of the sectors —in this case the local authority sector.

Mr. Nicholas Winterton: As an hon. Member who has served in local government, I believe that not only the officials but the elected members of county councils and other local authorities have considerable knowledge and an immense commitment to residential care. It would be a catastrophe if that was surrendered and given up.

Mr. Clarke: I am pleased to endorse the hon. Gentleman's comment. It would be a great tragedy if the Government tried to get themselves off the hook of Griffiths's major recommendation about local authorities by diluting the role which has so clearly been endorsed in this debate.

Tonight, we are speaking about community care in action. Hon. Members have wearily indicated that speeches in the past have not been met by the sort of action that we would wish to see. We want to extend best practice, including endorsing the consumer's right, to every part of the United Kingdom. At last week's Conservative party conference delegates had a great deal to say about active citizenship. In a first class speech my hon. Friend the Member for Newham, North-West (Mr. Banks) was able to underline what active citizenship under this Government means in practice for Crossroads.

Apart from the absence of a strategy for community care, people are worried that a number of contradictions exist between various Government Departments, many involving the Department of Employment. I am not even sure whether the Department of Health and the Department of Employment have got together on the training scheme which so worries Crossroads.

I shall quote from the Scottish annual Crossroads care report and mention some of the remarks made by its chairman, I. J. Cowan:

"On the 5 September when the Manpower Services Commission community programme ended and employment training started, 25 schemes were involved. Most investigated ET and decided it was unsuitable. In the event, eight joined the ET but at the end of the year only four remained and they were caring for 16 per cent. fewer families and providing 45 per cent. less caring hours. The other 20 schemes were supplying a similarly reduced level of care. The number of families cared for was down by 24 per cent. and the number of caring hours provided, down by 48 per cent."

If we are to have community care involving all who are capable of making a contribution, the voluntary sector is entitled to ask for better than that. If we are to talk about carers in the way that we have done during this debate, we must deplore the absence of any proper planning which takes into account not just the views of the carers, profoundly important though they are, but the fact that section 8 of the 1986 Act already contains the opportunity —if the Government wish to grasp it—for carers to have an assessment of their own position and that of disabled people.

A document from SENSE, the National Deaf-Blind and Rubella Association, refers to the sad and tragic case —it is known to the House—of Beverley Lewis, a 24-year-old rubella sufferer who died weighing four and a half stone. Clearly, a domestic problem involving caring also existed. The following quotation is not what I or other hon. Members on both sides of the House who have given massive support to the Act have said; it is the organisation's opinion:

"Implementing the Disabled Persons Act. This Act if implemented could have completely transformed Beverly Lewis' life. It came too late for her but for the many other deaf-blind young people and adults it is essential if community care is going to work."

It certainly is.

I congratulate hon. Members on both sides of the Chamber. Community care and our debates on it are rightly here to stay. The pressures on the National Health Service mean that 90 per cent. of the most vulnerable people in society are still out there in the community. I am

[Mr. Clarke]

pleased that today at least we have had the chance to address some of these problems, and, together with my hon. Friends, I look forward to offering a meaningful solution to the need within our communities, which the existence of those problems invites.

9.41 pm

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): The hon. Member for Southport (Mr. Fearn) doubted whether this debate would make any difference to Government thinking and implied that the White Paper had already been written. The Government have listened carefully to the contributions to this debate. I agree with the hon. Member for Monklands, West (Mr. Clarke) that it has been a most valuable and interesting debate, but the hon. Gentleman cannot have it both ways. If we had published the White Paper last week he would have been the first to say that the Government were not listening. It was a sensible decision first to listen to the debate and then to publish the White Paper. I must tell the hon. Member for Newham, North-West (Mr. Banks) that we have adopted the Griffiths report not reluctantly but enthusiastically.

I want to deal first with the initiatives that we are planning for the mentally ill. This subject was raised by the right hon. Member for Stoke-on-Trent, South (Mr. Ashley), by my hon. Friends the Members for Eastleigh (Sir D. Price), for Bournemouth, East (Mr. Atkinson), for Macclesfield (Mr. Winterton), for Hendon, South (Mr. Marshall), for Taunton (Mr. Nicholson) and for Gillingham (Mr. Couchman), and by the hon. Member for Clydebank and Milnegavie (Mr. Worthington), all of whom rightly attach great importance to this issue.

As the House knows, I made a statement on 13 July clearly setting out the initiatives that the Government propose to follow. Our overall aim is clear and we have reaffirmed the policy pursued by different Governments over the past 20 years. We want to develop locally based hospital and community services, including long-term asylum facilities. I stress again that, as a consequence of, and not as a driving force behind, that policy some, but not all, of the large, isolated Victorian hospitals will close. This civilised and humanitarian policy, which I hope has the support of both sides of the House, will involve closures only when we are satisfied that there are adequate facilities in the community, and not before.

Hon. Members on both sides have expressed worries not about this general philosophy but about its implementation, and I want to deal briefly with certain aspects of our policy, beginning with procedure. We have made it plain that by April 1991 all district health authorities must have in place a proper care programme for the discharge of each and every patient. That programme will entail not only a register but a stipulation of who is in charge of the patient once he is discharged. This policy will apply not only to those discharged from hospital but to the growing number who never reach hospital in the first place.

The hon. Member for Monklands, West spoke about the draft guidelines which we have circulated to enable district health authorities to put in place this new requirement. I am delighted to see that the Royal College of Psychiatrists is drawing up minimum acceptable standards for discharge and, most important, standards for following up patients after they leave hospital.

Secondly, I should like to speak about resources. In the fiscal year 1991-92 and succeeding years, new extra money will be available through the National Health Service to local authorities to develop additional social care services for the mentally ill. That is additional and new money and we shall discuss with the Treasury during the public expenditure survey round next year the specific amount to be provided. Only about 3 per cent. of social services authority expenditure is spent specifically on the care of the mentally ill. Those services have various pressures upon them, but that is a bald statement of fact. There is need for additional resources. There will be a specific grant paid on agreed plans for programmes to be put in place by local authorities.

Thirdly, I shall deal with capital provision. I am well aware that we need facilities in the community before the hospitals close and not afterwards. We have a number of initiatives, including exploring the use of private sector finance to build community facilities now in return for releasing the land to private sector developers when the hospital closes. We are presently looking at possible candidates.

Mr. McCartney: That is asset stripping.

Mr. Freeman: It is not asset stripping. It is accelerating the programme of expenditure which would not otherwise have been possible. We are looking at possible candidates and they have to prove themselves good value for money. I hope that we can make progress on that score. I must emphasise the heavy burden borne by local district health authorities in keeping open half-empty psychiatric hospitals. That is extremely expensive, and anything that we can do legitimately to speed up that process is all to the good.

Mr. Nicholas Winterton: Will my hon. Friend give way?

Mr. Freeman: No. I regret that I have only 14 minutes to try to answer the points raised in the debate.

I shall devote two minutes to the homeless mentally ill, especially those in London. That issue greatly concerns the Department of Health and me. The Government are anxious to assist homeless people, whatever their circumstances or medical needs. My right hon. Friend the Secretary of State for the Environment will shortly report on his review of the homelessness legislation. My ministerial colleagues and I at the Department of Health have a particular responsibility in respect of that part of the homeless population suffering from mental illness.

It is difficult to get firm facts and figures, but the organisations with which we are in touch, such as St. Mungo's and the Bondway housing association think that on average 10,000 people sleep rough in London every night, and of those, about 30 per cent. have obvious mental health problems. There are of course smaller numbers in other towns and cities. Some of those people have never been in touch with the psychiatric services. Others have been, but for one reason or another have broken off contact with the services. I accept that a proportion consists of people who have been discharged in the past from hospital without adequate arrangements being made for their care in the community.

As I have already made clear, we are taking steps to make arrangements for providing continuing care in the community more effective. That will be done in particular through the requirement on district health authorities to introduce the care programme approach from 1 April 1991 and the new specific grant to social service authorities payable from the same date. Those initiatives will not immediately assist those in need of psychiatric treatment and currently among the homeless population. We are therefore considering how best to help that group.

Those experienced in working with that group, including the departmentally funded psychiatric team for single homeless people at Guy's hospital, are clear that it is not realistic to offer what will often need to be fairly long-term treatment to people with no settled accommodation. Therefore, the aim must be to increase the number of hostel places and places in group homes with proper social work support to create the necessary bases from which people can receive treatment.

The experience of the Bondway housing association shows that reasonable supported accommodation acceptable to homeless people with mental illness can be provided economically. We are having talks with those with direct experience of helping this vulnerable group, and we shall soon be talking to the statutory services concerned. We recognise the problem, we intend to work with and build upon the achievements of the voluntary sector and bring our review to a satisfactory conclusion as soon as possible. I hope that the House welcomes that.

Mr. Nicholas Winterton: What about those in prison?

Mr. Freeman: Professor Gunn, on instructions from the Home Office, is surveying the population not only in the remand prisons but in long-stay gaols to identify how many of the prison population should be either in special hospitals but in psychiatric hospitals. We await that study with interest. There is no doubt in my mind that a significant proportion of prisoners should be not in prison but being cared for in hospital. Once we have that information, we shall proceed accordingly.

The hon. Member for Livingston (Mr. Cook) asked a specific question about the obligation on local authorities in relation to care. A statutory obligation to assess and then to decide the best method of care, whether at home or not, will be placed on local authorities. As many hon. Members have said, a proportion of those in residential homes would have preferred to stay at home and wish to be cared for at home. The revenue support grant will be reassessed each year for the level of provision necessary for local authorities to fund not only care in residential accommodation for new claimants and new applicants from 1 April 1991 but the level of domiciliary care that is needed. We shall spell out our proposals in greater detail in the White Paper.

Like the hon. Member for Livingston, the right hon. Member for Stoke-on-Trent, South and the hon. Members for Caernarfon (Mr. Wigley), for Wakefield (Mr. Hinchliffe) and for Makerfield (Mr. McCartney) all raised with me the important issue of the role of the public sector. I am glad to make the Government's position quite clear. We have no intention of introducing any element of compulsory tendering on home help provision or in any other element of local authority care. The speculation by some hon. Members about privatisation of local authority care services is misplaced, and I am happy to clear up that misunderstanding.

We want a partnership between the local authorities, which play an important role, and the voluntary and private sectors. The Government do not seek, and it is not part of our policy, to prevent local authorities from providing care. Some local authorities—it is entirely a matter for them—will decide to continue to provide services and even enhance, improve or increase the level of care that they provide. That is satisfactory. We make no judgment about the level of care to be provided by local authorities. We regard services provided by the voluntary and private sectors as supplementary and not as a replacement of local authority care. Therefore, I agree with my hon. Friends the Members for Mid-Kent (Mr. Rowe), for Gedling (Mr. Mitchell), and for Bolton, North-East (Mr. Thurnham), all of whom expressed a similar sentiment.

My right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie) asked whether certain jobs can or should be done entirely by the voluntary sector. While we welcome the contribution of the voluntary sector, we have no intention of heaping obligations on it, either exclusively or to a greater extent. He also asked about long-stay mental handicap hospitals and whether the management of them would be transferred to the social services department. We have no such proposals.

My hon. Friend the Member for Eastleigh raised two of the central issues of this debate, the first being the vital importance of carers. The hon. Member for Newham, North-West also referred to this point. They will find that the White Paper will emphasise that support for carers is the top priority. It will be seen when we publish the White Paper how we intend to manifest that priority.

My hon. Friend the Member for Eastleigh raised also the issue of ring fencing, or specific grants. The issue has been taken up by many hon. Members on both sides of the House, including the hon. Member for Livingston. The Government are grateful for the views which have been expressed and the arguments which have been advanced. I say in defence of the opposing view—that grants should not be ring-fenced or should not be made specific—that many hon. Members on both sides of the House have confidence in local government and social service departments, of whatever political persuasion, making the right judgments and arriving at the right priorities when determining the level of domiciliary care and of assistance for residential homes.

I invite the hon. Member for Newham, North-West and my hon. Friend the Member for Eastleigh to consider that the Government are seeking to provide additional money to supplement the funds that social services departments already have. We do not want the departments themselves to ring-fence funds. We want the additional money that will be transferred from the Department of Social Security through the payers' mechanism to be incremental funds to build upon that which is already being achieved in domiciliary care.

My hon. Friend the Member for Bournemouth, East referred me to the Schizophrenia After-Care Bill which was introduced in another place and which has now reached this place. I can give my hon. Friend the assurance that we shall be building upon the valuable lessons that have been set in the introduction of that Bill and in the debates that took place in another place.

[Mr. Freeman]

The hon. Member for Birkenhead (Mr. Field), in what I considered to be a refreshing and interesting speech, asked a number of specific questions. He adopted an interesting consumerist approach to community care, which I am sure would be echoed by many of my hon. Friends, especially in the light of his support for the White Paper entitled "Working for Patients", for which we are grateful. If I may, I shall write to him about flexibility of contracts. His comments deserve a serious reply, and that cannot be done in the few minutes that are available to me this evening.

I am grateful to the hon. Gentleman for allowing me to mention that the independent living fund has been set up by my right hon. Friend the Secretary of State for Social Security. It is designed to help those with disablement live independently within the community. Applications can be made at the Nottingham office and local inquiries can be made at the social services department. The hon. Gentleman knows that vouchers have been discussed by some Conservative Members. I can assure him that his comments will be borne in mind carefully.

I find myself agreeing with both of the key points of my hon. Friend the Member for Macclesfield. Essentially, my hon. Friend wants registration and inspection to be carried out independently, and to be seen to be done in that way. Perhaps we may differ in the ultimate in how we propose that that should be done, but I take his point. I am sure that all my right hon. and hon. Friends believe strongly that there should be independent assessment. We believe also that the continuous monitoring of local authorities is essential. I can tell my hon. Friend that the social services inspectorate at the Department of Health takes that job extremely seriously. We shall spell out in the White Paper how we envisage that task being discharged.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) referred to village developments. If it transpires that I have misunderstood her, perhaps she will be kind enough to write. I am a supporter of village developments, especially for the mentally handicapped, but only if they are not geographically isolated. They should be seen as proximate to the community and not inward-looking. If that is what the hon. Lady believes, I agree with the sentiments that she expressed.

My hon. Friend the Member for Gillingham talked about training. The Government agree with him. An additional central grant is to be made in 1990-91 of about £2 million, as a start, to support post-qualifying training in management in social care. My hon. and learned Friend the Minister of State, Department of Health is to meet the Association of Directors of Social Services tomorrow. He has had two meetings already with it this year.

My hon. Friend the Member for Ipswich (Mr. Irvine) referred to hospital discharges. He is right to say that they increase pressure for domiciliary care. We are concerned that there are some patients in acute hospitals who are blocking beds because they cannot be discharged as there is no domiciliary support for them. Our proposals will help to overcome that problem. The hon. Member for Belfast, South (Rev. Martin Smyth) and my hon. Friend the Member for Mid-Kent raised the question of advocacy. We very much support that principle, which will help those with mental illness and handicap to understand not only their rights but the services available.

The hon. Member for Greenwich (Mrs. Barnes) referred to compulsory treatment orders. We are still seeking professional opinion on that matter. I am sure that the House would wish to proceed with great caution, because it is not an issue that we take lightly. If we do recommend that it should proceed, I am sure that the House——

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

The Economy

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Goodlad.]*

10 pm

Mr. Graham Allen (Nottingham, North): The Government are in a mess and the economy is in a mess, yet because of the magnitude of the crisis no one, least of all Opposition Members, draws any pleasure from the disarray in which the Government find themselves. The events of the past two weeks show that the Government have finally lost control of the economy. However, it is no recent crisis; it comes on top of 10 years of mismanagement, mistaken policies and ideological ineptitude. To put that right, the Labour party needs to win the next election, whatever any passing opinion poll may say. Current polls put us well in the lead, but we cannot depend upon them. We must expose the Government's economic policies to full public understanding and ensure that the public are aware of the full extent of the incompetence of the Thatcher Government. By proving that, we can also pick up the pieces of the shattered economy and fashion a viable economy to take Britain towards the next century.

First, we need to dispose once and for all of the myth of the economic miracle. That is relatively simple to do by measuring reality by the accepted indicators of economic success and failure—inflation, the trade balance, the standing of the pound, the level of investment and the interest rate. Every indicator is a chapter heading in the indictment of this Government. The Chancellor once said that inflation was the judge and jury of his economic policy. After 10 years of being the top economic priority of the Government, inflation is now 7·6 per cent. and rising, prices have almost doubled since 1979 and our inflation is the highest of the major industrialised countries. There is no doubt about the jury's verdict—in more than one way it should be a capital sentence. On inflation alone, the claim for an economic miracle is no more than a political junk bond.

On our balance of trade, the Thatcherite destruction of our economic base is evidenced by the world record gap of £22,000 million between what we import and what we export—again, built squarely upon the Government-induced recession of 1979 to 1981, which destroyed a fifth of our manufacturing export potential, and the bribery Budgets that vacuumed in exports from throughout the globe. Quite simply, we are living beyond our means. We are living on borrowings from abroad, drawn in by excessively high interest rates. We are increasingly unable to compete and are now being measured and fitted for a walk-on part in a mere market for other people's goods, while diminishing as a producer in our own right.

Some estimates now predict a deficit of £40,000 million to £50,000 million for next year. The Chancellor, in one of his sweeps of confidence, declared that the deficit was irrelevant as it takes place in the private sector. I can ask him only to heed the words of a small business man who said last week:

"I beg our party not to argue that a deficit in overseas trade is of incidental importance, self-correcting, easily financed. I don't believe a word of it."

Those were the words of the right hon. Member for Henley (Mr. Heseltine). He is right to challenge the Chancellor's bland assertion that the deficit can be financed.

What that really means for ordinary people is that the chronic imbalance between imports and exports brought about by Government incompetence can be sustained by a secret tax which has not been authorised by Parliament. That tax is levied on every home owner and business through higher interest rates. For every home owner with a £30,000 mortgage the Lawson tax is an extra £73 a month compared with what was being paid last year. For a small business man with a £5,000 loan the Lawson tax is a £75 addition per month to what was being paid last year. To British industry the Lawson tax is now £250 million for every 1 per cent. increase in interest rates.

Even before that, the income tax cuts were more than cancelled out by the rises in VAT—indirect taxation—so that the average tax burden on a typical family is higher under this allegedly tax-cutting Conservative Government than it was under the previous Labour Government.

For 10 years, the extent of the trade imbalance has been concealed by the God-given gift of North sea oil exports which peaked at £8 billion in 1985 and even last year reduced the real deficit from £21·7 billion to £14·6 billion. Even the invisible earnings, for so long the economic seventh cavalry riding to save the trade deficit, are now themselves cantering inexorably towards the knackers' yard.

The "Concise Oxford Dictionary" describes a miracle as a

"marvellous event due to some . . . supernatural agency."

This economic disaster, being wholly man-made, or woman-made, cannot qualify as a miracle even under that broad dictionary term.

A further key indicator of the economic miracle, or debacle, is the standing of the pound. We must be thankful that the Chancellor, who has presided over an 11 per cent. devaluation of the pound this year, still has enough of a sense of humour to say to his conference:

"We Conservatives are not the party of devaluation."

That was such a whopper that even the Prime Minister might have smirked at that on the way home.

Since 26 September the Government, who cannot find money for hospitals, schools or adequate pensions, have found £3,000 million to waste in a vain effort to support the price of the pound. To quote a cliché—"It really is not good enough to throw money at these problems."

At my grandfather's knee I heard about the IMF loan of 1976. It is worth remembering that all the political suffering and the anxiety that that caused was for less than what was quietly frittered away over the recent three-week period. When I examine the magnitude and predictability of the economic disaster I am left incredulous at the easy ride that the Government have been given by the commentators and the media.

Many will feel, as I do, that the dislocation of the money markets and the City of London from the real economy of industry, production and work, which is even admitted by the Chancellor, is to continue to be host to a potentially lethal parasite which Britain must at some point either purge from its system or assimilate.

Continuing industrial weakness is the main structural problem in the United Kingdom. To survive as a competitive economy we must invest. Yet by every comparison with our main competitors we are investing less than they are. It is little wonder that our markets are being taken over by their goods.

Investment in new plant and buildings is only now back to 1979 levels. The collapse in training, the shortage of

[Mr. Graham Allen]

skills and the lack of innovation, research and development and science are symptoms of the lack of investment in our economy. Yet the Government, by using figures which include spending on the acquisition of privatised companies, claim an increase in investment.

Statistically—in this field as in others—the Government sort the wheat from the chaff, and use the chaff. While British industry stands on its own two knees, every other industrial economy is supported and encouraged by its Government. There is massive investment in infrastructure development, transport and capital re-equipment in Germany, Italy and France—indeed, throughout the countries that are our major competitors. Meanwhile my region, the east midlands, cannot even get £95 million out of the Government for the electrification of the midlands main lines, which is vital if we are to make a success of 1992. While this penny-pinching goes on in our economy, Japan is to invest £150 billion in its domestic market.

Even some American economists are now advocating what they call a national competitiveness policy. While Governments throughout the world rediscover and press on with investment-led development programmes, Britain is politically captured in a free-market time warp that is as outmoded and unworkable in its way as any fossilised state economy in the eastern bloc.

The final indictment is interest rates. High interest rates —ours are the highest in industrialised Europe—crucify existing borrowers, as every home owner and every business knows. Even more dire, they put off potential investment, which is critical if we are to rebuild the real economy that is the base on which we must found our long-term prosperity. An increasing amount of industrial borrowing at these punitive interest rates is not investment borrowing for growth; it is distress borrowing to fend off bankruptcy, just as we saw in the period between 1979 and 1981. The record is of a 10-year decline, which can be judged miraculous only by a staggering level of incompetence.

Some Chancellors in the past have unfortunately managed to get inflation up, interest rates high, the pound shaky or the trade gap wide; but they have never done all those things at once. Perhaps that is the economic miracle of which the Government boast. Monetarism does not work—but what a price we have had to pay for the Government's learning curve.

Whatever else he may be, the Chancellor is not stupid: it may have taken him some years, but he knows now that there is another way forward. In the past he has ditched unworkable monetary targets, and now he must ditch some more ideological baggage and move in on our agenda. If he is not allowed to by "She who must be obeyed", he should resign not merely his office but his seat so that Professor Alan Walters can for once observe the constitutional proprieties—that the man who runs the economy in the United Kingdom is normally elected.

What would the Chancellor do if he were free to run the economy sensibly? Obviously he would not start from here; however, within the constraints of the current position, a number of steps could be taken by a Member of Parliament for Blaby, for Henley or—more likely—for Mosklands, East. They all revolve round tackling the structural problems of the United Kingdom economy: putting the producer before the financier and the long term before the short term.

First, the pound must be allowed to find its accurate and sustainable international valuation. As well as acting as a stimulus to industry and exports, that would end the colossal losses in reserves that we have seen in recent weeks. Next, the Budget surplus of income over expenditure, currently running at £14 billion, must be used for investment in the domestic economy—in education, training, capital equipment and infrastructure—rather than fuelling the financial markets through the premature repayment of national debt.

Thirdly, we must begin to develop international co-ordination and, in turn, develop exchange stability. In other words, we must try to inoculate the economy as far as possible from currency speculation. That will mean beginning to negotiate on ERM and EMS as the floating pound begins to stabilise.

That assumes that our entry will not be vetoed. The Delors report demands economic similarity and convergence as a prerequisite among European nations for membership. Britain can hardly be said to be in that position. Indeed, the longer that serious negotiation is left, the greater divergence will come. In this area it is not so much that unilateralism has failed as that multilateralism has not yet been tried.

Fourthly, painful though it may be, we must reduce consumer demand to boost savings and build up capital spending by examining and reassessing the top rate of tax cuts of the 1988 and previous Budgets and then by instituting a more sophisticated control of credit than the crude use of interest rates. Such credit management, while apparently revolutionary in Thatcher's Britain, is routine and non-controversial in most continental countries—our partners in Europe.

Fifthly, there must be a major public and political commitment to long-termism by institutionalising lending at lower rates for industry and commerce.

That package may be commonplace in most developed countries and may seem unambitious enough if survival can be said not to be an ambition. But we cannot over-emphasise the extent of the economic disaster that will face the next Labour Government. The extent of that disaster has outrun even the innovations of Labour's policy review, and even more radical solutions are inescapable if we are to manage capitalism effectively enough for it to be the staging post for progress towards our Socialist values.

It may be particularly unpalatable, but so far on these Benches I hear no disagreement that, for the education, training and infrastructure investment to bear fruit, there will be many years during which precious priorities—labour and public spending priorities—will have to be forgone. The extent of our economic crisis and the economic disaster which my right hon. and hon. Friends will inherit will mean that there cannot possibly be any return to business as usual—to the Callaghan or Wilson years of a little change here and there. There will be no leeway for a serious Government to conduct that sort of business.

The Thatcher experiment failed long ago, but it has been camouflaged by North sea oil revenues, by the asset-stripping of public property and by what I must admit has been some brilliant media management by the Conservative Government. But all that is coming to an

end. Little of it can be extended any further. For too long my party has allowed the concept of "There is no alternative" to hold sway. Now there is an alternative. The question that remains is whether it will be the present Chancellor or the next Labour Chancellor who implements that change.

10.18 pm

The Economic Secretary to the Treasury (Mr. Richard Ryder): The economic picture of Britain just painted by the hon. Member for Nottingham, North (Mr. Allen) is ludicrous. The hon. Gentleman spoke as one who, for the sake of narrow party advantage, seems to resent our success at managing the economy in the past decade. That success has brought unprecedented prosperity to the people of Britain. Britain has gone from beng the sick man of Europe under Labour—the Wilson-Callaghan era—to being one of the most dynamic countries in Europe under the Conservatives.

When we recall what Britain was like in 1979, the scale of our achievement becomes clear. Under Labour, borrowing and spending rose inexorably in its search for growth and higher employment. Living standards barely improved, taxes were high and industry, over-regulated and unprofitable, was unwilling to invest. Excessive interference and controls meant that important markets ceased to work properly, and some hardly at all. Spending and borrowing rocketed. Attempts to fine-tune demand led to inflation of 27 per cent. The trade union barons held the country to ransom. The humiliating consequence of this sad fiasco was that the Labour Government were forced to go to the IMF with their begging bowl.

The situation today is very different. We have demonstrated that the way to generate sustainable economic growth is not through Government meddling in the economy; instead, the Government have let market forces work. We have liberated the private sector from unnecessary controls and regulations and industry has responded to its new found freedom. We have removed large areas of the economy from public control and the tax system has been reformed; it no longer smothers enterprise, but encourages it.

Just as importantly, we have given individuals a greater stake in their own output, through profit-related pay and wider share ownership schemes, but above all by reducing tax rates so that they can keep for themselves more of what they earn; and we have returned vast areas of the economy to the private sector. The end result has been to allow firms to get on with what they are there to do: make the goods that consumers wish to buy.

The result of those policies has been a supply side revolution. Manufacturing productivity has grown, very much faster than in the dismal 1970s and manufacturing output, which fell under the previous Labour Government, is running at record levels and continues to rise. Businesses are at their most profitable for 20 years. Business investment is at record levels, not merely in absolute terms, but as a proportion of total national income. Business investment grew by 17 per cent. last year alone, more than three times as fast as it did during the entire five and a half years of the previous Labour Government.

The investment boom is not just a recent development. In the past seven years investment has grown more than twice as fast as consumption, a clear sign that British industry has confidence in the future.

Confidence in the future can be seen in other ways as well. New businesses are being started at a rate of well over 1,000 a week—a new record and a clear sign of the strength of the enterprise culture. It is not just businesses that have benefited. In the past five years, we have created far more new jobs than any other European country. Employment is now at record levels and living standards have been transformed.

The Government's finances have been transformed too. We are now heading for a budget surplus for the third successive year. That is an achievement unequalled in the past 40 years. We are now repaying the national debt and at the same time the success of the economy has allowed us to provide extra resources for priority areas such as the National Health Service.

Putting the performance of the British economy into a world context makes it easy to appreciate the massive turnaround in the past 10 years. Throughout the 1960s and the 1970s, the United Kingdom grew more slowly than all the other major European countries, in the 1980s we are top of the league. In the 1960s and the 1970s, we were at or near the bottom of the European investment growth league, in the 1980s we are top. During the dismal 1960s and 1970s, we were languishing near the bottom of the productivity growth league, but since 1980 productivity in the whole economy has grown faster than in any other major industrialised country except Japan, and in manufacturing we have beaten even the Japanese.

People and businesses here and abroad are confident that the Government remain committed to tough action against inflation. High interest rates are the only way in which to deal with inflation. We will take no risks with inflation. My right hon. Friend the Chancellor has made it clear that interest rates will stay as high as necessary, for as long as is necessary, in order to bring inflation down. Meanwhile, we fully understand the pressures on people with mortgages and businesses, but they know that inflation must be brought down.

It has been suggested that we should use credit controls rather than interest rates in an effort to slow demand, but in a world of free capital movements and financial liberalisation, credit controls would be unworkable and would be child's play to get round. Nor are consumer credit controls of much relevance to the control of borrowing. No less than 85 per cent. of household borrowing is on mortgages. Trying to reduce borrowing through controls on other forms of consumer credit would, as my right hon. Friend the Chancellor remarked in Blackpool last week, be

"a vain attempt to get the tail to wag the dog".

But these common-sense views on control are not shared by the hon. Member for Dagenham (Mr. Gould), Labour's trade and industry spokesman. No wonder the latest Gould gaffe over hammering home owners puts him at odds with the right hon. and learned Member for Monklands, East (Mr. Smith), the shadow Chancellor. We are entitled to ask who speaks for Labour on the economy. Is it the hon. Member for Dagenham or the right hon. and learned Member for Monklands, East?

One of their Labour colleagues was quoted in *The Independent* yesterday as saying:

[Mr. Richard Ryder]

"This is absolute dynamite. He, Mr. Gould, has not cleared this with the policy review team. The National Executive Committee will want to have a look at this before it goes any further."

I should say so. And who better qualified to adjudicate on economic matters on the NEC than the hon. Member for Bolsover (Mr. Skinner), last year's chairman of the Labour party.

Inflation is being beaten. Demand growth is slowing. Retail sales growth over the past year has been only 1¼ per cent. But the current problem should be put into context. The underlying rate of inflation is now lower than the very lowest achieved than in any month under the last Labour Government. The last Labour Government would have given their eye teeth for our present inflation rate; but what would have been good enough for them is not good enough for us.

The hon. Member for Nottingham, North also referred to the trade deficit. The deficit is a private sector phenomenon, the Government's finances are in massive surplus. That means that the current deficit is very different from the deficits of the 1970s or the US deficit of today. The increased deficit is, to a large extent, a result of the investment boom. This boom in private investment will stand us in good stead for the future, increasing both capacity and exports over time. As the IMF has recently said, such a deficit is "efficient and self-correcting".

Mr. Allen *rose*

Mr. Ryder: The hon. Gentleman has not given me my allotted time, and I have to complete my speech.

To the extent that the deficit reflects rapid demand growth from both industry and consumers, it will correct itself in time. We have always said that the current account would be among the last indicator to turn round.

Mr. Allen: If there is such a massive increase in manufacturing productivity, why are we importing capital equipment to feed the boom that the Minister is saying will come on stream? Why are we not using our own manufactures?

Mr. Ryder: The vast majority of manufactured goods that enter this country are for investment and production purposes and do not go into direct consumption. That is the answer to the hon. Gentleman's question.

A remarkable transformation has taken place in Britain's fortunes over the last 10 years. We have overcome problems before and we shall do so again. This Government have reversed the remorseless decline in the fortunes of the British economy. The British people are more prosperous than ever and British business is investing more in the future than ever before. These successes, and countless others, could only have been achieved under a Conservative Government. They can only be wrecked by Labour.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Wednesday 18 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

Constitutional Convention

1. **Mr. Home Robertson:** To ask the Secretary of State for Scotland if the Government will now give further consideration to participating in the Scottish constitutional convention.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): No, Sir.

Mr. Home Robertson: I see that a certain loyal junior Minister has been trying to use the constitutional debate as an alibi for the latest of the Government's economic failures in Scotland. Does the Secretary of State accept that the Scottish constitutional convention is expressing the positive aspirations of the people of Scotland in a way in which this minority Administration never can and never will? Can we have a bit less of the Secretary of State's ministerial whingeing and will he face up to the clear demand from the people of Scotland for home rule within the United Kingdom?

Mr. Rifkind: The so-called constitutional convention is not having quite the major impact on Scottish opinion that the hon. Gentleman would like to believe. I understand that during the recent Scottish quiz "Super Scot", when the contestants were asked who were the two leaders of the convention, one participant responded that they were my hon. Friends the Member for Edinburgh, West (Lord James Douglas-Hamilton) and for Stirling (Mr. Forsyth). That suggests that the impact is not of the order that the hon. Gentleman would like.

Mr. Bill Walker: Is not the structure of the Scottish constitutional convention such that there is no way in which it can arrive at anything other than the answers that were required by those setting it up? In other words, it was never an attempt to have open discussion on the future of government in Scotland, but was for one, narrow, particular and nationalist issue only.

Mr. Rifkind: My hon. Friend is correct. It is now evident that the so-called convention is not making an impact on Scottish opinion, and that is not surprising because it is essentially an organisation entirely dominated by the Labour party, with different hats—those of the parliamentary Labour party, the Scottish Trades Union Congress, the Convention of Scottish Local Authorities or a number of other individuals whose Labour sympathies are well known. Therefore, it is not surprising that they should reach a measure of agreement.

Mrs. Ray Michie: We should pursue this point. Is it not the case that the Secretary of State and now the deputy Prime Minister both believe that the Tory party and the Government should listen to what people are saying? Will the Secretary of State now listen to what the majority of the Scottish people say about their wish to look after their own affairs—a fundamental right which should not be denied to the Scottish nation by any so-called democratic Government?

Mr. Rifkind: I am surprised that the hon. Lady wishes to give the impression that she is a great enthusiast for the convention, because her party has made it clear that it will have no truck with the convention unless it agrees to proportional representation for a future Scottish assembly. The deputy leader of the Labour party described proportional representation, on only 5 October this year, as being a reduction, not an extension, of democracy. He said that proportional representation would provide unrepresentative, small centre parties with disproportionate power, which would give them the opportunity to play cuckoos in the nest of the Labour Government. I know that the hon. Lady might wish to present herself as a flowering contribution to parliamentary debate, but there is little prospect of the convention meeting her party's fundamental requirement in respect of this matter.

Mr. Andy Stewart: Would my right hon. Friend care to comment on the suggestions made by Jim Ross, the secretary of the campaign for a Scottish assembly on the fact that it would levy all the taxes set by Westminster and pass the remainder over? What effect would this have on public expenditure in Scotland?

Mr. Rifkind: That was an extraordinary proposal because it implied that the assembly, despite all the protestations to the contrary, would have no tax-raising power of its own but would depend entirely on the block grant system. The hon. Member for Glasgow, Garscadden (Mr. Dewar), the shadow Secretary of State for Scotland, will be well aware, even if some of his hon. Friends are not, that one could not fund the sort of expenditure that he and his hon. Friends have advocated as necessary in Scotland through such a system. Only by additional tax-raising powers could the assembly fund such expenditure. Therefore, these proposals would be crucially debilitating to Scottish health, education and housing and to the whole Scottish programme.

Mr. Dewar: Is there not a strong case for the sort of reform that the convention is considering? The hon. Member for Stirling (Mr. Forsyth), an Under-Secretary of State for Scotland, has attempted to suggest that the Intel Corporation's decision to go to Ireland was based on the fear of constitutional change in Scotland. Did the Secretary of State hear the interview on Radio Scotland in which the chairman of the Russell Corporation, an American company which is coming to Scotland—which we welcome—dismissed that outlandish theory?

Is there not a case for constitutional change? Was it not indefensible for the Under-Secretary of State to take such a line and, in effect, to impugn Scotland's attractions as a home for inward investment, even when the Intel Corporation specifically repudiated what he had said? Will

the Secretary of State ensure that in future his colleague does not again put his partisan responsibilities as chairman of the Scottish Conservative party above his ministerial duty? Better still, will he remove him from one of his posts, given his apparent inability to distinguish between his two roles?

Mr. Rifkind: Unlike the hon. Gentleman, I have taken the trouble to read what my hon. Friend the Member for Stirling (Mr. Forsyth) said about the matter. The hon. Gentleman, uncharacteristically, has shown extraordinary negligence in making such public allegations. My hon. Friend did not say that Intel would not come to Scotland for the reason that the hon. Gentleman suggested. He said:

"Southern Ireland, with its low rate of corporation tax does offer an attractive long term, low-tax investment environment. After a decade of Conservative tax cutting budgets, we can match that attraction. In Scotland, however, we suffer the ever present threat of the creation of a high spending and high taxing Scottish Assembly."

That is not only my hon. Friend's view and it is not only my view. It is the view of many within the Scottish business community. The hon. Gentleman should recall the conclusion of the report in the *Scottish Business Insider*, which was that Opposition parties have to convince indigenous companies of their financial reasoning and find an effective method of conveying the same message to potential inward investors. So far—*[Interruption.]*

Mr. Speaker: Order. I hope that we shall have briefer questions leading to shorter answers. We have spent a long time on Question No. 1.

Geriatric Hospital, Rutherglen

2. **Mr. McAvoy:** To ask the Secretary of State for Scotland if he will instruct Greater Glasgow health board to proceed with the original proposal to build a geriatric hospital in Rutherglen, owned, staffed and managed within the National Health Service.

The Under-Secretary of State for Scotland (Mr. Michael Forsyth): No. The Greater Glasgow health board's plans to work in partnership with the private sector could result in a brand new geriatric hospital for Rutherglen in only 18 months and at no capital cost to the board. I regret that the hon. Gentleman does not feel able to support the speedy provision of modern facilities for the elderly in his constituency.

Mr. McAvoy: I thank the Minister for his answer. I know that he gave it with all the authority of a man who knows that he is the real boss in the Scottish Office. Is the hon. Gentleman aware that we in Cambuslang and Rutherglen hold him personally responsible for blocking the plans for a National Health Service geriatric hospital in Rutherglen and replacing them with facilities provided by Takare plc? The health board says that it does not have the capital to build an NHS hospital but it says that if Takare goes bust it will find the capital to buy the facility from it. Will the Minister explain why the board has the capital to pay Takare but is unable to build an NHS hospital?

Mr. Forsyth: It is not true that the Greater Glasgow health board does not have sufficient capital. Its capital allocation this year is—I speak from memory—about £28 million. The board wishes to ensure that its resources go as far as possible to provide the greatest possible standard of care. If it is possible to get a hospital built in the hon. Gentleman's constituency more quickly at no capital cost, that capital will be available for facilities elsewhere. The hon. Gentleman is putting his dogma before the interests of patients.

Development Agency

3. **Mr. Foulkes:** To ask the Secretary of State for Scotland when he last met the chairman of the Scottish Development Agency; and what issues were discussed.

The Minister of State, Scottish Office (Mr. Ian Lang): My right hon. and learned Friend met the chairman and the agency board on 22 May and discussed a range of issues of mutual interest.

Mr. Foulkes: Is the Minister aware of the surprise and dismay throughout Scotland at his unprecedented attack on the staff of the Scottish Development Agency? Is he further aware, as I am from my discussions with the chairman of the SDA, that the agency faces two real problems—first, the feeling of total uncertainty because of the Government's uncertainty about Scottish Enterprise, and secondly, the lack of funds to meet the commitments, need and demand throughout the country as identified by the officers of the agency? Both those problems lie at the door of the Secretary of State and the Government, and not with the staff or the SDA board.

Mr. Lang: I am surprised and dismayed that the hon. Gentleman should think that I had launched an attack on the chairman or the management of the SDA. I have done no such thing. The SDA's recommendations about Scottish Enterprise were largely in tune with the proposals that the Government have since brought forward. I would have thought that today, of all days, the hon. Gentleman might have found it in his heart to stand up and welcome the SDA's decision, announced only yesterday, to launch the Cumnock and Doon Valley initiative in his constituency, to which the agency is committing £9 million over the next five years. It is a useful economic regeneration and environmental measure that would be of great value to the hon. Gentleman's constituency.

Sir Hector Monro: Does my hon. Friend agree that the residents of Cumnock and Doon Valley are extremely fortunate in what the SDA has done? However, does he accept that there is some disquiet in Scotland about some financial arrangements between the SDA, local authorities and private industry which now seem to be in doubt? Can he assure me that those arrangements will be fulfilled in the current financial year?

Mr. Lang: My hon. Friend is absolutely right to suggest that there has been some concern about the funding of certain commitments by the agency. Indeed, I expressed that concern to senior agency personnel earlier this year. I am confident that, in the light of the decisions and steps that the agency has since taken, it has the matter under control. By proper prioritisation of the apportionment of funds, it should be able to meet its commitments.

Dr. Godman: At the meeting was there any discussion about the Inverclyde initiative? Is there not a great deal of concern that the Scottish Office intends to extinguish the initiative in March next year? Will the Minister assure me that the Inverclyde initiative will continue under the

umbrella of Scottish Enterprise? Does he not agree that it is an important local initiative which should continue beyond March 1990?

Mr. Lang: I am not aware of any proposal by the agency to discontinue the Inverclyde initiative. Inverclyde is certainly an area in need of specific help, which is why the agency launched the Inverclyde initiative. As the hon. Gentleman knows, we have also created the Inverclyde enterprise zone, which has a 10-year life span. The measures that we are taking are beginning to generate results, which is encouraging for the people of Inverclyde.

Mr. John Marshall: When my hon. Friend met the chairman of the SDA, did he discuss the fear of the Confederation of British Industry that devolution would lead to less investment in Scotland and therefore fewer jobs?

Mr. Lang: No, Sir, that was not an issue discussed at that meeting. However, we did discuss a number of issues, on which total agreement was reached about the beneficial effects of the Government's various economic policies on the Scottish economy.

Mr. Dewar: Is the Minister aware that the Opposition are astonished to hear him say that he has not criticised the top management of the SDA? Did he see the report in *The Scotsman* on 11 October, which quoted him as being

"seriously concerned for some time about the way the SDA had been handling its budgets."

Did he see the further report that the SDA chairman, Sir David Nickson

"protested bitterly to Ian Lang, the Scottish industry minister, about his public attack on the agency's chief executive."

Will that do anything for morale in the agency? Why did the Minister decide to air his views in such a public way rather than take his concerns to the agency on a private basis in the hope that something could be done if the criticisms were justified?

The Scotsman report specifically states that the Minister, in arguing for enterprise companies, did so in terms that implied that the case for them was his critical view of the SDA's financial performance and the need to remove most of the agency's projects and place them under the tighter financial control that should come with enterprise companies. Is that an accurate reflection of the Government's position?

Mr. Lang: I did not attack the SDA's chief executive, nor did its chairman protest bitterly to me. I expressed concern to the agency earlier this summer about the possible overcommitment of agency funds, and the hon. Gentleman would have been the first to criticise me if I had not done so. As a result of steps that the agency has taken, I have every confidence in its capacity to put its house in order and to administer its funds properly.

The agency and the Government are of one mind on the suitability of local enterprise companies within the Scottish enterprise proposals. The reference in the quotation from which the hon. Gentleman drew was to the fact that each local enterprise company will have its own budget within its own enterprise company area, which will lead to tighter control on a regional and local basis than has been exercised in the past under the overall umbrella of the agency's budget.

Trade Unions (Meetings)

4. Mr. Ron Brown: To ask the Secretary of State for Scotland how many official meetings he has had with trade union leaders since assuming his present office.

Mr. Rifkind: I meet representatives of the trade union movement from time to time on a range of issues. I am meeting the general council of the Scottish Trades Union Congress on 10 November to discuss matters affecting the Scottish economy.

Mr. Brown: Since some 8,000 or more jobs in Scotland are on the line simply because Ferranti is at risk from a takeover bid, is it not vital that the Secretary of State has a special meeting with the union leaders representing that company's workers? Will the Government act as guarantor for the company's independence and see off the predators? That is what the people of Scotland and my constituents in particular want.

Mr. Rifkind: I congratulate the hon. Gentleman on his reselection, which has given great pleasure to all Conservative Members.

I am conscious of the problems facing Ferranti, which is an exceptionally important company for Scotland and for Edinburgh in particular. The company has not asked the Government to act as a guarantor, nor would that be appropriate, as I am sure the hon. Gentleman knows. The Ministry of Defence put out a helpful statement showing the importance that it continues to attach to Ferranti and to its relationships with Ferranti and we look forward to the internal problems that that company has faced being resolved in the near future.

Mr. Kennedy: Has the Secretary of State had any communication with the management of Aberdeen Journals Ltd. on its dispute with members of the National Union of Journalists? Does he have any comment to pass on what appear to be the reasonable grounds that those NUJ members, both dismissed and still working, have for alleging apparent victimisation in the course of the dispute? Would not management be well advised to adopt a less intransigent attitude in the dispute and to agree to round table talks under the auspices of the Advisory, Conciliation and Arbitration Service, or some other suitable third party, to resolve this most unfortunate industrial dispute?

Mr. Rifkind: Naturally, we all regret industrial disputes, but it is not appropriate to expect Ministers to express any view on what is essentially a matter for management and unions to resolve. We hope that they will succeed in doing so, but no comment in this Chamber would be likely to help.

Mr. Canavan: Is the Secretary of State aware that some of Scotland's trade union leaders were in Falkirk yesterday for the counting of the votes of the Royal Scottish National hospital work force ballot on the hospital's management's proposals for the hospital to opt out of existing arrangements within the NHS? Since 95 per cent. of the work force gave a resounding vote of no confidence in the hospital management's proposals, will the Secretary of State instruct the Forth Valley health board and the hospital management to abandon the disastrous proposals which are an attack on the rights of the 800 mentally handicapped patients at the hospital?

Mr. Rifkind: I appreciate that the Labour party has been disappointed by the growing interest in various parts of Scotland in the opportunities for greater autonomy for hospitals and group practices. We are at an early stage in such matters, but the views of all concerned in the proposals will be of interest. At this stage we look forward to hearing from the various parts of Scotland interested in developing opportunities for greater autonomy for hospitals and group practices and the other opportunities outlined in our NHS proposals.

Electricity Prices

5. **Mr. Darling:** To ask the Secretary of State for Scotland what representations he has received in respect of electricity prices from industrial and consumer interests in Scotland.

Mr. Lang: My right hon. and learned Friend receives representations from time to time on a range of matters relating to electricity prices applying to industrial and domestic consumers in Scotland. The setting of electricity prices for all categories of consumers is, of course, the responsibility of the electricity boards.

Mr. Darling: Is the Minister aware that on top of the inevitable price rises that will follow the sell-off of the electricity industry, pensioners in particular are being hit by the very high level of standing charges imposed on electricity users? Will he join in the campaign to have those standing charges abolished by the private companies, and will he remind those speculators who clamour for an early sell-off of the industry that they will be seeking to profit from the financial misery suffered by old people who live in a country that has 50 per cent. over-capacity in electricity yet cannot afford to heat their homes in many instances?

Mr. Lang: As under the last Labour Government, standing charges are a matter for the electricity boards and not for the Government. I do not think that the Conservative party needs any lessons from the Opposition on prices, given that while electricity prices have fallen in real terms over the past seven years, under the last Labour Government they increased by 170 per cent. in cash terms and by 20 per cent. in real terms.

Mr. Buchanan-Smith: Will my hon. Friend acknowledge that the new arrangements for the industry offer a real opportunity for greater efficiency? Is he aware that those working in the industry want to get ahead with the new arrangements? When will the industry be floated?

Mr. Lang: I entirely agree with my right hon. Friend about the desirability of floating the industry and putting it into private hands. The timing is still to be decided, but the decision will be taken in the best interests of the industry, and it remains our firm intention to achieve privatisation within the lifetime of this Parliament.

Mr. Wilson: Does the Minister accept that the House was seriously misled by Ministers about the likely decommissioning costs of Magnox stations, including those of the one in my constituency, which are to be borne by the taxpayer in order to gild the unwanted privatisation lily? In the light of the leaked information that Magnox decommissioning is likely to cost £6·6 billion of taxpayers' money, can he throw fresh light on the likely decommissioning costs at Hunterston A and under whose auspices they will be incurred?

Given the privatisation shambles, when will the Scottish boards be hawked in the market-place? Best of all, can the Minister assure us that that will not be done this side of a general election?

Mr. Lang: The hon. Gentleman would not expect me to comment on his leaked speculation, but I shall reassure him that I have no reason to believe that the House was misled over this matter.

Housing Investment

6. **Mr. Sillars:** To ask the Secretary of State for Scotland what representations he has received from the Convention of Scottish Local Authorities and individual local authorities about the case for increasing investment in public sector housing.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): At a meeting with me on 22 September, the convention expressed concern about a possible shortfall in receipts from council house sales in some authorities in the current year. I have also received representations from a number of local authorities concerning the detail of their ongoing programmes, but they mostly appreciate that consideration of future investment programmes can best take place in the context of their housing plans and capital programmes which they are due to submit next month.

Mr. Sillars: Does the Minister acknowledge that whatever he may be doing this year, the past 10 years have been years of disinvestment in public sector housing in Scotland, and that a reasonable measure of the success or otherwise of that policy is whether it puts decent roofs over families? Does he agree that after 10 years of that policy, 29,000 families are homeless, an increase of 77 per cent. in the past five years; that 192,000 people are on the waiting lists; that we have had a loss of stock of 130,000 homes in the public sector; and that some of our best councils are being turned into slum landlords because of a lack of investment in the public sector? How does he justify the bitter fruit of that policy?

Lord James Douglas-Hamilton: Total gross public investment in Scottish housing has increased in real terms by 2 per cent. a year over the past 10 years. The hon. Gentleman supported the last Labour Government in office and during those five years there was a decrease of 8 per cent. a year in real terms, for which he bore part of the responsibility.

Total gross capital spending in public sector housing in Scotland this year is £968·4 million, as allocated in March. I strongly recommend the hon. Gentleman to make representations about circumstances that affect his constituents to his district council, so that they can go into the housing plan on 3 November and be properly considered. This year, £94·2 million was allocated for investment in council houses in Glasgow, with a further £140 million in covenant schemes. No less than £466 million has been spent on Glasgow through housing associations, of course funded by the Government.

Mr. Nigel Griffiths: Will the Minister explain why he has not given local authorities separate and specific moneys to spend on dampness, when hundreds of thousands of Scots are living in homes riddled with damp?

Lord James Douglas-Hamilton: Certainly. Special allocations in recent years undoubtedly helped to focus local authority attention on the need to tackle such problems urgently, but this year those allocations were subsumed into general allocations, along with an extra £29 million, to make it easier for local authorities to tackle problems in the way that they considered most appropriate, and to leave the discretion to the local authorities to concentrate on their most pressing priorities.

Mr. Baldry: Is it not a constitutional convention in Scotland, as elsewhere in the country, that people should abide by the law passed by Parliament? How can those words possibly lie in the mouth of a representative of a party that has been exhorting people to break the law and not pay the community charge, thus denying local authorities much-needed funds to discharge their housing responsibilities?

Lord James Douglas-Hamilton: It is very important that local authorities should have the necessary funding from local taxation. I am very glad that the reminders being sent out are having an effect.

Mr. Galbraith: Does the Minister agree that so far the Government's response on dampness in housing has been totally ineffective? The Minister will by now have had the opportunity to read the report in the *British Medical Journal* of June this year which established in Scotland the relationship between damp housing and ill health. What is the Government's response to that report? When will the Government put in enough money to prevent damp housing and thus improve the health of the Scottish nation?

Lord James Douglas-Hamilton: The hon. Gentleman must appreciate that it is for local authorities to choose their top priorities. If dampness rather than homelessness or any other problem is the most pressing priority in his constituency, he should make absolutely certain that that is taken up by the local authority. Of course, I have read the report, which we discussed in the Scottish Grand Committee in the summer.

Farming

7. **Sir Hector Monro:** To ask the Secretary of State for Scotland when he last discussed with farming interests the sheep and beef sectors, with special reference to the hills and uplands; and if he will make a statement.

Mr. Rifkind: My right hon. Friend the Prime Minister and I met the president, council members and senior office bearers of the Scottish National Farmers Union on 7 September. We discussed a wide range of issues of current concern including the state of livestock farming in the hills and uplands.

Sir Hector Monro: Does my right hon. and learned Friend accept that there is grave concern within the National Farmers Union and farming circles that there might be a reduction in EEC funding of the hill livestock compensatory allowance? Does he further agree that in the hills there really is no alternative to sheep and cattle production and that if the grant is reduced it will have serious repercussions on the rural economy?

Mr. Rifkind: I very much agree with my hon. Friend that the current proposal from the European Commission discriminates blatantly against the structure of hill farming in the United Kingdom, and we shall continue to oppose it in the negotiations in Brussels.

Mr. Maclennan: Does the Secretary of State recognise that measures to deal with budgetary problems in the CAP and structural surpluses are quite inappropriate if they remove from those in the hills and uplands their basic economy? Will he examine the possibility of strengthening measures for the regional development of those sparsely populated areas using agricultural techniques?

Mr. Rifkind: The hon. Gentleman will be the first to admit that structural surpluses are not healthy and need to be dealt with. I entirely endorse what the hon. Gentleman says about ensuring a system of support which recognises the particular nature of the agricultural economy in rural areas of Scotland. He will be aware that we have been successful in ensuring, through the Community, development programmes for the north of Scotland which have been widely welcomed and which are responsible for very important infrastructure improvements.

Mr. McAllion: Has the Secretary of State had discussions concerning another native species which is in great danger in Scotland? I refer, of course, to tigers, and in particular to the Tayside Tigers ice hockey team, so unjustifiably excluded from the premier league. Will the Minister join me in deploring that outrageous decision by the British Ice Hockey Association? Will he undertake to consult his colleagues about bringing pressure to bear on the association to reverse that decision?

Mr. Rifkind: This is not a matter which the Scottish National Farmers Union has yet thought appropriate to raise with me, but I assure the hon. Gentleman that my hon. Friend the relevant Minister will be looking into it.

Pittenweem Harbour

11. **Mr. Menzies Campbell:** To ask the Secretary of State for Scotland what is his policy towards the development of Pittenweem harbour; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend recognises the importance of Pittenweem harbour for the local community. He has made a financial contribution towards an initial engineering survey, on the basis of which proposals have been drawn up for the harbour's development.

Mr. Campbell: When can we expect an unqualified endorsement by the Government of the proposals for Pittenweem? Is it a failure by the Government to understand the importance of the proposals for the fishing industry in north-east Fife, or perhaps is the truth that the Government are indifferent to the future of Pittenweem and the fishing industry? Is that why the Secretary of State declined to meet representatives of the fishing industry who wished to press the case for those developments?

Mr. Lang: My right hon. and learned Friend has made a financial contribution of £50,000 towards the initial engineering survey. Subject to the satisfactory completion of statutory procedures, he will be prepared to support the project in principle if benefits and a sound rate of return on the investment are likely to accrue. No decision can be announced until Fife regional council reconsiders the proposed development and submits a revised appraisal. The findings of the Parliamentary Commissioners will have to be taken into account, and their decision is expected towards the end of the year.

Mr. Buchanan-Smith: I acknowledge the importance of Pittenweem to the fishing industry in Fife, but will my hon. Friend say when the Secretary of State will make a statement on what he is doing about the parlous and critical state of the fishing industry in Scotland in relation to decommissioning, a reformed licensing system and plans for a much better and longer-lasting structure for the industry?

Mr. Lang: My noble Friend the Minister of State, Scottish Office is well seized of the urgency and importance of all the issues to which my right hon. Friend refers and will give them his close attention.

"Inside Intelligence"

13. **Mr. Dalyell:** To ask the Secretary of State for Scotland if he will make a statement on the implications for his general policy on initiating litigation of the cost of legal action relating to the book "Inside Intelligence".

Lord James Douglas-Hamilton: The costs payable by the Government in respect of the legal action relating to the book "Inside Intelligence" have not yet been finally determined. Cost is only one factor to be taken into account in deciding whether to initiate litigation.

Mr. Dalyell: What is the latest cost figure?

Lord James Douglas-Hamilton: The total amount to be paid will be ascertained only when accounts have been lodged and taxed by the relevant authorities. So far, the total sums paid by the Government amount to £64,871.

Mr. McKelvey: If the Minister is saying that cost is only one aspect of deciding whether a case should proceed, there must be some further examination of what the total cost will be. There must at least be a guesstimate of what the total cost will be.

Lord James Douglas-Hamilton: I have told the hon. Gentleman that the total sums paid so far amount to £64,871, but I stress that the issue in this case is whether a person who has undertaken not to write about his work with the intelligence services should be allowed to break that undertaking. It was, and remains, the Government's view that it is important to raise any court action necessary to prevent such undertakings from being broken.

Mr. Buchan: Does the Minister agree that this is the second time that the Government have made complete fools of themselves in the eyes of the world over such cases? Following Peter Wright, we now have the Cavendish case in Scotland. Is not the serious consequence of this that the Government can initiate such action, which costs newspapers much money? For low-level circulation newspapers it is a form of concealed censorship, which should be deplored and withdrawn.

Lord James Douglas-Hamilton: I cannot agree with the hon. Gentleman. It is the Government's duty to enforce the duty of confidentiality owed by members or former members of the security and intelligence services. The articles in *The Scotsman* that prompted the action were based on a book written by such a person. The issue is whether a newspaper that had obtained that book was entitled to publish it. I stress that I cannot believe that the House would wish to abolish the duty of confidentiality owed by members of the security and intelligence services.

Mr. Dalyell: On a point of order, Mr. Speaker. In view of the unsatisfactory nature of that reply, I hope to raise the matter on the Adjournment.

Scottish CBI

14. **Mr. Favell:** To ask the Secretary of State for Scotland when he last had discussions with the Scottish Confederation of British Industry; and what matters were discussed.

Mr. Lang: My right hon. and learned Friend is in frequent touch with the Confederation of British Industry in Scotland on matters affecting the Scottish economy and industry. He looks forward to a continuing exchange of views.

Mr. Favell: With Scottish employment up, Scottish manufacturing output up and Scottish exports up, is it not clear to the Scottish CBI that free enterprise suits Scotland very well, just as it suits the rest of the United Kingdom very well? Is it not a fact that the Socialists on the Opposition Benches have been prophesying imminent disaster for Scotland for years, yet the opposite is the case? Would not the biggest disaster for Scotland be a Socialist assembly in Scotland?

Mr. Lang: My hon. Friend is absolutely right and has made the point extremely well. He was correct to put his finger on the point that a Socialist Government would be the most damaging thing from which the Scottish economy could suffer, bringing, as it would inevitably, high taxation.

Mr. Ernie Ross: What discussions has the Minister had with representatives of the Scottish CBI about the formation of enterprise companies to ensure that local authority representation is included in any companies that are established? Will he assure the House that representatives from district and regional local authorities will be included in the enterprise companies?

Mr. Lang: Many member of the CBI are taking a very active part in the formation of local enterprise companies. I cannot give the hon. Gentleman the assurance that he seeks about the representation of local authorities on local enterprise company boards because individuals will be appointed on their merits. However, the opportunity exists for local authorities to become closely involved—as many wish—with local enterprise companies through membership of the companies.

Mr. Andrew Welsh: Will the Minister discuss with the CBI how the real economic needs of the Scottish people

can be met? What can the Minister say to one of my constituents who faces hard times because of the crisis in the fishing industry? The Government have not addressed that problem. My constituent is running a small business which is being hammered by a high interest rate policy designed to suit not Scotland, but the narrow selfish interests of the south-east of England. Is that not yet another example of a Scottish Minister who can do nothing being overruled by a British Minister who will do nothing for Scotland?

Mr. Lang: The hon. Gentleman seems to be remarkably unaware of the present circumstances of the economy in Scotland. Of course, there are issues of great concern to the fishing industry, which has experienced several very good years. My noble Friend the Minister responsible for fishing matters at the Scottish Office is giving those issues his very close and urgent attention.

Mr. Bill Walker: Does my hon. Friend agree that business decisions—as the CBI is well aware—are made on the basis of confidence in the future and that the flawed and probably fraudulent proposals for various forms of devolution, and the separatism on order from the nationalists, remind us of what happened in Quebec when capital flowed from that area at an alarming rate? We do not want that to happen in Scotland.

Mr. Lang: My hon. Friend is absolutely right. Confidence is critical to the success of an economy. The business community's confidence in this Conservative Government is reflected in the strong investment enjoyed by the Scottish economy in recent years.

Mr. Wallace: Has the Minister of State discussed with the Scottish CBI recently the proposals for electricity privatisation and in particular the implications for Scotland of announcements made by the Secretary of State for Energy during the recess which would appear to limit the scope of the Scottish boards to export surplus capacity to England? Will the additional costs arising as a result of that be borne by Scottish consumers, including industrial consumers, or by potential shareholders?

Mr. Lang: I am glad that the hon. Gentleman recognises the potential advantage to the privatised industry of increased competition through the sale of electricity down the interconnector to the markets in England. That matter is being examined closely by interested parties north and south of the border, and it would provide a considerable advantage to the Scottish consumer as well as to the electricity companies.

Mr. Harris: Will my hon. Friend confirm that employment in Scotland is at its highest level since 1980? Has my hon. Friend discussed with the CBI the possible effects of a tax-raising assembly on the Scottish economy and the employment prospects for Scotland?

Mr. Lang I am happy to confirm that the civilian work force in employment in Scotland is at its highest level since 1980 and that, in recent months, almost all the indicators in the Scottish economy have been very encouraging. One thing that would certainly destroy confidence and, therefore, the success of the economy would be the increased tax burden that would flow from a Labour Government with all their high-spending policies and constitutional paraphernalia.

Mr. McLeish: Will the Minister explain to the chairman of the CBI in the next few weeks the thinking behind the recent very public attack on the integrity and competence of the chief executive of the Scottish Development Agency, Mr. Ian Robertson, in a Scottish newspaper? Does the Minister accept that such an assault will further damage the credibility of the SDA, which is already shaken by Government policy, and in which there is a real morale crisis because of the present membership of the Government Front Bench? More importantly, will the Minister tell the House that Mr. Ian Robertson's job is secure and that the Government have every confidence in his ability to carry out the future work of the SDA? Can we expect the exchange of correspondence between Sir David Nickson and the Minister to be made public at an early date so that we may see what is happening in what is fast becoming a very shabby affair in Scotland?

Mr. Lang: As the hon. Gentleman's question is founded on a myth, it hardly calls for an answer. The Scottish Development Agency is enthusiastically embracing the Government's plans for the development of Scottish Enterprise. It is the most exciting initiative to have been brought into the Scottish economic scene in many a year, and it will build on the success that we have already achieved in Scotland.

Smokeless Zones

15. **Mr. Riddick:** To ask the Secretary of State for Scotland when he expects smokeless zones to be extended to the whole of Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: It is for a district or islands council to decide in the first instance whether to declare a smoke control area. That step is most unlikely for the many parts of Scotland which are sparsely populated.

Mr. Riddick: I welcome that reply because it will ensure that the inhabitants of the Western Isles and other parts of Scotland will be allowed to continue to burn peat as they have been doing for many years. Is my hon. Friend aware that my local council, Kirklees, intends to extend smokeless zones to cover rural areas in my constituency? That would stop the hearth-holders of the graveship of Holme burning peat as they have done for many centuries. Does my hon. Friend agree that that extension is a major intrusion into the lives of ordinary country folk?

Lord James Douglas-Hamilton: I am interested in what my hon. Friend says about West Yorkshire, but all areas in Britain must comply with the terms of the EC directive. In Scotland, apart from two districts in west central Scotland—Glasgow and Strathkelvin—the country meets the standards laid down by the EC directive on pollution by sulphur dioxide and suspended particulates. I stress that those two districts have received derogation until 1 April 1993 and that Scotland has made significant advances in that connection.

Mrs. Margaret Ewing: Although hon. Members welcome the sudden interest of the hon. Member for Colne Valley (Mr. Riddick) in the welfare of people in rural communities in Scotland, does the Minister agree that the burning environmental issue in sparsely populated areas is Nirex's proposal to use Scotland for the disposal of nuclear waste? Is he aware that his counterpart in the Department of the Environment has not yet been advised

by Nirex of the 12 additional sites in Scotland that are likely to be considered? Will the Scottish Office stand idly by and let Nirex use our country to dispose of its nuclear waste?

Lord James Douglas-Hamilton: No. Nirex is seeking to investigate the suitability of the geology at Sellafield and Dounreay. No decision can be taken until that has been done. Of course it is possible that neither site will prove suitable and that Nirex will require to reconsider site reselection, but I assure the hon. Lady that the facts in this issue will continually be made public.

Community Charge

16. **Mr. Buchanan-Smith:** To ask the Secretary of State for Scotland if he will remove from local authorities the discretion to vary the multiples for the setting of the standard community charge; and if he will make a statement.

Mr. Rifkind: The Government believe that the best course of action is the increased local authority discretion which I announced on 26 July. This has been widely welcomed.

Mr. Buchanan-Smith: Is my right hon. and learned Friend really confident? I do not share his confidence. Is he aware that some holiday home owners in my constituency do not have inside sanitation, electricity or water but have seen their rates increase from about £10 to more than £400? Local authorities have discretion to apply the standard charge at a lower level, but they are not doing so. Will my right hon. and learned Friend take more direct steps to ensure that the properties that I have described do not suffer from such treatment by local authorities?

Mr. Rifkind: Until the announcement in July, a local authority which wished to apply a single multiple would have had to do so in respect of all standard homes in its area. We have been informed by the Convention of Scottish Local Authorities that if local authorities had the discretion which, indeed, they will now have, to apply a single multiple to certain categories of second homes for the standard charge they would be inclined to use it. The convention has also given us an assurance that it intends strongly to recommend to local authorities that they use the discretion that has now been made available to them.

Mr. Douglas: Will the Secretary of State concede that in terms of the poll tax we are moving towards chaos in Scotland, not because of statements that he has made but because of statements that he has not made on matters such as Alzheimer's disease? A concession for those with Alzheimer's disease has now been made, although at the Dispatch Box the Secretary of State repeatedly refused to make concessions. On 26 July the Secretary of State made some statements about local authorities submitting bills for small sums to people who were dead and he seemed to suggest that those could be waived by local authorities. Would he care to clarify that because it needs urgent consideration in the whole of Scotland?

Mr. Rifkind: My hon. Friend the Minister of State made it clear before the House rose for the summer recess that we had every intention of helping those who have Alzheimer's disease. I am delighted that we have been able to announce the way in which that will be done. I should have thought that the hon. Gentleman would have welcomed that rather than carp about it.

In reply to the other half of his question, my observation was that I believed it to be inconceivable that COSLA would seek to take action against a local authority that did not pursue a small sum due in respect of someone who had died. I hope that the position is now suitably clarified.

Mrs. Fyfe: How is it that the poll tax legislation, which went through the House of Commons first for Scotland and subsequently for England and Wales, was thought to be perfect beyond the bounds of any possible criticism, yet now hon. Members are beginning to discover some defects in it? Can it possibly be that Tory Members fear losing their seats at the next general election?

Mr. Rifkind: The hon. Lady is under a considerable misapprehension. The legislation approved by the House, both for Scotland and England, will be implemented. The changes announced recently were purely transitional arrangements—*[Interruption.]* Indeed, at the end of what will be a short transition the original proposals will come into effect in exactly the way that Parliament approved.

Mr. Jack: Does my right hon. and learned Friend agree that the Opposition's disinformation campaign on the community charge in Scotland has been unsuccessful? Can he confirm that already 83 per cent. of people are paying the community charge in Scotland?

Mr. Rifkind: Not only can I confirm that, but I can inform the House that the figure is as high as 95 per cent. in some parts of Scotland. Labour local authorities have themselves said that the level of payment to date is broadly comparable with that under the old rating system at this time of year.

Mr. Kirkwood: Is it not entirely disingenuous of the Secretary of State to blame local authorities for the financial adverse effects suffered as a result of these poll tax anomalies when local authorities have suffered substantial cuts in grants and would be penalised in some cases if they made available additional expenditure to cover such anomalies? When can we cross-examine the Secretary of State on the Floor of the House on the detail of his statement of 26 July? Has he had a chance to look at the new anomaly created by dragging the bed-and-breakfast operations into the rating system as a result of the standard community charge provisions?

Mr. Rifkind: The legislative requirements that flow from the recent announcement will be laid before the House at the earliest opportunity. It is extraordinary that, as a Member of Parliament from the borders area, the hon. Gentleman should not mention that under the new financing arrangements for local authorities, the local authorities in his part of Scotland will receive substantially greater grants than in the past and will do so under a system where grant penalties have been withdrawn. If the hon. Genteleman cannot express any welcome for that, it shows that he is a most ungrateful character.

Mr. Maxton: Although we welcome the long-delayed concession in the poll tax in relation to Alzheimer's disease, for which Opposition Members have fought long and hard, is it not shameful that in Scotland that concession will not be backdated to 1 April this year and

that the concession will be given to all Alzheimer's disease sufferers from the next financial year only? Is it not obvious from the concessions made at the Tory party conference in Blackpool last week that, as a result of the messages coming from Scotland about the gross unfairness of this tax and the bureaucratic mess surrounding it, the Tories in England are running scared about the effect that it will have on them at the next general election?

Mr. Rifkind: The chairman of the Alzheimers Disease Society warmly welcomed the Government's announcement when he met the Minister concerned. The main political change in Scotland since the introduction of the community charge has been that the Scottish Nationalists have fallen back to third place, which is where they belong.

Drinking Water

17. **Mr. Dunnachie:** To ask the Secretary of State for Scotland what proposals he has for increasing the level of funding to local authorities to met the European Economic Community requirements in relation to drinking water.

Lord James Douglas-Hamilton: Resources have been increased already. The 1989-90 capital allocation for water and sewerage services is £126 million, a 14 per cent. increase over the previous year's planned provision. Regional and islands authorities have been asked to provide details of costed action programmes to achieve full compliance with the EC drinking water directive. These will be taken into account when setting next year's allocations.

Mr. Dunnachie: In view of the promises made to the English water authorities that the standards of water in England will be raised to a standard acceptable to the EEC and that that will be funded by the Government, will the Minister give the same guarantees to Scotland, and if not, why not?

Lord James Douglas-Hamilton: Yes, indeed. Capital restructuring in England is necessary before privatisation. As the hon. Gentleman knows, arrangements in Scotland are different. The implications for Scottish consumers of the debt write-off and the cash injection for the new companies in England and Wales are now being considered.

Mr. Foulkes: Is the Minister aware that Mr. Greir, the director of sewerage for Strathclyde, has said that he is prepared to do everything necessary to clean up the Ayrshire beaches if the Government, and the Minister in particular, come up with the money? Will the Minister give an assurance that more money will be available? Incidentally, can he tell us how he and his colleagues have managed to get through the whole of this Question Time without the advice of their special adviser on Scotland, the hon. Member for Southend, East (Mr. Taylor)?

Lord James Douglas-Hamilton: I am grateful to my hon. Friend the Member for Southend, East (Mr. Taylor), with whom I share a secretary, for his constant advice. The hon. Gentleman's point will be seriously considered when the public expenditure survey is looked at this autumn.

Handicapped People

20. **Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland what additional resources he is making available to health boards to ensure that the needs of handicapped people are provided for in the community.

Mr. Michael Forsyth: The bulk of services for handicapped people in the community is provided by local authorities. Between 1979 and 1989 provision in rate support grant for expenditure by social work departments was increased by 65 per cent. in real terms enabling authorities to make substantial increases in the level of those services.

Mr. Griffiths: Why have the Government done so little to consult those people involved in caring for people in the community? Why is the Government's response to the Griffiths report in Scotland already at the printers?

Mr. Forsyth: The hon. Gentleman is either misled or is misinforming the House. The Government have consulted carefully on Griffiths and allowed a substantial period for consultation before publishing the White Paper proposals, which we shall do shortly.

Industrial and Regional Policy

22. **Mr. McFall:** To ask the Secretary of State for Scotland when he last met interested bodies such as the Scottish Trades Union Congress and the Confederation of British Industry to discuss industrial and regional policy.

Mr. Lang: My right hon. and learned Friend is in frequent touch with bodies representative of industry in Scotland on matters concerning industrial and regional policy.

Mr. McFall: When the Minister last met those bodies, did he discuss the scurrilous remarks of the hon. Member for Stirling (Mr. Forsyth) about the Intel Corporation, which he said was chased away from Scotland by the prospect of high taxes from a Scottish assembly, a statement which was categorically rejected by the company, which said that the issue was never raised once? In any future meetings with those bodies, will the hon. Gentleman ensure the absence of the hon. Member for Stirling and make sure that he does what he has been good at: being the Paul Daniels of Scottish politics, making the Tory party, as well as the person of the Secretary of State for Scotland, disappear "Just like that", as the Prime Minister would say?

Mr. Lang: The hon. Gentleman has obviously spent most of the recess rehearsing that question. Sadly, it lacked accuracy as well as spontaneity. In my meetings and those of my right hon. and learned Friend with the CBI, one point that has been made abundantly clear is that it favours a low taxation economy. This Government have reduced corporation tax from 52p in the pound to 35p in the pound. Perhaps the Labour party will come clean one day and tell us how much corporation tax will rise under a future Labour Government.

Mr. Strang: To return to what the Secretary of State said about Ferranti, does the Minister recognise that it is not sufficient for the Government just to point to the statement from the Secretary of State for Defence—welcome though that was? We want an undertaking that

the Government will intervene, if necessary, to ensure that the financial solution found for Ferranti will provide for major increased investment in Scotland and will enable the company to go forward and win the contract for the European fighter aircraft.

Mr. Lang: We certainly recognise the great importance of Ferranti, as a major employer, to the Scottish economy. These are difficult and commercially sensitive matters. I can tell the hon. Gentleman that the Government are keeping in close touch with progress.

3.31 pm

Mr. Donald Dewar (Glasgow, Garscadden): On a point of order, Mr. Speaker. May I ask for your advice on the increasing habit of questions being tabled and hon. Members not being here to ask them? The Minister of State said a few minutes ago that one of my hon. Friends had been rehearsing hard all recess. The new Patronage Secretary's representative on the Scottish team, the hon. Member for Darlington (Mr. Fallon), has been earning his corn. There are no fewer than nine questions down—seven from hon. Members south of the border—all in identical terms, showing a most unlikely interest in the views of the Scottish CBI. That may be fair game, but five of the questions from hon. Members south of the border appeared in the first dozen or so called today. Only one of those hon. Members—the hon. Member for Pembroke (Mr. Bennett)—withdrew his question. There were four questions running from such unlikely places as Cannock and Burntwood, Amber Valley, Stockton, South and Beverley, for which the hon. Member concerned was not present. Does that not amount to an abuse and should not some guidance be given?

Mr. Speaker: Order. I sometimes hear complaints from the hon. Gentleman about the number of hon. Members representing English constituencies who put down questions. I do not quite get the thrust of the hon. Gentleman's argument this afternoon. These questions were put down before the recess. The hon. Members concerned notified my office and that is why their names were not called out.

BILL PRESENTED

Reform of the House of Lords

Mr. Allen presented a Bill to abolish the present composition of the House of Lords and to provide for a new membership based solely on an equal directly elected representation: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 204.]

Registered Homes (Rights to Residence)

3.33 pm

Mr. David Hinchliffe (Wakefield): I beg to move,

That leave be given to bring in a Bill to provide for the residential security of persons living in voluntary, private residential or nursing homes and for connected purposes.

The proposed Bill aims to introduce a clear legal framework to protect the residential security of people admitted to private and voluntary homes. It seeks to place a statutory obligation on the proprietor or manager of a home to enter into a care contract with a resident prior to admission. The terms of the contract would be governed by regulations and include a requirement that residents being asked to leave the home must be given a specific period of notice. In addition to the resident being supplied with a copy of the contract, the Bill requires a copy to be supplied to the resident's nearest relative or representative and the local registration authority. They will also have to be notified formally if the home asks the resident to leave. The Bill would place a clear duty on the registration authority to ensure that—*[Interruption.]*

Mr. Speaker: Order. Will hon. Members please listen to what is being said on the ten-minute rule motion? It concerns an important matter.

Mr. Hinchliffe: The Bill would place a clear duty on the registration authority to ensure that, where necessary, the resident is given advice and assistance to obtain alternative accommodation.

Although paying residents possess certain common law rights of occupation, very few people in private or voluntary homes are made aware of their legal position. As a consequence, it is rare to hear of anyone challenging the legality of an attempt by an establishment to force that person to leave. The Bill aims to simplify the legal position and to ensure that residents of private and voluntary homes, who are often vulnerable and isolated people, cannot be forced to leave before appropriate alternative arrangements for their care have been made. The legal position of a resident in such a home appears markedly different from that of a person in private or local authority housing.

For many people it is clear that entering care significantly reduces or effectively ends the right to residential security that they previously enjoyed, and at a time in their lives when often they are least able to defend their interests. People directly affected by evictions from homes are rarely able to make a stand on the issue, and therefore the extent of the problem that the Bill addresses is difficult to assess because it is largely hidden.

I am particularly concerned that there are worrying examples of people being dumped by private homes. Some time ago I came across a case in my constituency where a private home admitted an elderly lady for a short stay while her family went away for a well-earned holiday. Within hours of her arrival the home determined that her condition was such that it could not care for her. Rather than taking appropriate steps to arrange proper alternative accommodation, the home simply put her in a taxi and packed her off to the local police station.

Elsewhere in Yorkshire a local authority has recently had to threaten private homes with deregistration because of concern about the eviction of residents and the use of what is, effectively, emotional blackmail to pass responsibility for them on to relatives. A report to Sheffield's social services committee earlier this year described how one woman had been dumped at the out-patients department of the city's Royal Hallamshire hospital simply because she had become too difficult to handle. As the hospital's report confirms,

"it is more common to hear of relatives being forced to make alternative arrangements for the care of a relative, often with little, if any, prior notice."

While a marked change in the condition of a resident may mean that in the resident's own interests, as well as those of the home, he or she needs more appropriate care, many evictions arise because of inadequate or non-existent assessment of the person's circumstances prior to admission.

Even more frequent are examples of people being forced to leave because of a reduction in their financial resources and their inability to meet the required fees with their retirement pension and an insufficient income support supplement. This point was raised by numerous hon. Members in yesterday's debate on community care and the Griffiths report. In these circumstances, people who do not have relatives who are prepared to top up their contributions—as many do nowadays—frequently move down market to cheaper and what must be described as less desirable conditions.

I hope that the care contract provided for in the Bill will improve the assessment process before admission and reduce the number of residents with inadequate financial resources who are admitted to care, only to be forced to leave subsequently when they are unable to pay their bills. The Bill addresses a problem facing some of our most vulnerable and dependent citizens. I am sure that, from their experience of cases in their constituencies, many hon. Members on both sides of the Chamber will see the logic behind the measure, and I hope that they will support its continued progress through Parliament.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Hinchliffe, Mr. Tom Clarke, Mr. Geoffrey Lofthouse, Mrs. Alice Mahon, Mrs. Maria Fyfe, Mr. John Battle, Mr. Ian McCartney, Mr. Max Madden, Mr. Chris Mullin, Mr. Bob Cryer and Mr. David Blunkett.

Registered Homes (Rights to Residence)

Mr. David Hinchliffe accordingly presented a Bill to provide for the residential security of persons living in voluntary, private residential or nursing homes and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 205.]

Defence Estimates

[First Day's Debate]

[The following Reports from the Defence Committee are relevant: Second Report, Staffing Levels in the Procurement Executive, House of Commons Paper 269; Third Report, The Working of the AWACS Offset Agreement, House of Commons Paper 286; Fifth Report, The Progress of the Trident Programme, House of Commons Paper 374; Sixth Report, The Royal Navy's Surface Fleet: Current Issues, House of Commons Paper 419; Seventh Report, Decommissioning of Nuclear Submarines, House of Commons Paper 316; Eighth Report, The Procurement of the Tucano Trainer Aircraft, House of Commons Paper 372; Ninth Report, The Availability of Merchant Shipping for Defence Purposes: July 1989, House of Commons Paper 495; Tenth Report, The Vertical Launch Sea Wolf Missile System and the Type 23 Frigate Command System, House of Commons Paper 409; and Eleventh Report, The Procurement of the Light Anti-Tank Weapon LAW 80, House of Commons Paper 350.]

Mr. Speaker: I have selected the amendment in the name of the Leader of the Opposition.

Several Hon. Members *rose*——

Mr. Speaker: Order. A number of hon. Members who are now seeking to raise points of order also want to be called in the debate. I hope that they will not delay it.

Mr. Derek Conway (Shrewsbury and Atcham): On a point of order, Mr. Speaker. I think it is appropriate to raise this with you now. You will know from past defence debates that in my constituency many factories produce defence procurement goods. I believe that some of the investment in those jobs is now under threat as a result of the confusion about the £5 million of proposed cuts in——

Mr. Speaker: Order.

Mr. Conway: If I can——

Mr. Speaker: No. I was hoping to call the hon. Gentleman. He could raise just such issues in his speech.

Mr. Conway: Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. I call Mr. Heffer.

Mr. Eric Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. Under no circumstances should we ever challenge your ruling, and of course I am not challenging your ruling, but may we have an explanation of why the amendment tabled by my right hon. Friend the Member for Chesterfield (Mr. Benn) and me, among others, which expresses the views of the conference of the Labour party, and is therefore a view held not just by the Labour party but by millions of people in this country, has not been called?

Mr. Allan Rogers (Rhondda): No, it is not.

Mr. Heffer: My hon. Friend the Member for Rhondda (Mr. Rogers) may not know because he has not been a Member long enough, but on many occasions in the past, I, my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) and many others were called to speak when proposals of this kind were made. I would like to ask why—

Mr. Speaker: Order. The hon. Member has been here for a long time and he knows that it is not possible for the Chair to select more than one amendment. I have announced my decision about which amendment I will call today. Of course I will do my best to ensure that the hon. Member and his right hon. and hon. Friends who signed that amendment may take some part in this two-day debate.

Mr. Tony Baldry (Banbury): Further to that point of order, Mr. Speaker. It is not for us to challenge your selection of amendments, but did you, Mr. Speaker, when you decided not to select the amendment in the name of the right hon. Member for Chesterfield (Mr. Benn), appreciate that it is exactly in line with Labour party policy at its conference? Is it not a great pity that Opposition Members will now be denied the opportunity of supporting their own policy?

Mr. Speaker: These are all points that could legitimately be raised in the debate. I call Mr. Secretary King.

Mr. Michael Brown (Brigg and Cleethorpes): Further to that point of order, Mr. Speaker.

Mr. Speaker: As it was not a point of order, I think we should hear the Secretary of State.

Mr. Brown: It is a serious point of order, Mr. Speaker.

Mr. Speaker: I am not prepared to have a debate about my selection of amendments. I have already announced my selection, which is the amendment in the name of the Leader of the Opposition.

Mr. Brown: I have a point of order which is in no way connected with your selection, Mr. Speaker. I want to know, further to the legitimate point raised by the hon. Member for Liverpool, Walton (Mr. Heffer), whether it will be in order, if we catch your eye during the debate, to refer to and debate some aspects of the amendment in the name of the right hon. Member for Chesterfield (Mr. Benn). Although there are only 10 signatories here, there are another 4,201,000 out there who agree with what he has said.

Mr. Speaker: As I am sure that the House is anxious that we should get on, I can give the hon. Member a short answer. The answer is yes.

3.43 pm

The Secretary of State for Defence (Mr. Tom King): I beg to move,

That this House approves the Statement on the Defence Estimates 1989 contained in Cm. 675.

When preparing for this debate, I took the opportunity to read the *Hansard* reports of last year's debate. There is a deadly similarity between the position in which we find ourselves now and what happened last year. Last year, I think it was the hon. Member for Liverpool, Walton (Mr. Heffer) who raised a point of order about whether it was in order for the official Labour party policy on defence, which was the subject of his amendment and that of certain of his hon. Friends, to be debated and not——

Mr. Allan Rogers (Rhondda): On a point of order, Mr. Speaker.

Mr. Speaker: Is it a point of order for me or a disagreement?

Mr. Rogers: It is a point of order, Mr. Speaker. Is it proper for the Secretary of State, after you have ruled that a previous intervention was not a point of order, to waste the time of the House by referring to that intervention?

Mr. Speaker: I was asked by the hon. Member for Brigg and Cleethorpes (Mr. Brown) whether it would be in order for these matters to be mentioned in the debate, and I gave the answer: it is in order.

Mr. King: If the hon. Member for Rhondda (Mr. Rogers) had done you the courtesy of listening to you, Mr. Speaker, he would have heard that it is in order to debate the amendment. Despite the sensitivity shown so quickly—we all understand why—by the hon. Gentleman, in a short while I shall have a little more to say about that amendment, which was carried with precisely twice the majority that the Leader of the Opposition could raise against the pathetic attempts of the official Opposition to prevent a vote on that amendment at the Labour party conference.

It is a privilege for me to speak for the first time as Secretary of State for Defence. I hope that I will carry the House with me when I pay a warm tribute to my predecessor, my right hon. Friend the Member for Ayr (Mr. Younger). Whatever people's political views, as both Secretary of State for Scotland and Secretary of State for Defence, there was no better liked Secretary of State, and I am proud to follow him in this office.

We are here to approve the "Statement on the Defence Estimates" and we have before us the report of the Select Committee on those estimates. Tagged with the estimates is a most impressive selection of reports of the Select Committee on a number of items that it has reviewed. I look forward to working closely with my hon. Friend the Member for Hampshire, East (Mr. Mates) and the right hon. and hon. Members who serve on the Committee. We have our different responsibilities, and I have no doubt that we shall have our disagreements as well, but I recognise that their responsibility, on behalf of the House of Commons, is to scrutinise the work of my Department. While we shall defend our interests vigorously, at all times we shall give prompt, courteous and, I hope, informative responses to any approaches that my hon. Friend and his colleagues may make to us.

I welcome the timing of this debate, immediately after the recess. Every hon. Member must share my feelings about the incredible nature of many of the events that have been taking place in the world, particularly in Europe, during this period. It is right that we should, at this early opportunity, have the chance to address, as the House of Commons, the important developments that are taking place in eastern Europe and the Soviet Union, and their implications for the defence of our country and for western defence.

During this time we shall need the fullest possible opportunity for consideration of, and informed discussion on, the issues that confront us. I have a specific announcement to make. It is vital that we have the resources that we need to address these issues and to get proper public understanding of them. To contribute to this, I have decided that the Ministry of Defence should help to establish a new centre for defence studies in Britain. A competition was held between universities, polytechnics and other institutions to decide where it would be set up. The idea excited wide interest among them, and resulted in many attractive proposals. The final choice was a difficult and close one.

I can now announce that, subject to satisfactory negotiation of a detailed agreement, the centre will be set up at the university of London. This work will be strictly independent of the Government, and our hope is that, besides establishing a research reputation in its own right, the centre will act as a focal point to draw together and further stimulate the excellent thinking and research on the various aspects of defence issues taking place at other institutions.

Perhaps I should say something about the structure of the debate.

Sir Antony Buck (Colchester, North): Before my right hon. Friend does that, will he tell us what the arrangements will be with existing institutions that deal with similar topics? I have in mind the independent institutions, the Royal United Services Institute and institutions of that character. Will we have further information from my right hon. Friend at an early date on these matters?

Mr. King: My hon. Friend's last sentence is the correct answer to his question. I wanted to make an announcement as soon as the decision had been made. There are valuable institutions working on different aspects, and it is felt that there is scope for a central body of the sort that I have described. It will not be working in competition with the various institutions. Instead, it will be engaged in bringing together, enlisting support and, on certain occasions, contracting out certain aspects of its work to other institutions. It will not be funded solely by the Government, but the Government will be making a significant contribution towards the costs of what will be independent activity.

Mr. Graham Riddick (Colne Valley): Is my right hon. Friend aware that about nine months ago I visited the school of peace studies at Bradford university, and that it promised to send me any leaflets or literature that it produced setting out the multilateralist point of view as opposed to the unilateralist point of view? He will be interested to know that I have received nothing from the school of peace studies. Does he not think that that is disgraceful? May I suggest to him that the new body that he has announced will have to be much more objective than the Bradford peace group?

Mr. King: I hope that what my hon. Friend suggests will be achieved.

Mr. Tam Dalyell (Linlithgow): What were the terms of reference given to Professor Lawrence Freedman, if it be him, and what is the financial arrangement?

Mr. King: The final terms have yet to be established. As I have said, the Government will make a worthwhile contribution towards the cost of the institution. I shall be happy to let the hon. Gentleman have at an early date the terms of reference that are applicable.

I shall say a few quick words about the structure of the debate, which is scheduled for today and tomorrow. This evening, my hon. Friend the Under-Secretary of State for Defence Procurement will, if he catches your eye, Mr. Deputy Speaker, be speaking about the areas of his

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responsibilities. My hon. Friend the Minister of State for Defence Procurement will seek to catch your eye, Mr. Deputy Speaker, at the start of the debate tomorrow. The Minister of State for the Armed Forces will wind up the debate tomorrow. I shall concentrate mainly on the wider strategic issues. Ministers at the Ministry of Defence will be dealing with their specific areas of responsibility.

Within two days of taking over my new responsibilities I joined in welcoming the first official visitor to the Ministry of Defence. General Yazov was the first Soviet Defence Minister to visit the Ministry. Nothing could have focused my attention more clearly on the new situation that exists or on the new opportunities that exist for better understanding between our countries. I was pleased to receive an invitation from General Yazov to visit the Soviet Union, and I hope to do so in the coming year.

A more recent illustration of the increasingly close relationship and the development of better understanding between our countries was the meeting in West Germany last month between the C-in-C of BAOR and the C-in-C of RAF Germany with the C-in-C of the Soviet western group of forces. It was the first time since 1966 that the C-in-C of BAOR and the C-in-C of the Soviet western group of forces had met.

More recently I had an opportunity to visit Hungary. In addition to being shown something of Hungary's tank and helicopter forces, I had the opportunity at the military institute in Budapest to address 200 senior officers of the Hungarian armed forces.

These are all signs of what is now becoming possible and of the opportunities for closer contacts. We shall be seeking to develop such contacts between the United Kingdom and the Ministry of Defence with the Soviet Union and the Warsaw pact. There are further developments, with the continuation of the conventional forces in Europe negotiations in Vienna and the resumption of the START talks with the agreed objective of a 50 per cent. reduction in strategic nuclear weapons. As a result of the Wyoming meeting, there is agreement in principle on a chemical warfare convention with the aim of working towards a massive reduction of chemical weapons, and progressively their elimination.

All that points to a time of great optimism in relations between East and West. It is a time of hope in eastern Europe and the Soviet Union. I am sure that the whole House admires the courage and determination of President Gorbachev in what he is trying to do through perestroika and glasnost. During recent months there has been the change to a non-Communist Government in Poland and the removal of the iron curtain in Hungary with the promise of free elections and the Communist party changing its name. Those developments were almost inconceivable only six months ago. There is pressure for change in East Germany, which has been marked this afternoon by the resignation of Mr. Honecker. There has been a mass exodus of East Germans who are no longer prepared to tolerate the misery and repression of totalitarian rule.

Everywhere one may go—I certainly found this when I visited Hungary—there is a wide recognition, even among the most committed Communists, that Communism does not work and that Socialism has failed their countries. There is a desperate desire to move towards a free market economy, which might at last give their people an opportunity—*[Interruption]* I must tell some Opposition Members—not all, because I no longer know where half of them stand—that Hungarian Communists complained to me about the disastrous inefficiency of state industries and public ownership. The only people who still agree with some Opposition Members are Mr. Honecker and Fidel Castro. In general, the world has changed and moved towards those who want the benefits that a free market economy can bring to their people.

This is a time of change, great optimism and hope, but it is also a time when the West must show great responsibility. It must be prepared to help during these very difficult and dangerous times. It is manifestly a time of great danger because tensions exist within the Soviet Union—a union of 120 different nations. Those tensions are evident in the strikes in the Baltic states, Armenia and Azerbaijan. There are tensions, albeit of a different sort, in eastern Europe and within the Warsaw pact, such as those between East Germany and Hungary and Czechoslovakia about the treatment of the East German refugees. They are the tensions that I experienced during my conversations about the position of Transylvania and the difficulties between Hungary and Romania about the treatment and status of Romanians in Transylvania. There are the difficulties now being posed within the Warsaw pact because of the new non-Communist Government in Poland. When I was in Hungary, Hungarian Ministers were being openly questioned about whether Hungary would go neutral, alongside Austria. What would be the implications of that within the Warsaw pact? A whole range of possibilities exists, and it is a time for great care and constructive thought in the West.

Mr. Heffer: The right hon. Gentleman, like most of his hon. Friends, is now trying to suggest that Labour party members have always agreed with the economic and political system in the Soviet Union. He knows that that is not true. Over the years, most of us have fought strongly against the anti-democratic regimes in the Soviet Union and in east Europe and have defended the rights of all those seeking democracy, but, at the same time, have argued for democratic Socialism in the East and the West. The right hon. Gentleman knows that, so why does he, like Goebbels, persist in a lie?

Mr. King: If the hon. Gentleman does me the courtesy of reading what I said, he will see that I particularly referred to state ownership, state industries and nationalised industries. I have sat in the House long enough to hear the hon. Gentleman's speeches in defence of clause 4 to know how much he subscribes to that and I have listened to Hungarian Ministers telling me what an unmitigated disaster state ownership has been for industries in their country. I understand entirely why the hon. Gentleman is sensitive on that point, but he will understand why history will judge him in the way it will.

Mr. Bob Cryer (Bradford, South): Since the Secretary of State is talking about changes in eastern European countries, is it not time to assist that process of change by abandoning the threat of mass extermination with the purchase of Trident, which massively increases our nuclear firepower capacity? Would it not be better to join countries such as Canada, a member of NATO which signed the United Nations nuclear non-proliferation treaty and which will not have nuclear weapons on its soil?

Mr. King: I shall come to the nuclear deterrent and I shall seek to explain to the hon. Gentleman precisely why the sort of policy that he advocates shows that he has learned nothing from the success of the policy of deterrence. At the very time that we are debating the triumph of NATO and the resolute position of the West, which for the first time is bringing the prospect of freedom and hope to the people of eastern Europe, he is peddling the old question—why do not we change the policy that has manifestly succeeded?

It is easy to look at what is happening in eastern Europe and the Soviet Union and feel that there is an unstoppable momentum and that we are inescapably moving towards happier and safer times. But, as I have said before, the dread warning of Tiananmen square could occur elsewhere as a result of the tensions, difficulties and challenges that authorities in the Soviet Union and the eastern bloc countries face. This is a time of great danger while we wait to see how those countries respond to the democratic pressures created by the marching of young people and the other pressures that we see on television every night.

Our greatest comfort has always been the strength and resolution of NATO and its refusal over 40 years—it is its 40th anniversary this year—to give in to blackmail, Soviet pressure, the great arms threat that we have faced and the pursuit of world domination and victory for Soviet economic and social policies. NATO has stood against all that and has proved superior. Such economic policies have failed the Soviet people. Standing firm, strong and united has brought NATO its success. It would be fatal to abandon it or change it until we are certain what the outcome will be.

The siren voices have started. They were echoed in the amendment that was supported by the overwhelming majority of the Labour party conference and in the remark of the right hon. Member for Chesterfield (Mr. Benn) that there is no longer any threat. That is just the sort of dangerous, easy solution that led us to abandon our defences at a crucial time with the consequent disasters of the 1930s.

Mr. Tony Benn (Chesterfield) *rose*——

Mr. King: At a time of great hope, which I hope we all share, for the people of eastern Europe—*[Interruption.]* I can understand why Labour Members become very embarrassed by this. The hon. Member for Rhondda has already shown how thin his skin is, and he is showing it again now.

At a time of great hope for the people of eastern Europe, the worst that we could now do would be to betray them when our firm stand has brought them the hope and opportunity of freedom. We must not betray them now by dismantling our defences——

Mr. Benn: Quite apart from the fact that the Conservative Prime Minister, Neville Chamberlain, was a firm supporter of Hitler, as captured German Foreign Office documents have confirmed—Lord Halifax was sent to congratulate Hitler on destroying Communism in Germany—will the right hon. Gentleman turn his mind to the point of the amendment? Can he give the House a single reason why Britain should be spending more as a percentage of its gross national product on defence than the average for other NATO countries? It would save us between £3 billion and £4 billion a year if we spent the same amount on defence as do France, Germany, Italy and the rest. Will the right hon. Gentleman deal with that question, and will he realise that he is not at Blackpool giving another 10-minute ovation to a dying Prime Minister?

Mr. King: I find myself in some difficulty in answering that because I am not absolutely clear which amendment I am supposed to be addressing. Is the right hon. Gentleman asking me to address the amendment that all the Opposition Front-Bench spokesmen voted against at his party conference? If so, he had better ask them why they thought it unreasonable.

I shall explain exactly why it is important for NATO to keep up its defences——

Mr. George Howarth (Knowsley, North): On a point of order, Mr. Speaker. The Secretary of State has just declared that he is not sure which amendment he is talking about. If he cannot follow his own speech, what chance do the rest of us have?

Mr. Speaker: Perhaps I can help. We are not debating any amendment yet.

Mr. King: The uncertainty was on the part of the right hon. Member for Chesterfield, not on mine.

Although we all hope for a successful outcome of the conventional forces reduction talks and for good will, confidence and trust to grow between the East and us, the Soviet rearmament capability continues virtually unabated. The Soviets still produce one new submarine every six weeks and two new aircraft and six new tanks every day. In certain significant respects, they are modernising their capability. SS21 missile launchers have more than doubled in number since Mr. Gorbachev came to office. We must act in good faith, but we must also recognise that there are uncertainties. Dangers will arise from the tensions in the Soviet Union and from the political instabilities in eastern Europe. The House must not underestimate the enormous logistical challenge to the confidence and trust of the West presented by the Soviet Union.

The unilateral arms reductions to which the Soviet Union has committed itself involve the dismissal of about 100,000 officers—out of 500,000 men—and pose the problem of how to find jobs and houses for them all. How easily can that be achieved? The Soviets' reductions involve the destruction of massive amounts of equipment. What are the chances of these major challenges being met within the proposed time-scale?

Recognising the important point that a totalitarian state can change direction very much faster than any democracy, it would be grossly irresponsible to dismantle our defences now. It is important to maintain stability. If one examines the relationship between NATO and the Warsaw pact, it is obvious that NATO is crucial to us as our insurance for our defence, but I believe that a strong NATO also benefits Warsaw pact countries because they need a stable and predictable Europe.

I was struck by a phrase used by my hon. Friend the Minister of State, Foreign and Commonwealth Office, the hon. Member for Bristol, West (Mr. Waldegrave), about the developments in eastern Europe and the relationship between NATO and the Warsaw pact. He discussed the problems of reductions in arms levels and tension and described the two alliances as two great Sumo wrestlers locked in combat. The real problem for Sumo wrestlers in

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disentangling is that, if they move too fast, they can both end up flat on their faces. If super-powers and alliances end up flat on their faces, other people can quite easily get hurt. It is important that we maintain the credibility of our defence. If the Soviets maintain their forward defence capability, it is important that we do, too.

Some of my right hon. and hon. Friends may find my next point more difficult. If we want the process and the opportunity for freedom to develop in eastern Europe, there is a strong argument that in the short term the structure of the Warsaw pact needs to remain as some assurance of stability on that side as we move into this difficult period, provided that President Gorbachev's commitment to non-interference in the internal politics of the countries of the Warsaw pact is scrupulously observed.

Mr. D. N. Campbell-Savours (Workington) *rose*——

Mr. King: In a moment. I want to deploy this point. That is why it is important at this difficult and dangerous time that both NATO and the Warsaw pact remain in post. They are not the same. If course we do not accept any moral comparison between them, but at this time of great political uncertainty and economic danger we do not want to add to the uncertainty and the fear that could stop those encouraging processes. Given those uncertainties, any suggestion of the denuclearisation of Europe is profoundly irresponsible. The Warsaw pact countries do not expect it at present. We have to stand on the defence and maintain the credibility of our flexible response—*[Interruption.]* The hon. Member for Bradford, South (Mr. Cryer), having argued against cruise missiles, having stood shoulder to shoulder with the women of Greenham common, and having been profoundly wrong time after time, has the nerve to sit there and parade his opinions again.

I profoundly believe that we should maintain the stability and the security of our defences. In the long term, it matters as much to the Warsaw pact and the Soviet Union to have stability in the Western Alliance. That is why in the short term we respect the situation in the Warsaw pact.

Mr. Campbell-Savours: Will the Secretary of State answer the very simple question that was put to him by my right hon. Friend the Member for Chesterfield (Mr. Benn)? Why should Britain spend a higher proportion of its GDP on defence expenditure than any of our European partners? Why should the Germans pay 1 per cent. less, and the French pay 0·25 per cent. less, and why should the average contribution be 1·75 per cent. less? Why should we be subsidising the European defence effort? Why should not everyone contribute equally?

Mr. King: We should make a proper contribution to the defence of the West. I am proud not only of the cost but of the quality of the contribution that we make to NATO. I am concerned about the financial commitment of some of our allies. It is no secret that we should like some to make a greater contribution. *[Interruption.]* Instead of bellowing, the hon. Member for Workington (Mr. Campbell-Savours) should try to understand my argument. It is profoundly the wrong moment for us to think about cutting arms.

In the current developments, we have important responsibilities to NATO.

Mr. Paul Flynn (Newport, West): Will the right hon. Gentleman give way?

Mr. King: Will the hon. Gentleman excuse me? I have given way already.

Cm. 675 clearly shows how extensive our commitments have been in other parts of the world. Our commitment in Northern Ireland has been clear, for which I have considerable admiration and pride. Elsewhere we have commitments in the Falklands, Cyprus, Hong Kong and Belize. The Armilla patrol is less active than it was earlier in the year, but it made a great contribution to ensuring the safety of shipping. I do not know how many hon. Members are aware that currently more than 500 members of the armed services are posted in 30 countries helping to train the armies of our allies.

Currently, our armed forces are helping in Namibia, and we have talked about the contribution that they made to the work in dealing with hurricane Hugo. The House may like to know that my right hon. Friend the Prime Minister and I have been in contact with the American authorities to see whether Britain can help with the tragic and appalling earthquake in San Francisco.

Hon. Members who take an interest in the armed forces share my admiration of their professionalism, courage and good humour, particularly in Northern Ireland and other dangerous situations.

I should like to pay tribute to our reserve forces. I did not appreciate until I took over these responsibilities that in time of war more than a third of our contribution would be made by the Territorial Army. From what I have seen of the reserve forces, I have been enormously encouraged by their good humour and skills. The support of employers for our reserve forces is important. We all have constituents who are prepared to sacrifice their time for the defence of their country, and I hope that their employers will help them to make their contribution.

Mr. Dalyell: Having moved from Northern Ireland, and before he leaves the subject of Northern Ireland, on reflection does the Secretary of State believe that there is any case for a serious public inquiry into the difficulties at the Kincora boys' home and the case of Colin Wallace? Have his advisers suggested that that might be desirable?

Mr. King: The hon. Gentleman used to raise that point endlessly at Northern Ireland Question Times. That matter has been examined more times than I can remember. However, if the hon. Gentleman has evidence which he believes should be considered, it should be examined. I have nothing more to add.

Mr. Conway: With regard to my right hon Friend's comments about the Territorial Army, I am sure that his visit to 49 Brigade was deeply appreciated and warmly welcomed.

I want to press my right hon. Friend on an important point. If people want to do part-time military service in Ulster, and if the Ulster Defence Regiment is to be made full-time in whatever shape or form, will my right hon. Friend assure the House that those who wish to continue and promote a military career on a part-time basis in Northern Ireland will find other units in the Province which will be expanded to enable them to do that?

Mr. King: I should like to consider that. Perhaps my hon. Friend the Minister of State for the Armed Forces will address that matter later.

On many occasions I have paid tribute to the work of the security forces in Northern Ireland. While I have been concerned that certain allegations and charges have been made recently—allegations which are under investigation at the moment and, which in the interests of the good name of the UDR, must be properly and fully examined—I pay tribute to the amazing courage and dedication of all the security forces in Northern Ireland who risk their lives every moment of the day and night in their willingness to defend their communities against terrorism. We should always remember that.

I want to refer to the question of security for all our armed forces. At the present time, they face an evil terrorist threat; and the tragedy in Deal since the House last met is fresh in our minds. The threat poses major challenges for us in terms of living in a democracy and a free society and not in an armed camp. Terrorists have evil ways in which to exploit that situation. We will do our best to ensure that the most sensible security arrangements can be made. I hope that we can all stand together on that and will not try to make party political capital out of a threat to the democracy of this country. It is important that the House stands together on that point.

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman give way?

Mr. King: No. I have given way a lot already.

Cm. 675 sets out the resources that we seek to maintain our defences and our success in keeping those defences up to date. In the expenditure in the current year—£20,000 million, which is 16 per cent. higher in real terms than it was in 1978-79—we have sought to modernise our nuclear and conventional forces.

Mr. Martin O'Neill (Clackmannan): Has the Secretary of State moved on from the question of security at home bases and Deal? I believe a meeting was held in London last week at which the Under-Secretary of State for Defence Procurement was present involving the trade unions involved in security and defence matters and the Ministry of Defence. Will the Secretary of State give us some information which might confirm reports in *The Guardian* that the attitude of the MOD is beginning to change in relation to this question?

Mr. King: That is a wonderful leading question. I did not see the article in *The Guardian*. If the attitude is that we are determined to do our best in terms of security in facing these difficult problems, that attitude has not changed. My hon. Friend the Under-Secretary of State for Defence Procurement met some union representatives, and he may want to comment on that later if he catches your eye, Mr. Speaker.

I have made my position about private security guards quite clear. If they can help and be a useful addition to the security arrangements, and provided that they are of the standard of competence that the security forces deserve, they have a role to play. However, I set high standards, and I am not prepared to accept incompetence or inadequacy in such arrangements. We are examining that at the moment. I hope that that will help to make our position clear.

New equipment has come into service during the past year. We are continuing to modernise and develop our defence capability, and my hon. Friend the Minister of State for Defence Procurement will say more about that tomorrow if he catches your eye, Mr. Speaker.

The overriding background to our procurement policy has been the progressive development of a more competitive approach. We spend substantial sums of money. The Ministry of Defence is the largest customer in Britain and for that we expect quality. At a time of arms reductions and a reduction in conventional forces, the reliability of equipment will become ever more important, and we shall be stressing that.

In addition to encouraging a more competitive approach for the major equipment programmes, we are keen to encourage the opportunity for more small businesses to be able to quote for and to supply Ministry of Defence requirements. I am encouraged by the growth and substantial increase in the number of firms now supplying the Ministry of Defence. That competitive and competent approach is one that we apply also to collaborative projects and to the activities towards creating an open European armaments market. The development of the independent European programme group has been encouraging in the past year. In case it might be misunderstood in other quarters, that is not to develop a fortress Europe but to ensure that we strengthen the European contribution to the overall NATO effort.

In respect of the overall work of the Ministry of Defence, we are developing a new management strategy. My predecessors, particularly my right hon. Friend the Member for Henley (Mr. Heseltine), made key changes in the way that the Ministry of Defence operates. Resources are now allocated across service boundaries and the armed forces are integrated at the top level without diminishing their individual characteristics or denying the healthy rivalry that keeps them on their toes. Further changes are needed in the way in which the Ministry of Defence manages resources away from the centre where local managers can be hamstrung by a host of central controls.

We are introducing a major change with the new management strategy. Under this, financial responsibility will be put together with executive responsibilities. That will go right across the Ministry of Defence and the armed forces, covering all defence expenditure except for equipment projects managed by the Procurement Executive. Individual managers and commanders will have delegated authority to enable them to make the most efficient use of the resources allocated to them. The objectives and targets set for each of them will come from the Ministry of Defence overall plans, and our target date for implementation of the new management strategy is 1 April 1991.

The new approach can be a major step forward in obtaining better value for money and reducing some of the frustrations that flow from not giving enough discretion and authority to the people responsible for the different units and activities.

Under the "next steps" initiative, the Government are developing arrangements under which some functions of Government are transferred to agencies which can operate with greater freedom from central controls. We have been considering what scope there might be for those in defence matters. As my hon. Friend the Under-Secretary of State for Defence Procurement announced recently, the Meteorological Office will become a full "next steps"

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agency next year. That will be followed by an agency formed from the four major non-nuclear research and development establishments.

Many support activities are an integral part of the overall military capability and may have important links to NATO allies. Clearly they must remain part of the Ministry of Defence. To obtain the benefit of the energy and enthusiasm that can come from the "next steps" approach, we are planning to designate a number of our support organisations as a new category of defence support agencies. They will be run internally on "next steps" lines but would remain within the defence chain of command.

We have identified five organisations that look suitable to become defence support agencies. The Hydrographic Office at Taunton is planned to start next April; service schools in Germany, military survey, defence accounts and RAF training should start the following year. We are also looking at 10 more activities, ranging from naval stores to chemical defence research, as other possible candidates, and there could be more after that.

Mr. John Wilkinson (Ruislip-Northwood): What does my right hon. Friend mean by Royal Air Force training coming under the "next steps" approach? Surely that is of great operational significance. Will my right hon. Friend clarify his remarks?

Mr. King: We will be looking at the training part of support command within the overall defence chain of command. We have identified ones that look suitable for defence support agencies. We will look at them very carefully. I hope that my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) agrees that there are great benefits in giving a greater feeling of authority and responsibility to people and for them to be recognised as discrete activities that should have a structure and a clear responsibility channel of their own, but there is more work to be done and we must take more careful note of my hon. Friend's point.

Mr. O'Neill: From what the right hon. Gentleman has said, is it right to believe that the training of apprentices will now be privatised? Is the right hon. Gentleman suggesting that the training of the young men who go into the Army will be taken over by private companies under some kind of agency structure? Is that what the "next steps" policy will be?

Mr. King: Some of it happens now in different arrangements with outside agencies in any case in terms of release schemes and block release schemes for the training of apprentices. We must consider several aspects when looking at the best ways in which that might be done. My hon. Friend the Under-Secretary of State for Defence Procurement will give the hon. Gentleman a fuller answer. I should like that matter to be looked at in more detail.

At this time, after many defence debates, we face a quite different situation. The confrontation between the Warsaw pact countries and NATO over many years appears to be changing, and it poses many challenges for us.

Mr. Flynn: Will the right hon. Gentleman give way?

Mr. King: if the hon. Gentleman will allow me, I will not give way.

I am delighted that the House has such an early opportunity to debate such serious matters for our country. Although much has changed, so much of the debate is the same. I read the reports of last year's debate. I said earlier that there were two Labour party amendments, of which the Opposition Front Bench amendment was the minority one. We have exactly the same situation this year. Last year the hon. Member for Clackmannan (Mr. O'Neill) spoke against it and tried to prevent his backwoodsmen from voting as they did. It must have been a great sadness to him that they achieved a majority twice as big as he was able to achieve for the official motion. It is true that that motion was carried by 4·2 million votes to 1·9 million. It was more than a 50 per cent. majority. That majority involved a reduction of £5,000 million from our defence expenditure.

I heard the comments that were made by the hon. Member for Clackmannan and by the Leader of the Opposition. They said, "Don't worry, it won't happen," but that is what the overwhelming majority of his party actually want to do; there is no question about that. I looked at the Labour amendment which was tabled last year. It was more specific. Opposition Members were not quite so clever last year, because they actually spelt out the sum. They said, "Reduce expenditure by £7,000 million." This year they have tried to dress it up and say, "Reduce it to the average of the western European level of NATO countries," and it is just under £5,000 million. However, Opposition Members keep coming back to that point, and their party conference keeps overwhelmingly voting for it.

If that is what his party wants, what does the Leader of the Opposition want? *[Interruption.]* No, he knows exactly what he wants: he wants to get elected. He knows that the policy of leaving this country defenceless destroyed his chances in the general election, as it had destroyed his predecessor's chances, because the British people will not stand for such a policy. If he were elected, what would he do? What does he believe? Who trusts the Leader of the Opposition with the defence of our country?

The most telling remark in the Prime Minister's speech at the party conference was:

"if you aspire to serve your country in Downing street a good motto is: to thine own self be true."

What is the right hon. Gentleman's own self? There is a deep belief that, whatever he says, he is in favour of unilateral abandonment of nuclear weapons and is deeply in sympathy with the amendment of the hon. Member for Liverpool, Walton (Mr. Heffer). That is what motivates the anger of the right hon. Member for Chesterfield and his colleagues. Deep down they think that the Leader of the Opposition has betrayed them and that he used to believe as they believe. Deep down he continues to share their belief.

If we analyse why there is a better prospect for peace in the world and a chance of better relations between the great powers and between NATO and the Warsaw pact, is it not because at last there is a degree of trust and confidence between the leaders of the world? Confidence started with President Reagan and Mr. Gorbachev. From their entirely different political philosophies and perspectives they were able to do business. Mr. Gorbachev and our Prime Minister also have different philosophies, but an element of confidence and trust grew. That trust is important not just for allies but for potential opponents. If we are to make progress in reducing conventional arms,

nuclear arms and chemical weapons, there must be some trust and confidence at the top about where individual leaders stand.

The profound weakness of the Labour party and of the Leader of the Opposition is that there is no credibility, no trust and no assurance of where they stand. If anybody does not believe what I say, they should read the amendment. It is a pathetic cobbling together of a series of different Labour party aspirations as it tries to jump on one bandwagon or another. To offer that as an alternative credible defence policy for this country is absolutely pathetic.

What came out of the Labour party conference was a proposal carried by an overwhelming majority to slash the conventional defences of the United Kingdom and negotiate away our nuclear deterrent, leaving us defenceless. These defence estimates show clearly that we are not prepared to leave this country defenceless.

Mr. Andrew F. Bennett (Denton and Reddish): Will the Secretary of State give way?

Mr. King: We are proud of what we have done for the defence of this country and of the role we have played in NATO and what that means for a better future in Europe and a safer world. That is why I commend these estimates to the House.

4.39 pm

Mr. Martin O'Neill (Clackmannan): I beg to move, To leave out from "House" to the end of the Question, and to insert instead thereof:

"believing that the Statement on the Defence Estimates 1989 has been overtaken by the superpower disarmament initiatives, and supporting those agreed at the 1989 NATO Summit, considers that Her Majesty's Government should undertake a Review to ensure that Britain is defended by properly supported Armed Forces and by the negotiation of verifiable disarmament agreements, to assess future commitments and priorities, to provide Forces and defence industries with a framework to plan future needs, and to examine the allocation of resources which could be released for social and economic purposes; recognising that negotiated disarmament is now more probable, and welcoming progress towards a world-wide treaty banning the possession or production of chemical and biological weapons, calls upon Her Majesty's Government to support NATO in seeking to reduce short-range nuclear forces before complete implementation of any conventional force agreement and to delay a decision on the Lance replacement; urges Her Majesty's Government to seek NATO's abandonment of the destabilising flexible response strategy; demands that Her Majesty's Government indicates its willingness to participate in the next stage of the START process; recognising the impact of government economies and the lack of an industrial procurement strategy on the Services and on major contractors now vulnerable to foreign takeovers, calls upon the Government to establish a Conversion Agency to employ the skills and resources of the defence procurement industry in the civil sector; condemns the cowardly attacks of murderous paramilitary groups; and demands that the Government ends the sacrifice of safety at military bases and establishments by the excessive dependence on private contractors."

First, may I welcome the Secretary of State to the Dispatch Box in his new role and to his new Department? A few months have intervened since his appointment, and I recognise that he has not had the easiest of rides. It may be less bumpy than his previous job, but many of the problems seem to take the same form as the ones that he had to confront before.

I share the Secretary of State's appreciation of the efforts of the Select Committee on Defence. The Select Committee is something of a double-edged sword to everybody: it is independent, it exerts its independence and it speaks with authority. We must listen to it. During the year, I hope that the Secretary of State will offer more time than his predecessor for discussing the Select Committee's reports, because the one report appropriate to today's debate is only one of the many that require more of our attention. If the worth and value of the Select Committee system means anything, we must debate such Committees' well-considered findings.

I welcome the institution of the centre for defence studies. However, as a Scot, I am not happy about the concentration of defence research institutions in the south-east of England, although I can understand the convenience of that for many of those who wish to avail themselves of the facilities. It is a welcome step and is in line with something started 20 years ago by my right hon. Friend the Member for Leeds, East (Mr. Healey) when he first established departments of defence studies at a number of universities, of which Bradford was one, although I believe that that was funded also by organisations such as the Quakers.

I advise the hon. Member for Colne Valley (Mr. Riddick) who was responsible for that silly and mindless attack on Bradford, that hon. Members are ill-advised to attack academic institutions, irrespective of whether they appear to be of one political persuasion or another because we in the House stand for the defence of academic freedom and for the considered judgments of people who should be able to operate without interference from politicians.

I hope that the easy applause that the hon. Member seemed to get from some of his hon. Friends will be reconsidered in the light of what I have said. Many of those institutions—indeed, all that are involved in defence research in this country—contribute to the debate in much the same way as the Select Committee, and the introduction to their ranks of another such institution is welcome.

As the Secretary of State said at least four times, this is an appropriate time for such a debate. It is now nearly six months since the publication of the Estimates. Perhaps the Secretary of State will consider trying to get the report out by the beginning of April so that the Select Committee can then produce its report and so that we can have a proper debate before the summer recess. We need to look at the report when the print on it is still relatively fresh and when some of its issues would have more relevance than they do at present.

The super-powers are finding a great deal more common ground and we recognise that the old order is changing. It would be remiss of all of us not to note the passing to another of Mr. Honecker's leadership in the German Democratic Republic. We can only watch that space with interest, because if the experiences of Poland, Hungary and the Soviet Union are anything to go by, we can look forward with some cautious optimism to what is happening in eastern Europe.

The optimism that we all share presents us with a challenge because we do not really know how to respond to the changes. We do not want to frighten off the laggards. We want to be able to consolidate the achievements of those who are now enjoying new freedoms and who look to us for encouragement and assistance. We have had independent gestures followed by constructive responses from both sides. Most importantly, we see the prospect of a major change in the balance of forces in

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Europe. The NATO summit in May was too late to be considered in the White Paper but it must be regarded as the starting point for a new European order.

The response given by President Bush to President Gorbachev's United Nations speech was both timely and far-reaching. The manner of its presentation left its opponents little room for manoeuvre. Certainly, the Prime Minister and the former Secretaries of State for Defence and for Foreign and Commonwealth Affairs have had to eat their words. Their grudging support for the NATO summit communiqué and the Comprehensive Concept was not enough to prevent them from being isolated from the rest of our NATO partners. It merely served to confirm to the British electorate that in a changing Europe only our Prime Minister and her colleagues still want to live in the cold war—*[Interruption.]*—a view that was endorsed in the European elections in June.

The Government's record over the past 12 months has been to rubbish any gesture made by the Warsaw pact members and to seek to stand in the way of changes promoted by the United States and our NATO partners. When faced with a fait accompli, as at the summit, they try to put a totally different emphasis on what has been agreed.

On the question of the follow-on to Lance, the right hon. Member for Ayr (Mr. Younger) said on the BBC on 30 January:

"I hope that by the summertime, NATO will have made a decision with our help."

On Channel 4 on 27 April, the then Foreign Secretary was asked if modernisation could be put off until after the West German elections in December 1990, and said:

"I think that's a dangerous proposition."

However, the Comprehensive Concept, signed by the United Kingdom on 30 May, states in paragraph 49:

"The question concerning the introduction and deployment of a follow on system to Lance will be dealt with in 1992."

On the question of the relationship between NATO and the Warsaw pact nuclear forces, the former Foreign Secretary was asked on "Panorama" on 3 April:

"How can NATO justify to Western public opinion and to Western German public opinion the modernisation of short range nuclear missiles based on West German soil?"

He replied:

"Most simply by the extent to which there has been taking place a massive modernisation of Soviet short range nuclear weapons".

Yet paragraph 44 of the Comprehensive Concept, which was signed by the Government, states:

"the sub-strategic nuclear forces deployed by member countries of the Alliance are not principally a counter to systems operating by the Warsaw Treaty Organisation".

On the issue of the need for NATO nuclear forces to compensate for Warsaw pact conventional superiority, the former Secretary of State for Defence said on 12 May:

"As long as we face an enormous conventional threat, thousands and thousands of tanks facing us, we cannot afford to be without our nuclear shield".

However, paragraph 27 of the Comprehensive Concept states:

"The Allies substrategic forces are not designed to compensate for conventional imbalances."

On the timing of the negotiations on short-range nuclear forces, the then Foreign Secretary, in a memo to the Select Committee on Foreign Affairs, stated:

"the Government believe that after the INF agreement and the possible START agreement, the Alliances next Arms Control priorities must be a global ban on chemical weapons and the elimination of the conventional imbalance in Europe. Until these have been achieved, it would be dangerous to embark upon negotiations which might lead to any further reductions in nuclear weapons in Europe".

Mr. Edward Leigh (Gainsborough and Horncastle) *rose*——

Mr. O'Neill: Perhaps the hon. Gentleman will let me finish my point.

Paragraph 48 of the Comprehensive Concept states that, once

"a conventional force reduction is underway the United States, in consultation with the Allies concerned, is prepared to enter into negotiations to achieve a partial reduction of American and Soviet land based nuclear missile forces of shorter range."

Even after the Government signed the Comprehensive Concept, 14 days after the summit, the then Secretary of State for Defence said in the House:

"we do not think that it would be sensible to start negotiations for the reduction of nuclear weapon systems until the complete implementation of any reductions under the CFE."
—[*Official Report*, 13 June 1989; Vol. 154, c. 691.]

Not only did the Government not agree with the delay in modernising Lance, as accepted by the rest of NATO; they disagreed with the reasons for the Alliance having those missiles, and even now refuse to believe that the timetable for their elimination is either sensible or safe.

In virtually every fundamental of the conventional forces in Europe talks, the Government are out of step with the rest of our NATO partners. On the biggest breakthrough of all—aircraft—the Government have shown themselves to be completely out of touch.

Mr. Leigh: Does the hon. Gentleman not think it ironic that there is a certain symmetry in history because 50 years ago in the 1930s—at the time of George Lansbury—the Labour party conference decided to ignore the conventional imbalance and to abolish the Royal Air Force and today, 50 years later, the Labour party conference voted by two to one to cut conventional defence spending by one third? Which part of the service, or which service, does the hon. Gentleman think should be abolished?

Mr. O'Neill: It is always annoying when a queston is asked that has no relevance to what we are talking about. If it could be guaranteed that the hon. Member for Gainsborough and Horncastle (Mr. Leigh) would be here until the end of my speech, I might wait until then to answer his question. However, I shall answer it now and then refer to it later in my remarks.

Several different resolutions were presented at the Labour party conference. The substantial document on the Labour party's policy on defence and foreign affairs was accepted without a counted vote, such was the overwhelming majority. That is the document on which the next Labour party election manifesto will be based and on which the defence policies of the next Labour Government will be decided.

Mr. Leigh: Will the hon. Gentleman give way?

Mr. O'Neill: No. I made the point clearly enough for the hon. Gentleman and for everyone else.

Mr. Tom King: It would be helpful for us to clarify this point. What is the significance of the 4 million votes at the Labour party conference? Will the point be totally disregarded?

Mr. O'Neill: That point will not appear in the Labour party manifesto. I shall explain why in a minute.

I shall return to conventional forces in Europe, which is the form of disarmament that we have to consider now. It is a form of disarmament that owes little to this Government, especially in respect of aircraft. It has been clear that the Soviet Union has been pushing for a long time for aircraft to be included in the disarmament talks. The Soviet Union's aim was to secure the best agreement on both reductions and deployment of aircraft because it believed that it was one of the areas in which NATO superiority was most evident.

It was also one of the most sensitive questions involving definition, as no one could agree on either offensive or defensive air systems. Yet it was President Bush, a man whom many of us—and I must admit to being one—considered to be merely a timid conservative, who took the bold step of calling for their inclusion. Will the Secretary of State tell us whether he stands by the words of his predecessor when he spoke to the Defence Select Committee on 17 May last? He said:

"I think the calculations on aircraft and types of aircraft and who has got what are still very far from clear . . . I believe that trying to bring those in at this stage is very likely to bog down the whole enterprise and it would be much better to proceed on the agreed mandate which has been agreed by both sides on CFE to try and make progress on that."

Within a fortnight, on 30 May, the Government signed the summit declaration, which in paragraph 17 called for "reductions by each side to equal ceilings at the level of 15 per cent. below current Alliance holdings of helicopters and of all land-based combat aircraft in the Atlantic-to-Urals zone."

We welcome the outcome of the NATO summit and the proposals for rapid progress on CFE. We look forward to the first round of conventional cuts and share the enthusiasm of people such as Senator Sam Nunn and Congressman Aspin, the chairs of the Senate and Congress Arms Committee, and people such as Ed Rowny, who have been long-time ambassadors and arms control negotiators. They believe that cuts can go far below the levels that CFE presently envisages and that we could be down to cuts of about 50 per cent. by the early 1990s.

Before anyone gets carried away, I must say that cuts in themselves do not bring stability. We can have parity, yet still have instability. We need not only changes in numbers, but new military doctrines, to take advantage of the reduced numbers I wecome the remarks of the Secretary of State concerning his discussions with Yazov and the Hungarians. I wish only that some of that could have been anticipated in the "Statement on the Defence Estimates".

One of the gaping holes in the document is any possible consideration of changes in the military doctrines and strategies behind NATO thinking. I am surprised that some hon. Members have not already started raising questions about force to space ratios, the continued desirability of deep strike capabilities, albeit with far fewer forces, and the prospect of participating in what would be simply a small-scale blitzkrieg. It is depressing to read the defence estimates because there is no fresh thinking on strategic and doctrinal issues. If one speaks to German conservatives or German liberals, right across the political spectrum, one finds that they want to talk about different strategies and different doctrines. They want to take the consequences of the possible outcome of CFE and explore them, so that the next range of talks can proceed in a far more constructive way than the already successful progress we have made.

The question of the prospects for military peace in Europe is underpinned and underlined by what has already happened in the Soviet Union. The proposals made in the United Nations speech in December have been given rigorous analysis in the latest IISS "Military Balance" book, in which the editor, Francois Heisenbourg, writes that the short warning or surprise attack scenario is now barely plausible. Although he says that longer warning scenarios will be less affected, the necessary preparation time for the Warsaw pact will be increased and this in its turn should enhance NATO warning and preparation times.

The report stresses that a great deal has yet to be done and that false optimism should be discouraged. However, caution does not mean that we always have to move at the speed of the slowest. The most depressing part of the speech by the Secretary of State was perhaps the part where he said that we have to keep things roughly as they are now until we can consolidate on the progress that has been made. I understand the motivation behind that remark and I have some sympathy with the intention, but I must say, with great respect, that this is the wrong time to be putting such arguments. If we go forward too cautiously at this time, we shall end up on the side of the forces of reaction.

Mr. Julian Brazier (Canterbury): Will the hon. Gentleman remind the House in which particular area the first major breakthrough in this decade took place in arms reduction talks? Will he remind the House that in that area —intermediate nuclear weapons—the breakthrough occurred precisely because the West had decided to be cautious—the hon. Gentleman may say over-cautious—by introducing its own weapons?

Mr. O'Neill: The intermediate nuclear forces talks and their success can be attributed to many factors. Caution was in some ways justified then. There was no record of constructive dialogue until then. However, since then we have had the success of INF and the progress so far in the START talks. We are reaching a clear understanding on where we are going in CFE. To compare the situation before 1986, which was when the INF business got under way after Reykjavik, with today is to ignore the changes of the past three years. The hon. Member for Canterbury (Mr. Brazier), in seeking to find a means of defending this Government's caution, wholly misunderstands the nature of the present circumstances compared with 1986.

There must be an awareness that the Warsaw pact reductions are driven as much by economic necessity as by a revision of East-West relations. Nevertheless, we can all see that it cannot be assumed that a Russian advance through Hungary, Poland and even East Germany would go as smoothly as it might have done some years ago.

Mr. David Shaw (Dover): Will the hon. Gentleman give way?

Mr. O'Neill: No.

It is fair to say that, in the short term, when we get to the fruits of CFE, the United States and the Soviet Union will have to share the bulk of those fruits. I do not consider

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that the United States burden-sharing argument has any great weight, but I believe that it is important that we get the first round of CFE cuts through as quickly and cleanly as possible. It would be foolhardy for us to try to get a bit of the action, for whatever reason. I realise that there have been calls for the French and ourselves to participate, but although that is attractive, it must not be the highest priority. We should be able to try to ensure that the United States and the Soviet Union can benefit—initially at least—from the CFE talks.

I do not say that to give credence to American claims about burden-sharing. Probably only 60 per cent. of United States defence expenditure is accounted for by the expenditure on NATO—3·6 per cent. of the United States' gross domestic product. That percentage can be reduced even further, given that it includes expenditure on reservists who are based in the United States but can be used almost anywhere in the world.

Like Britain, the United States has a volunteer army. This means that service personnel must be paid at least the national average wage. A recent study carried out by the Swedish International Peace Research Institute, which was included in the institute's 1989 year book, suggests that, if countries such as France and the Federal Republic of Germany had a volunteer armed service, their expenditure on defence as a proportion of GDP would rise to about 4·3 per cent. and 3·5 per cent. respectively. The figure for the Federal Republic of Germany does not include expenditure on Berlin. If it did, there would be little difference between the German figure and the figures for the United Kingdom and the United States.

The other cost that is not calculated when considering the cost of conscript armies is that of the far higher proportion of the productive labour force that is denied to the civilian economy because of time spent in uniform.

This shows that it is difficult to make a comparison based on a simplistic criterion when talking about defence expenditure. These costs do not include the social and environmental costs in the Federal Republic of Germany of having the towns and countryside damaged by military manoeuvres. They do not take account of the problems associated with having 400,000 troops from seven countries conducting 5,000 field exercises and 600,000 sorties every year over German soil.

For the United Kingdom, we must take account also of our geostrategic position as an island on the rim of Europe. We have assumed, correctly, naval responsibilities far greater than those of any other European NATO partner. This requires considerable expenditure on capital assets such as frigates and aircraft as well as the most rigorous and expensive training programmes.

If the United Kingdom were to move to the average level of our western European allies—whatever that means—it would have to slash the pay and conditions of our armed services or introduce conscription. The Labour party will not go down that road. We will seek reductions and economies and pursue a value-for-money policy, but not at the expense of our responsibilities to NATO. No Government faced with the choice of spending money on the Health Service, education or defence will want to deny resources for social expenditure. The present Government have succeeded in reducing expenditure from £19·57 billion in 1984-85—using 1987 prices—to an estimated £17·7 billion this year.

It was surprising that in his lengthy speech the Secretary of State, who tried to poke fun at the Labour party, did not in any way spell out the financial provisions that will be made in forthcoming years to take account of increased demand, if only because of interest rates and exchange rate differentials. It is true that planned defence expenditure will rise by 1·2 per cent. next year and 1·3 per cent. in the following year, but that assumes inflation of 5·5 per cent. this year, 4 per cent. next year and 3 per cent. in 1991-92, with other indicators such as interest rates and exchange rates remaining constant. Defence expenditure in the United Kingdom stood at 5·3 per cent. of GDP in 1984; by 1988 it had fallen to 4·3 per cent.

The Government now spend more on health and education than on defence. This is reflected in, for example, the numbers directly employed by the Ministry of Defence civilian labour force. There were reductions of 21,000 in 1987 alone, making a drop of 28 per cent. in five years, with basic industrial grades—the lowest paid—losing some 40 per cent. of their jobs.

The figures for employment in defence-related industries show an even more alarming fall. It has been caused by a decrease in non-Trident, new component spending of 31 per cent. in the past five years and by a fall of 19 per cent. in spending on spares and repairs. The reduction has been most pronounced in air systems, where annual spending has fallen by £1 billion, or 27 per cent. The picture is similar for sea systems, where expenditure is likely to fall by £870 million, or 31 per cent.

Several Hon. Members *rose*——

Mr. O'Neill: Let me finish the figures, and then I will let hon. Members intervene.

Expenditure on land systems will fall by £300 million, or 15 per cent. It is little wonder that firms such as Westland despair of ever getting an order for a new generation of helicopters, or that warship yards are hanging on by a thread.

Mr. Alfred Morris (Manchester, Wythenshawe): My hon. Friend has referred to Westland. The Secretary of State talked about happenings during the parliamentary recess. He said not one word about what has happened to Ferranti. I know that my hon. Friend has a considerable interest in the future of that important firm. Thousands of Ferranti employees work in Manchester, not least in my constituency. Decisions are to be taken by the Ministry of Defence that will affect security of employment in that firm. My hon. Friend might have thought it appropriate if the Secretary of State had said at least one reassuring word to those employees. Will my hon. Friend press him on that important point?

Mr. O'Neill: I am grateful to my right hon. Friend for raising that point about Ferranti. This is the best example of the Government's apparent unwillingness, or inability, to defend this country's defence industry base. Firms such as Westland and the warship building yards are hanging on by a thread. We had thought that we might hear—it may happen tomorrow; we can only hope—about the NFR90 project, which has finally foundered. I hope that the Minister can explain what will be the next round in the process.

People are very anxious. I speak on behalf of many Labour Members who still have warship building interests in their constituencies. The issue is of such national importance that it should have featured in the speech by the Secretary of State—a matter on which I agree with my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris). I know that the Secretary of State wants to divide the ministerial labour, but there are national economic and industrial matters that impinge on defence, and the House is entitled to know about them.

Mr. Robert Hayward (Kingswood): The hon. Gentleman ducked questions about the Labour party conference and expenditure levels. Will he comment on a statement in *The Times* of Thursday 14 September which is attributed to him? He said that production lines would disappear if the Labour party came to power. Will the hon. Gentleman identify—possible in answer to the question put by the right hon. Member for Manchester, Wythenshawe (Mr. Morris)—which production lines and research establishments he expects to disappear under Labour party policy?

Mr. O'Neill: Unfortunately, the hon. Gentleman read only that part of the paper which he was given by the Whips Office that was underlined. If he had read the rest, he would have seen that I said more than that and that I qualified my comment. I shall refer to that later and, if the hon. Gentleman wishes to wait, he will hear it.

The much-vaunted system of competitive tendering which the Secretary of State mentioned at the end of his speech is causing some disquiet—not just because of the delays and because the longer the system continues, the more limited the savings will become, but because of the widespread feeling among many defence procurement firms that price is the be-all and end-all and that quality is taking second place.

The Secretary of State said that this was not the way in which the system should operate, but ever-increasing numbers of defence manufacturers to whom I have spoken are getting more worried about the problems of providing the quality with which their firms have been associated in the past at the prices that the Ministry of Defence is demanding. Those views are held not by people who have been unsuccessful in winning contracts but by those who have been successful and who are embarrassed by some of the standards that they have to sacrifice to maintain orders and jobs.

We have to recognise that the other anxiety of defence manufacturers is that there is an absence of long-term planning in the Ministry of Defence. The short-term thinking, the simplistic, free market approach to procurement, may seem attractive to ideologues and right-wing think tanks, but it brings no comfort to designers, planners and defence contractors, or to service personnel who see their NATO colleagues getting more and better equipment than they do.

The events of this summer have shown conclusively that, not only are the Government indifferent to the production and planning requirements of our defence procurement industry, but they seem to have completely ignored their responsibility to British firms in the restructuring of the European defence economy. We search in vain for any Government prescription for British defence companies. It is the responsibility of the Government to secure the lines of supply for our forces. We cannot meet all our own defence needs. We have to import some goods and produce others under licence. We cannot afford to develop all our own equipment. Some of this work must be undertaken in collaboration with our allies. The West German and French Governments realise that. They take an active part in the development of a procurement strategy.

What was the Government or the MOD position about Plessey in 1987? We were told that it was one of opposition to the GEC bid, but when GEC was joined by one of Plessey's competitors from abroad, the new bid was somehow acceptable. It seems strange that a bid which was unacceptable because it involved the establishment of a British monopoly somehow became attractive when a foreign firm became involved.

When the board, or more particularly the chairman, started looking at International Signal and Control, the Procurement Executive tried to warn it off. Did the MOD have any involvement the following year when a minority on the board had a report commissioned that suggested that this was neither an acceptable nor a desirable merger partner?

Even now, when every City page seems to carry a story about another defence contractor taking an interest in buying the company and plundering its assets, the Secretary of State's policy seems to be one of wait and see —leave it all to Sir Derek Alun-Jones, the man who got it so wrong last time, in the hope that he may get it right this time. Getting it right for whom—the shareholders and the institutions who sat idly by when Guerin conned the board? Getting it right for the board itself, many of whom believed that, were it not for the serious plight of the firm, their heads would be rolling in the boardroom as well?

There are more people who are interested in what is happening. We have to get it right for the British armed forces, who are dependent on the products of one of our finest companies. Our third largest defence contractor's design team is worried to death about the uncertainty surrounding it.

The Secretary of State knows of our concern about the future of the firm. We are grateful for the trouble he took when he agreed to meet us. He knows the critical role which the radar system for the European fighter aircraft plays in this sorry business. The contract for the radar was to be signed more than 12 months ago—or, as somebody put it, more than three Defence Procurement Ministers ago. Ferranti won the NATO European Fighter Management Agency assessment on technical merit, with price a secondary consideration. It won the Eurofighter assessment by three to one. In March, the then Secretary of State backed it. In June, the West German Government objected to what they called the perceived risks of ECR90, so a joint study between the Federal Republic and the United Kingdom was set up. It showed that ECR90 was not a higher risk, and probably less risk, than MSD 2000. Then AEG tried to reduce the price by contract manipulation. In the end, that worked against it, and ECR90 was still cheaper.

Now it appears that the goal posts have been widened once again to allow AEG to improve its technical performance. It has been suggested that the Government have agreed that AEG be given an indication of the technical shortcomings so that it can try to correct them and have another chance at getting Ferranti's order. How long will this farce go on? If we do not get an answer today,

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I hope that the Under-Secretary of State for Defence Procurement will be able to tell us more about it tomorrow.

Mr. Dick Douglas (Dunfermline, West): Is it not remarkable that the Minister has had discussions on this issue but has not seen fit either to intervene in the speech of my hon. Friend the Member for Clackmannan (Mr. O'Neill) or to give us an indication of his view on this crucial matter?

There is not only the question of procurement. I hope that my hon. Friend the Member for Clackmannan agrees that a strategic analysis of a vital defence industry in Britain is involved here. Will we get an assurance? If the Secretary of State cannot give us an assurance today, will the Under-Secretary of State give us a clear indication of the Government's attitude tomorrow, at the end of the debate?

Mr. Tom King *rose*——

Several Hon. Members: Go on.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. We cannot have one intervention immediately after another. I call Mr. O'Neill.

Mr. O'Neill: I am happy to answer the question that my hon. Friend the Member for Dunfermline, West (Mr. Douglas) asks, but I think that the Secretary of State would make a better job of it.

Mr. King: The hon. Member for Clackmannan (Mr. O'Neill) did me the courtesy of saying that I met him and a number of his hon. Friends who came to see me to express their concern about these serious issues that affect Ferranti. I cannot remember whether the hon. Member for Dunfermline, West (Mr. Douglas) was able to be at that meeting.

Mr. Douglas: No, I was not.

Mr. King: I think that the consensus that came out of that meeting was that there are difficult issues to be faced and that there is a need for responsible action by all concerned. We are all deeply concerned about the employees of that company. Perhaps the hon. Member for Dunfermline, West chooses to make Ferranti a political football. I excuse him, as he was not able to be with the deputation that came to see me. I am sure that he was not able to be there for a good reason. At that meeting, I expressed my concern, and the deputation expressed its appreciation of the message of assurance that I was able to give to Ferranti, that the Ministry of Defence had issued.

Ferranti is a valued supplier and contractor to the MOD. It has some £450 million-worth of contracts. We look for an early resolution to the present problems which have affected the company for extraneous reasons not connected with the Ministry of Defence. We hope for a resolution because we value the company, the people who work for it and the skills they represent. We hope that there will be a successful conclusion. I shall say no more today because it might not be helpful to do so in the difficult situation in which the company finds itself at present, and which it has to resolve.

Mr. O'Neill: I recognise what the Secretary of State has said. The point that I was endeavouring to make is that there has been another turn of the screw in the procurement procedure—the extension of the survey procedure to allow AEG yet another bite at the cherry. We were not able to discuss that on the occasion to which the Minister referred.

During the early stages of the crisis that faces Ferranti, many of us argued for a speedy conclusion. We now recognise that it will take longer. We do not deny that. What we would like to get from the Minister, if not publicly—I will not push him any further, for the reasons tat he has given—is an assurance that the British Government will give the same support to the ECR90 as the West Germans are giving to the MSD2000. We would like to make sure that the Secretary of State takes a close interest in the merger dealings and proceedings and that he will try to ensure that the merger does not take place before the radar deal is completed, because it is of considerable significance to the future good health of a company which employs a large number of people.

I have to declare a slight interest in the matter. My father is a beneficiary of the Ferranti pension scheme, having been a foreman there for the best part of 25 years. I therefore have a family interest. If one scratches many people in the east of Scotland, there will be very few who do not have a relative who is employed by Ferranti or a subcontractor to it.

Although this is a defence debate, a transfer of technology takes place in Ferranti, and this means that many of the civilian products that it makes derive from the work done originally for defence products. Therefore, it would be foolhardy for anyone to try to break up the group. The whole is greater than the sum of its parts, and to dismantle it, for whatever reasons of the market, would be short-sighted and potentially dangerous for people right across the industrial areas of north Britain.

The change in the demand for defence equipment is creating problems for the defence procurement industry. It has already resulted in a dramatic loss of jobs. In 1979-80, the armaments industry employed 580,000 people. The last time that figures were published in the defence estimates, three years ago, that had fallen to 465,000. It is common knowledge that all firms engaged in defence activity are looking for civilian markets for future work.

We hope that the Secretary of State will consider the establishment of an arms conversion agency, which would help those firms in the defence industry that wanted to —there would be no compulsion—to move into new markets, by way of grants, training, and advice on restructuring and markets. The manufacturing base of the United Kingdom is far too narrow. The decline in demand for defence products offers us a chance to broaden our base and to make use of some of the most highly trained and best equipped sections of our work force.

The impact of the decline in defence expenditure is not confined to industry, but extends to the armed forces. While it is true that the Government have kept faith with the pay procedures that Fred Mulley, the last Labour Defence Minister, introduced, they have consistently ignored the need to improve living conditions and accommodation. I am sure that hon. Members will agree, because many have argued for it, that assistance must be given to armed personnel to enable them to improve their living conditions and to purchase accommodation for when they leave the armed services, so that they have a

place in the housing market. That is a lot more difficult and expensive than it was the last time that such a scheme was discussed, if only because of the interest rate hike.

We owe our armed services personnel a great debt. When they volunteer to serve, they give up a great deal and the financial recompense that we make them should reflect the level of the sacrifice. We know that recruitment will become more difficult as the demographic changes that are already under way become more pronounced. We support much of the tail-to-teeth approach adopted by the Government.

I have spoken to the Secretary of State about the implications of the Deal bombing and the murders in Germany. We deplore them.

Mr. Richard Holt (Langbaurgh): Will the hon. Gentleman give way?

Mr. O'Neill: No, I will not. I want to get this in in one piece because it is important.

Mr. Holt: Will the hon. Gentleman give way while he is still dealing with terms and conditions?

Mr. O'Neill: No, I will not.

The implications of the Deal bombing and the murders in Germany are such that we will not try to make political capital out of these events. We resent the allegations made, in the heat of a conference speech, by the Prime Minister, reading from a press release.

Mr. Tom King: No.

Mr. O'Neill: Yes. The right hon. Gentleman may wish to check against delivery, but the press release said that some in the Labour party were trying to make political capital out of these deaths. We resent that. We deplore these deaths. They are the work of ruthless fanatics with whom no democrat can have common cause. Those hon. Members who seek to consort with them or their allies deserve our contempt. The Labour Opposition join all who seek to console the grieving and give our full support to those who are pursuing these despicable murderers.

These tragedies have underlined the problems, especially for the British Army of the Rhine, of making every base and military establishment secure. Our troops in West Germany are there for long periods, so it is desirable that their families are able to stay with them in an environment that strikes the right balance between military and civilian life.

Things are different in the United Kingdom. There are no soft targets. The atrocity at Deal might have been avoided if, for example, fencing had been constructed on time. The ifs are endless. The presence of some private security firms at gates and on perimeter duty gives a clear sign to terrorists that part of the security is the responsibility of people who do not have access to arms, and who have only a minimum of training and often only the slimmest of commitments to the job.

The desire to free service personnel for more important and satisfying tasks commensurate with their training is understandable. However, if the work were undertaken by firms that operate proper vetting procedures, pay decent wages, take time to train their staff and can retain them, then their employees could undertake certain duties. However, I am not sure whether it would be as financially attractive for such firms to tender. In the discussions that some of my colleagues in the trade union movement had last week with the Under-Secretary—I have a copy of the outline of the minutes taken by the trade union side—it became apparent that a review was going on.

We recognise that on some contracts that are still in the pipeline, the Government have given commercial undertakings. I hope that we can ensure that no more of these cheapjack firms will be hired and that, when people are sacked from one Department of the Civil Service, they do not reappear in the employ of another some time later.

Mr. Keith Mans (Wyre): Will the hon. Gentleman give way?

Mr. O'Neill: We also recognise the Government's desire to control defence expenditure and reduce it where possible, and that desire is shared by all hon. Members. However, we deplore the piecemeal, penny-pinching manner in which they approach it. Morale in the service suffers, and the Civil Service and the Ministry of Defence are in constant turmoil. The defence industries feel manipulated by competitive tendering a way that was never intended. The Government are trying to do too much with limited resources. That is why we are calling for a full defence review—not one held over the weekend and reported only in the *Daily Telegraph*, but one that will take as its starting point our commitments.

We need a proper assessment of what is happening with the Trident system. This can incorporate the study by Sir Francis Toombes into the reasons why we can barely construct the facility for the Trident warheads, let alone staff it and produce them. We need to know what the prospects are for the D5 rocket and whether congressional funding for it will be confirmed. What will be the cost consideration for Britain, about which our ambassador in Washington referred in *Jane's Defence Weekly* last week?

What is the status of the stories about the vulnerability of nuclear boats to satellite radar? Is it true, or is it merely a piece of United States inter-service black propaganda? The House and the country are entitled to clearer and more explicit answers than the ones given, or than I have been given by the Secretary of State in a letter.

Mr. Mans: Will the hon. Gentleman give way?

Mr. O'Neill: The next Labour Government will accept the responsibilities, both financial and strategic, of inheriting the Trident programme. We shall keep and deploy our nuclear weapons in accordance with Alliance decisions. We shall work with the United States and the Soviet Union to secure a further reduction in the world nuclear arsenals. We shall participate in whatever talks are available to secure a complete ban on nuclear testing, to widen and strengthen the case for non-proliferation by showing that the existing nuclear powers will use their best endeavours to reduce and eventually eliminate our nuclear arsenals. We hope that the Government will subscribe to this approach, which we know is favoured by Washington and Moscow.

Our commitment to BAOR will be required to change as a consequence of the conventional forces in Europe talks in Vienna. The review must look at the prospects for force restructuring and for changes in military doctrine, with all the technical and equipment consequences that will follow. The House should be under no illusion. Britain, and only Britain, opposes the kind of disarmament that is on offer in Vienna. We know of the Government's deep-seated opposition to arms control in

[Mr. O'Neill]

the air, but rather than restrict and obstruct it, we should be exploring ways in which the deployment of the new stand-off missiles can be controlled. We are neither seeking British deployment of these weapons nor prepared to countenance their clandestine deployment in Europe by the United States. Let us talk to the Americans and get a clear and public understanding of what the United States air bases will be used for and what will be deployed there.

One of the great tragedies is that the impetus for arms control which exists on the continent does not drive the search for maritime arms control in the Atlantic. There must be an urgent review to examine some of the Soviet offers in that area. The forward deployment of Polaris with the attendant ships and aircraft contributes to a provocative maritime strategy.

There are a number of confidence and security-building measures that could be explored. For example, there is notification of movements, notification of exercises along the Stockholm lines and the possibility of challenge inspection.

We have also to assess the significance of protecting——

Mr. Mans: Will the hon. Gentleman give way?

Mr. O'Neill: Madam Deputy Speaker, this individual has endeavoured over the past quarter of an hour to interrupt my speech on a number of issues which bear no relationship to each other. I do not wish, therefore, to have him intervene in my speech. I ask you, Madam Deputy Speaker, to keep him in his seat.

There are a number of confidence and security-building measures that we could undertake. A degree of interest and commitment from Britain would transform the nature of the NATO debate. Apart from Norway and ourselves, virtually no other country, apart from the United States, takes very much interest in maritime matters in the high northern waters.

We must assess the significance of protecting sea lines of communication. If the CFE agreement goes the way that we all hope it will, the need for back-up support assumes new significance, and the case for a surface fleet will be raised again. I doubt whether, at the present rate of ordering, 35 ships could do the job.

The defence of the United Kingdom and of the home base will continue to be our closest concern. The problems of building up reserve forces were referred to by the Secretary of State. We support him in his endeavours to get as many employers as possible to agree to support the reserve forces. We are talking of an essential part of the defence of the United Kingdom. We want to ensure that all our forces, reserve and regular, are properly trained and equipped and that they are Britain's highest priority. Out-of-area responsibilities must be continually reassessed. For example, we must determine what the size of the Armilla patrol should be. British forces and ships must be kept out there no longer than is necessary.

We have a two-day debate in prospect, but the areas that have been covered by the Secretary of State and myself could justify a far longer one. It is clear that there is confusion and muddle in the Cabinet and in the Ministry of Defence. The British Government are at odds with the rest of NATO on major issues underlying strategy, equipment, deployment and the scope and pace of disarmament. That is bad enough, but even worse is that that confusion is reflected in the defence industries, in which some great firms are teetering on the brink of bankruptcy because of the delay, muddle and expense that stems from the process of competitive tendering. There are other firms which do not know when they could fall prey to foreign takeovers. They do not know what, if anything, the Government will do to construct a credible strategy for our defence economy.

Last but not least, what future is there for our armed forces when they see their European counterparts with better equipment, better living conditions and a clearer sense of purpose in their military role? These young men and women are sick and tired of being told that they are the best in the world by a Government whose incompetence, short-sightedness and cheese-paring all too often provide inadequate means to carry out tasks that the rest of the allies no longer think are necessary. Eight years after the Nott report, Reykjavik, Stockholm and the INF, with the prospect of further disarmament to come, we need a review of Britain's role in the world and its future contribution to peace and disarmament. That is why I urge my right hon. and hon. Friends to join me in supporting the amendment.

5.34 pm

Mr. Michael Mates (Hampshire, East): I am sure that the entire House will wish to congratulate the hon. Member for Clackmannan (Mr. O'Neill) on his remarks about the atrocity at Deal. It must be healthy that there is outright condemnation of the horrors that were experienced there from both sides of the House. The House is the better for both sides being able to agree that such matters should be condemned.

I congratulate the hon. Member for Clackmannan also on the way in which he has danced lightly through the minefield of his party's policy. He did so with his usual good nature and good humour. He made what I reckoned to be an impossible job just a very difficult one. There is a serious aspect of what the hon. Gentleman said, however, which I am sure my right hon. and hon. Friends will want to consider. He criticised the Government's defence policy. He argued that the Government have not gone far enough, have not done enough and have not maintained the real rate of increase on the basis of the inflation that was expected but which has not materialised. If that was not an exercise in cynical opposition, it was an outline of what the hon. Gentleman is committing his party to if and when it should ever form a Government. His words, criticisms and charges need to be closely examined. Questions need to be asked in the greatest possible detail so that the hon. Gentleman can sustain his claim that a Labour Government will do more for Britain's defence than the present Government have done..

I am glad to have the chance of congratulating my right hon. Friend the Member for Bridgwater (Mr. King) on his appointment as Secretary of State for Defence. I look forward to working with him in the years to come. It is appropriate in a defence debate that we should thank him too for his work in Northern Ireland. I do not refer only to the politics of that God-forsaken part of our kingdom. I am mindful of the enormously staunch way in which he supported our forces during his four years as Secretary of State for Northern Ireland. That was of enormous encouragement to all those I know who served in the Army

in Northern Ireland and to the services generally. The morale of those in the services depends on the staunch support of political leaders. They could have had no stronger ally than my right hon. Friend, and the House should know that.

I am grateful to my right hon. Friend for his kind remarks about the Select Committee on Defence. I am sure that all my colleagues who are members of the Committee will look forward to meeting him, to having him appear before us and to working with him in the years to come. Of course, we have different jobs to do. We have different responsibilities and our aims are not always the same. My right hon. Friend has to defend the Government's policy while members of the Select Committee have to examine impartially, as I hope we do, all the problems of defence in terms of accountability to the House. This means that there will always be a constructive tension between us. If that is handled with good nature, as it has been in the past, I do not see it as other than a thoroughly healthy irritant to the democratic process.

A defence debate is a time when we who have the good fortune to serve on the Select Committee on Defence can have our wares set out and examined. I hope that the House will have noticed the resumé of our activities which appears on the Order Paper. It sets out 10 of the reports which the Committee has produced this Session. That list does not include the report on the Brigade of Gurkhas, which was attached to the Army debate. We have produced 11 reports and we expect to produce three more before prorogation. The production of these reports is a tremendous tribute to my Committee colleagues for their hard work and their largely bipartisan approach to the Committee's work. With the membership of the hon. Member for Woolwich (Mr. Cartwright), I should say that the approach is tripartisan. The hon. Gentleman's expert contributions are greatly welcomed. The Committee has worked hard and I am the first to acknowledge to all my colleagues how grateful I am for their help.

I wish to make one other acknowledgement. It is an unusual one, but I hope that it is not out of order. I wish to thank a servant of the House, Mr. Robert Rogers, for his work during the six years that he has been the Clerk of the Select Committee on Defence. His work has been unstinting and his loyalty has been tremendous. He has contributed enormously to such effectiveness as we have been able to show to the House in the depth of detail in the reports that we have submitted. When one of the servants of the House does such sterling work, it is perhaps not out of place to mention him by name.

The Select Committee on Defence is engaged on two major inquiries. The first one is on military low flying, a subject in which there is a great deal of interest expressed both inside the House and outside. The second inquiry is into the reliability and maintainability of defence equipment. We hope that we shall have substantially completed these inquiries by the Christmas recess. We shall then continue our item-by-item examination of major procurement programmes. We shall examine next year Rapier, the JP233, Blue Vixen and the multiple-launch rocket system. In the context of what has been said by my right hon. Friend the Secretary of State and the hon. Member for Clackmannan, we decided this morning that we wanted to pursue further our inquiry into the physical security of military installations, a subject which we examined in some detail a few years ago.

If hon. Members read the list that is set out in the Order Paper, they will note that we have increased the number of subjects in which we are now making annual progress reports. We attach special importance to our annual review of the defence White Paper. but we are also taking an annual look at Trident, the Royal Navy's surface fleet and the availability of merchant shipping for defence purposes. I hope that the House finds these annual updates useful, because they reflect the anxiety felt by hon. Members on both sides of the Committee about those problems, which do not simply go away because they have been considered once. They need to be considered more often so that we can try to identify trends and report them to the House, as well as merely giving the snapshot view at a particular time.

I shall allow the Committee's other reports to speak for themselves. I want to pick out one theme from our report on this year's "Statement on the Defence Estimates', and that is the subject of personnel covered in part III. Both retention and recruitment, especially of those with key skills expensively taught out of public funds, are showing worrying trends. There is growing disquiet not only about overstretch because of increasing workloads, but about the turbulence that those shortages cause in domestic life. Postings and separations have always been part of the service career, but in an increasingly competitive labour market they may tip the balance towards personnel seeking a career in civilian life; yet we have spent thousands, and sometimes millions of pounds training them to serve the armed forces. The demographic trough —or the birth/dearth as I have heard it called—will be a major factor in personnel policy during the coming years. My colleagues and I will be studying closely the plans that my right hon. Friend has to offset those trends.

It is vital that we retain the high-quality personnel that we need so much. We rightly focus upon value for money, but that should not blind us to the need to think about money for value. We should not only pay tribute to the services and their civilian support, we should ensure that conditions of service, as well as remuneration, do not disadvantage them in a more competitive labour market. That is of key importance not only to the services, but to the civilian infrastructure, as is shown in our second report of the session on the truly alarming staffing situation in the procurement executive.

Although my right hon. Friend said that this was a good time to hold a defence debate, the Committee is disappointed that, once again, it is taking place after the summer recess, so we are debating a document that was published almost six months ago. The Committee finds it difficult to accept such a delay because of the annual rush in the summer to produce its report. The Committee is given four weeks to do so by the Leader of the House, who then tells us that he cannot guarantee a day more. Therefore, at not inconsiderable expense to the Exchequer, the reports are printed urgently.

To have the matter put off until the autumn takes away the urgency of the inquiry and the freshness of the debate —and not only on our report, but on the Government's White Paper. I am also aware that our demand to conduct the inquiry in a short time places extra burdens on the Ministry of Defence. I hope that my right hon. Friend will help me this year and try to achieve a timetable that is comfortable for us all and that enables the debate to have the freshness that it lacks after the long summer recess.

[Mr. Michael Mates]

I wish now to speak for myself as a Back Bencher and to return to a subject upon which I touched during the Army debate. It is the way that the community charge is to be introduced in the armed forces. Before my hon. Friends groan, I assure them that I do not intend to cover old ground. I accept that the poll tax will be introduced, but I beg my right hon. and hon. Friends to think about what will happen in the armed forces. My hon. Friend the Member for Romford (Mr. Neubert), who was the Under-Secretary of State for the Armed Forces at the time of the Army debate, undertook to write to me and clarify matters. He did write, but far from clarifying matters, he increased my alarm. The Government's argument is the standard argument on which they have introduced the charge, and which I accept—that they want to increase the direct accountability of local authorities to a wider range of the population. That would be acceptable if the argument could embrace the armed forces, but I hope to show that, in many cases, it cannot.

In his letter, my hon. Friend the Member for Romford said:

> "To remove the entire body of the Armed Forces from this regime would directly cut across the important link between what individuals pay and the level of local services they are able to enjoy."

My hon. Friend's letter has been placed in the Library, so some hon. Members may have already seen it. He went on to explain how the system would be introduced, and said that there would be a ceiling beyond which service men would not be charged in high-rated areas, although why that should be £50 a year more than the average I do not know.

I telephoned my hon. Friend's office and asked how that would operate and how he would work out the average charge. My hon. Friend's office said that they would add up all the community charges payable in all the districts of the land so that they could work out the average. A return will have to be made of every single and married soldier's community charge, wherever he happens to be and for whatever part of the year he happens to be there. As an exercise in bureaucracy that will be extremely difficult, although such things can be done. But done for what? It is so that the tenet of accountability will still apply.

The Government realise that that will create problems —for example, with the temporary posting of service men. Yet even more extraordinary is the fact that there are different rules for married service men and for single service men, and those rules apply in quite different ways. When a married service man is sent away from his station the community charge in the new place will not be payable if the tour lasts for less than six months, yet single service men posted away from their station will come off their home community charge register after 60 days.

How can it be that, for example, if a regiment is sent to Northern Ireland for four or five months the married members of the regiment will be treated differently from the single members? Some will come off their home community charge registers after 60 days; others will not be eligible for some months. That does not make sense. They are all in the same boat, having been sent there to do the same job. If there is to be a financial difference in the way they are treated for the purposes of the community charge—I am not suggesting that anyone should get out of paying it—that will cause dissent.

Indeed, there is currently cause for dissent in Scotland, where some members of the armed forces are paying the community charge as well as rates. They have left their families in England and gone to serve in Scotland, where the registration officer is registering them as liable for the community charge although they are still paying rates at home. Added to that is the problem of the way in which the system is being perceived by those serving in Scotland because the senior officers are hundreds of pounds better off while the junior ranks are much worse off. Although that is an effect of the community charge which is part of the general debate, it has always been a tenet of the way in which the services conduct themselves that, as far as is possible, everyone is treated the same.

There is a simple solution. We have lived through the complexities of the rating system for 50 and more years, and we can do the same under the community charge. No service man should be exempt from it; each must pay his due. However, they should each pay an average for all three services, which could be collected in the same way as the rates are collected now. Currently a married service man pays a rates element in his rent, which is collected and passed on for local government expenditure. The same applies to a single service man. Why change a perfectly good system? Everybody thinks it fair.

In my constituency there are three major training schools where people come and go. Those responsible within those establishments are bending over backwards to tell the local authority who comes one week and who goes another week in preparation for next April. What an unnecessary complication when there is a perfectly fair and just method of charging service men under the community charge so that they make their contribution to local government in the way that they have been doing.

I beg my right hon. Friend to look at that matter again. The potential muddle greatly outweighs any benefit that may come from a system based on local accountability. It is desirable for all service men to feel part of the local government and the national process, but I am afraid that that will never hapen. They will make their local affiliations where their homes are, the places from which they come, the places that they go home to for their leave and the places to which they retire, rather than the station in which they find themselves serving for six months or one, two or three years.

There are so many more complexities that I could have thrown at the Government if I had so wanted, but I want to make one fundamental point in the hope that the matter will be looked at again. If it is, as it nearly always is, the Treasury which is making difficulties, let it be told why a policy which, without fighting old battles, I can say has not been the most popular that the Conservative party has introduced in the 15 years that I have been a Member, would make a bad situation worse by upsetting the soldiers, sailors and airmen. They may always be grumbling, but if the system is fair, it can be ignored; if it is unfair, their grumble is genuine, and that does untold damage to the armed forces.

5.50 pm

Mr. John McWilliam (Blaydon): It is always a pleasure to follow the hon. Member for Hampshire East (Mr. Mates), particularly since it gives me an opportunity to pay my tribute to the work that Robert Rogers has done as Clerk to the Select Committee on Defence. It is extremely useful to have someone who is as knowledgeable, cheerful and hard-working, and as willing to give advice, help and guidance, regardless of who asks for it, on a completely impartial basis.

It is always a pleasure to serve under the chairmanship of the hon. Member for Hampshire, East. As hon. Members can see from the number of reports that we have produced in the past few months, we have been extremely busy. However, there are irritants. It is irritating when the Ministry of Defence, for reasons of its own, becomes obstructive on perfectly legitimate questions about its policies and expenditure. It is irritating when witnesses insist on giving in private information which is not secret or classified. We are told that it is commercial, in confidence. When the information is given, one realises why—it is embarrassing. It is also irritating to be given classified evidence in private only to see on our television screens the next morning a complete exposition of what it was, including close-up photographs of the weapon system, which is usually a Soviet one, a complete analysis of its capabilities and details of what is being done to overcome it. We often get more information that way than we are given. That is extremely irritating and I wish that the MOD would stop it.

Equally, when the MOD sends witnesses to us, I wish that it would send them in a helpful state of mind. It is irritating to have able and intelligent individuals standing before us playing a straight bat and ending up looking positively foolish. It is even more embarrassing when we have to abandon evidence sessions and recall witnesses and a Minister, who has to remain simply because, during the first session, his civil servants would not answer questions. Those are my gripes.

I too welcome the right hon. Member for Bridgwater (Mr. King) to the Dispatch Box, but I am disappointed in what he had to say. I am disappointed because he was complacent. He did not seem to be reflecting the challenges and opportunities which now exist for him—opportunities which have not existed for a long time.

It is all very well for him to claim that the tensions within eastern Europe and the Soviet Union increase the threat to Britain. They do not. As far as I am aware, the independent republics of the Soviet Union are not in a state of war, or undeclared war, with the United Kingdom or any of our NATO allies. As far as I am aware, they make no territorial claims upon the territories of any of our NATO allies. As far as I am aware, all that they want, and all that they are trying to get, is a measure of individual freedom and responsibility and to be able to enjoy choice and a range of goods which consumers in western Europe have been able to enjoy for a number of years. It is the combination of those two pressures which has brought about the changes. President Gorbachev has come to the negotiating table with real offers that have to be looked at seriously.

But there are other pressures, which the Secretary of State was careful not to mention, such as those in the United States. Over the next five years, because of decisions taken by Congress and the Senate, the United States will have to reduce its military expenditure by 20 per cent. Such pressures will have serious implications for the deployment of United States' resources within Europe, quite apart from the burden-sharing argument which some people have introduced. I do not believe that we have anything to fear from the burden-sharing argument. Any analysis of our commitment to NATO and to the Alliance will show that we play a full and serious part.

However, I am disappointed that, as my hon. Friend the Member for Clackmannan (Mr. O'Neill) has said, we have begun to crack a bit at the seams. We have shown real weaknesses in the one area that is of most importance to ourselves and to Europe, and that is the surface fleet of escorts, frigates and destroyers. We can forget the figures in the "Statement on the Defence Estimates". They are wrong. At the last count in June, of the 47 ships that are supposed to exist, 33 destroyers and frigates were fully operational and eight were available at short notice. That makes 41. Of the 33 that were fully operational, taking into account the commitment to the Armilla patrol, the Falklands, the West Indies and the additional commitment to help preventing drug smuggling and all the other commitments that we cannot discuss, the number of ships which on any day could be committed to NATO is insignificantly fewer than 30.

The number of ships that we are supposed to be able to commit to NATO is classified; I am not allowed to say. But I can say that the figure that I have quoted is significantly below what we are supposed to be able to declare to NATO on category A—that is, at virtually no notice.

I notice that in the "Statement on the Defence Estimates" the Minister has stopped trying to hide behind the claim of maintaining a surface fleet of about 50 ships. That fiction no longer holds. It is no good the Under-Secretary of State for Defence Procurement shaking his head. That fiction has been presented to us for four years. There can be no argument because the Select Committee report named the ships; any hon. Member can count them. That is a significant failure on the part of the Government.

My hon. Friend the Member for Clackmannen mentioned manpower, as did the hon. Member for Hampshire, East. The Secretary of State was complacent. The shortfalls are worse than they appear and they will get much worse. When we put it to the Ministry of Defence that we should perhaps maintain the Gurkhas, as constituted, to make up that shortfall, the Ministry of Defence reacted by cutting their numbers in half. It has not yet told us how that is to be done, or about the support units, or about proportions, or about where the Gurkhas will be based. All that we know is that their numbers will be cut in half, and that does not make sense out of the context of a defence review. We should have a review of our commitments to determine what we have in the way of assets and responsibilities and then to allocate them according to the review—but this is a defence review by stealth. Who gets cheese-pared depends on who happens to be flavour of the month. That bears no relation to the commitment required of the large number of men and women who serve in our forces, and it must ultimately lead to some loss of morale.

The Secretary of State was even more complacent about the Procurement Executive. We rely on civil servants to ensure that we are getting value for money and that contracts and specifications are properly drawn up and

[Mr. John McWilliam]

adhered to. Administrative assistants—the basic clerical grade—in London and the south-east are 56·7 per cent. below target. It is their job to shift paper around and to do filing, and if they are not doing that work others must be —people who are being paid much more money to perform other functions. These targets are not the agreed manpower complements; they relate to what the Treasury says should be spent. They are not based on the work study analysis of the number of man hours needed to do these jobs.

Scientific staff are 17 per cent. below target in the Land Systems Executive and about 21 per cent. below target in the Air Systems Executive, especially in electrical and electronic specialities. No wonder there are scandals and gold-plated contracts and £300 spanners. A little urgency and consideration should have been devoted to this problem when we pointed it out. We did a great deal of work on the report. I understand the Ministry's point of view that this is a Treasury problem. Nevertheless, what is happening shows that the Treasury is throwing good money after bad. It is trying to save money by getting rid of the posts of people whose job it is to save money. That might be all right for short-term accountancy, but it is not good for the quality and reliability of equipment which our armed forces have to use, and it is certainly not good sense for the taxpayer who must foot the bill. This degree of complacency cannot be tolerated.

I am also worried about business appointments. High-ranking members of the armed forces and high-ranking civil servants walk out of the door and into well-paid jobs with defence manufacturers shortly afterwards. There is supposed to be a review procedure to look after that, but I have looked carefully at the evidence from the Ministry of Defence and I am not convinced. I am not saying that impropriety is taking place. I say that the system is not transparent enough to enable the House to assure itself that no impropriety has taken place.

Mr. Mates: The hon. Gentleman will want to remember, too, that not only high-ranking officers but those in middle management—those at the coal face of procurement projects—who do not come under the auspices of the Carlisle committee and who may move straight across from one area to the other may be involved in much more than meets the eye. It would be wrong to nominate for castigation only those of two stars and above.

Mr. McWilliam: The hon. Gentleman is right to correct me; I was coming to that point. I was going to explain that the people whom we can least afford to lose are generally fairly young married people with young children. Their Civil Service salaries are not enough and they possess good scientific qualifications. They often find themselves at the sharp end of a specification or a final requirement. So there are two causes for anxiety: possible impropriety, and the loss of our ability to ensure that we are spending our money wisely.

I sincerely ask the Minister to look into this again. It is not good enough for the Government to continue their present policy. That could only be described as scandalous and unworthy of support. I hope that the Minister will give us some assurance today that the present obdurate attitude will change. I hope that he will come to the Select Committee and discuss more openness with us. We are quite prepared to deal with some of these issues in confidence, but the House must be able to assure itself that the public money which we vote—this is not Government money—is properly spent.

I am greatly disappointed. The Government have had the opportunity in the past 12 months, because of the changes in the conventional force talks and strategic arms talks, to make a positive contribution. They have not done so, or have done so unwillingly. They have been dragged kicking and screaming into line with our NATO allies.

I know that my party policy is that we will continue with Trident and deploy it, but the game has changed. Trident is vastly expensive and unnecessary, and represents a huge increase in our ability to deliver strategic weapons. It is widely believed in the United States and the Soviet Union that the strategic arms reduction talks will succeed. If they do, the sea-launched ballistic missile capability of the United States will be reduced, and anyone who thinks that the Soviet Union or the United States will happily allow Britain to acquire 25 per cent. of the United States' sea-launched capability is living in cloud-cuckoo-land. The sooner we pitch our weapons into the negotiations the better.

6.8 pm

Dr. Alan Glyn (Windsor and Maidenhead): It is a great privilege to follow two members of the Select Committee, both of whom, especially its chairman, have contributed greatly to the defence estimates.

I want to concentrate on the changing relationship between NATO and the Warsaw pact which has resulted, as my right hon. Friend the Secretary of State said, from the changes in Europe that we have just witnessed. In a defence debate—year ago—last October—I said that there had been a change in the Soviet Union. But now the situation is completely different, as we have the actual breakaway. Not only are there changes in the Soviet Union but large nations are breaking away from Communism. That must alter the strategic line of defence between NATO and the Warsaw pact.

Paragraphs 46-49 will have to be revised, as there are changes not only in the Baltic states but in Poland and Hungary and their military contribution. As a result the Warsaw pact's line of defence has been altered and the Soviet Government can no longer rely on those allies. Although Czechoslovakia, Bulgaria and Romania probably will remain in the pact, it is doubtful whether the others could be relied upon. I do not think that that is of great disadvantage to the Soviet Union. It is better to know that some countries are not allies than to have unreliable allies. I do not think that it alters the Soviet Union's position, but it must alter our line of defence.

As my right hon. Friend the Secretary of State said, the Soviets are rearming rapidly. They are producing better tanks and they still have overwhelming superiority. The real danger and the real challenge would arise if Germany were to reunite, as that would alter the whole concept of the Warsaw pact and NATO. We do not know whether that will happen, but if it does, I humbly suggest that the whole of our defence policy would have to be altered and our alignment would have to change.

My right hon. Friend the Secretary of State, whom I failed to congratulate at the beginning of my speech, mentioned reserves. We have to have reserves. An

important source of reserves would be an increase in the use of women in the forces, which is mentioned in paragraph 516 of the defence estimates, a policy which the Chief of the Defence Staff, agrees. Now that war is not so reliant on physical combat there are many roles which women could take and thereby free men in the territorial and regular armies.

The hon. Member for Blaydon (Mr. McWilliam) mentioned the possible reduction in the contribution by the United States to NATO. Although, under article 223, the EEC is not allowed to make a direct contribution, its contribution could be increased, particularly in efforts to make sure that we standardise our equipment within NATO. The EEC is not supposed to contribute to it, but I do not see any reason why it should have the benefit of defence if it does not pay for it. The removal of the United States forces would create a great vacuum and Europe would be compelled to fill it.

May I also thank my right hon. Friend for his start on the rebuilding of Victoria barracks, Windsor.

Finally, these changes in Europe are profound and as the hon. Member for Blaydon said, they stem from people's desire to choose a decent standard of living. We should not do anything to stop them. But at the same time we have to realise that we want disarmament and there is not a single person in the House or outside who does not want genuine disarmament, but we must not be blinded by recent events. We know that the Soviet Union is rearming at a fast pace. As my right hon. Friend said, since Gorbachev came to power it is still rearming at a pace, and producing excellent tanks. We have to make sure that the interests of our nation are protected. Until a genuine disarmament can be achieved, there will still be the need for the nuclear deterrent.

6.14 pm

Mr. Tony Benn (Chesterfield): The hon. Member for Windsor and Maidenhead (Dr. Glyn) has brought the debate back to what it should be about—relating our defence policy and expenditure to the real situation in which we live. If we pass the estimates tomorrow, everybody in the country, man woman and child, will be taxed £371 to pay for the estimates that have been put before us.

I rise to put forward a view which I believe is now becoming more widely shared generally, not just at the Labour conference, although that has been mentioned. The change in the international situation, the economic situation at home and throughout the world and the number of unmet needs in our country point quite clearly to the desirability of diverting some money now spent on defence into meeting those needs. That view at least has to be addressed seriously.

I have heard Secretaries of State for Defence speak in the House for nearly 40 years and I have never heard a poorer speech than the one this afternoon. If the Secretary of State thinks that the pressure for civil liberties in Poland or Hungary, which Opposition Members have defended for years, has been produced because he has a Trident on hire purchase, he really does not understand what is happening. After war Communism, which in my opinion was sustained by the cold war longer than it otherwise would have been, people now want greater freedom. They also want what I am asking for—the reallocation of money from weapons to meet their needs.

I thought it was funny that the Secretary of State went back to the old story that Hitler came to power because the Labour party was against the pre-war Conservative Government, when we now know the degree of support that Chamberlain gave to Hitler's objectives, but I shall not go into that.

Mr. Brazier: Let me remind the right hon. Gentleman that in 1934, the Labour party, together with the then Liberal party, put before the House a motion condemning the Government on the ground that the level of defence expenditure then was wastefully high. Can I point out the parallels with the speech that he is making now?

Mr. Benn: The hon. Gentleman had better remember that the first time I came to the House was in 1937, when I was 12. I heard Churchill speak from the Conservative Benches and the Prime Minister was Neville Chamberlain. Neville Chamberlain supported Hitler's policies. Of course he did, because Hitler was anti-Communist at home and opposed the Bolsheviks. The hon. Gentleman should read the captured German Foreign Office documents. He would then take a very different view about who really supported Hitler. But I do not wish to go back to 1934, as I doubt whether the hon. Gentleman was alive then and I was very young.

We are being asked to commit more than £21 billion to defence in 1990-91—3·9 per cent. of our gross national product. We are the third largest exporter of weapons in the world. It would be naive of us to discuss defence without examining the commercial interest in defence. I asked the House of Commons Library to tell me what were the profits made by the major defence contractors and I was given the figures. The 11 top defence contractors in Britain—that is, those with contracts worth £100 million or more—make operating profits of £3,310 million. Nobody can tell me that that does not represent a very powerful commercial interest to maintain defence expenditure at its present level. We cannot be naive about these matters. There are economic systems on which the one in Britain in part depends, whose confidence and success depends on high defence expenditure.

One of the problems that the Conservative party has never really confronted is that, if the Russians were to reduce defence expenditure, they would be likely to do well out of it, but if we reduced defence expenditure we would create a hole in our economy precipitating problems that could not be met by a Government who do not believe in planning. That point of view is not new; it was put before the first world war about the arms manufacturers and their vested interests.

Mr. Mates: The hon. Gentleman makes an interesting point, but he has it the wrong way round. If Russia makes significant reductions in defence expenditure, it will be at far greater cost to its domestic economy, because much more of it is devoted to defence. Try cutting 20 per cent. of a country's gross domestic product and see how many men are put on the street out of work. They cannot all be employed in refrigerator factories.

Mr. Benn: The hon. Gentleman should turn his mind back to 1945. How many people did we pull out of uniform? Two or 3 million. How many people did we pull out of the arms industry? Two or 3 million. Within 18 months, there had been a massive conversion from war to

[Mr. Benn]

peace, because it had been planned. If defence expenditure is reduced in a capitalist society, many of the problems that the hon. Gentleman describes occur.

Why is Gorbachev credible? The Russians made many disarmament proposals, but people always dismissed them as propaganda. Gorbachev is credible because he said, "I want to cut defence expenditure to improve the standard of living of the Russian people." People at home say, "We agree. We should like to do the same." The amendment that I tabled has not been called, but I think that I am allowed to read it. It says that this House

"declines to accept the Defence Estimates; and believes that Britain should reduce its defence spending, initially to equal the average level of other Western European countries, and transfer the savings made to social and economic priorities including the National Health Service, pensions, housing, education and other vital services, the elimination of low pay and poverty, much needed investment in job creation and economic development, and the restructuring of Britain's crumbling infrastructure."

That is an argument. The Secretary of State said that Germany, Italy, France and Spain were now defenceless and that if the amendment were passed we would be defenceless. I do not know who wrote his brief—perhaps he did so himself—but to argue that, if Britain were to have the same defence expenditure as those countries, it would be defenceless is an absurdity that no one will take seriously.

I do not want to exaggerate the figures, but the Secretary of State said that if our defence spending were cut to the European average the figure of savings would be £5 billion. I am more cautious, because I believe that it may be between £3 billion and £4 billion. I do not want to spoil the case by exaggerating it, but we spend more than France and Germany on defence.

Conservative Members should also consider the example of Japan, which spends 1 per cent. of its GDP on defence. It they want to know why the Japanese economy is so strong, it is because it has poured investment into Japanese cars, videos, televisions and other electrical and electronic equipment. How can it be claimed that Japan is weak in the world? It is so strong that it is buying chunks of the American and British economy. Japan and Germany—Germany spends less on defence than we do but more than Japan—are in a powerful position.

I tried to discover what could be bought with the savings of £3 billion to £4 billion, which is less than the Secretary of State's figure. It is hard to estimate, but the House always tries to do its best. It would probably buy 120 hospitals, 64,000 houses or, for the benefit of Conservative Members, would enable a 2·5p cut in income tax. I am talking not about total defence expenditure but simply the difference between European expenditure and ours.

According to the United States Arms Control and Disarmament Agency, the world spends $1,000 billion a year on weapons—about £1 million a minute. If one looks at other comparable official figures to see whether we are getting our priorities right, one finds that, worldwide, 500 million people are suffering from malnutrition, 800 million people are living in absolute poverty, 14 million children are dying from hunger-related causes every year and 5 million children are dying of diarrhoea, which is a preventable disease.

Without addressing the arguments that have been put today, the Secretary of State launched into a party conference or hustings speech; he did not turn his mind to the argument. The argument is that big changes are happening in the world. There is no Soviet military threat, whatever view people take of the Soviet system. Members of what is sometimes called the Left of the Labour party were more critical of Stalinism than any other group in this country. When Russia attacked Hungary in 1956, hon. Members on the Left of the party and I wrote a letter to *Pravda*. It was published, and the Minister can look it up if he does not believe me. I led the Labour party delegation to the Soviet ambassador to protest about the invasion of Afghanistan. Conservative Members should not accuse us of supporting such a system.

But, as the hon. Member for Windsor and Maidenhead suggested, there is no evidence that the Russians intended to invade western Europe. I always believed that the pressure for change in the Soviet Union would result from the desire of the Soviet people for the civil liberties and democratic rights that we want in Britain. That is what has caused change, not the fact that the Secretary of State can wave a Trident that is on order, which he could not fire without Bush putting on his satellite communication system. Who does he think he is kidding?

Mr. McWilliam: It would not work.

Mr. Benn: Even if it did work, it would not go anywhere, which is what the Zircon story was about. The Secretary of State knows that as well as I do. I watched the Zircon film to discover what was secret about it. The Secretary of State and I know that it was secret because the permanent secretary to the Ministry of Defence said that Polaris was not an independent deterrent. That was what we did not want the Russians to know. The Russians and Americans have satellites, and there is nothing secret about the deterrent.

The fact is that we have never had an independent deterrent and my hon. Friend the Member for Blaydon (Mr. McWilliam) rightly said that Trident will be removed, not by the dangerous Left wingers of the Labour party, but by the Americans, when they do a deal with the Russians because they will not want even the pretence that a British Prime Minister has a weapon.

We must consider our economic position. Under varying Governments of various policies, there has been long-term neglect of our industrial investment. At no time has that been clearer than at present. Following the high interest rates of 1979, the current high interest rates and the waste of oil revenues, industry will be unable to sustain the standard of living of our people when the oil runs out. We have no choice but to redirect resources into industrial development, and the proposed economies in defence would be a part of that.

Any hon. Member of whatever party allegiance who travels around the country and meets his constituents is aware of the appalling stress on public services, such as our under-staffed hospitals, the fact that people must wait for treatment and the fact that there are breakdowns in essential public services because of under-investment. Any serious Government of any political persuasion that rationally examined the priorities of public expenditure would know that there are no grounds for this level of

defence expenditure. There is an urgent need to redirect resources into industrial development, and we must ensure that civil needs are met.

The old joke that we have the best defended dole queues in Europe is not far wrong. The amendment that I tabled receives a vague hint of approval from the official Opposition amendment. It says that the Labour party wants

"to examine the allocation of resources which could be released for social and economic purposes".

I think that I can say that I have amplified and clarified what my hon. Friend the Member for Clackmannan (Mr. O'Neill) put before the House, and many people in Britain would like to see that done. That should not be attributed just to the Labour party conference, or to the votes of delegates at our conference, because people are ahead of the Government in their perception of what is possible.

In 1945, I returned as an RAF pilot who was too young to vote, but I campaigned in the 1945 election. The United Nations assembly met for the first time in Central hall, Westminster and Gladwyn Jebb was acting Secretary-General. At that time, there was a huge surge of hope among people that the wartime alliance with Russia would last. We believed that we would make sense of the Security Council, but those hopes were dashed for 40 years. Now they are coming back again.

We cannot live for ever with the legacy of Hitler's Europe divided by an iron curtain. We want a European security pact which brings the Hungarians and Poles together with us and, if Germany is reunited as the hon. Member for Windsor and Maidenhead suggested, heaven knows what policy changes might appear in Moscow, Washington, Paris and London. Let us look forward for a change instead of harking back to the totally false idea that the Soviet system changed in response to the fact that we had a nuclear weapon on hire purchase and bankrupted ourselves through defence expenditure. That is laughable. It is not true and no one but the Secretary of State believes it.

When people read the report of this debate, it will make sense only if people outside believe that those of us in this place understand what people outside already know—that the cold war is over. Everyone, both East and West, wants to spend money on peaceful development. However, Britain, because of its absolute obsession with the idea that it remains a semi-super-power, is dragging its feet in moving towards peace and is denying its people the industrial development and the public services that they need more than anything else.

6.30 pm

Mr. Derek Conway (Shrewsbury and Atcham): I have considerable sympathy with the right hon. Member for Chesterfield (Mr. Benn). He has expressed to the House tonight his obvious disappointment, that he is not writing the next Labour party manifesto. Conservative Members share his disappointment, because we wish that he was writing it. That would be very helpful.

The right hon. Member for Chesterfield has tried his best to help the Government by tabling his amendment and I tried to help him by urging Mr. Speaker to select the amendment for a Division tomorrow night. I wish that the House could have an opportunity to vote on the amendment to see where among Labour Members the true face of the Labour party lies. Does it lie with the hon. Member for Clackmannan (Mr. O'Neill), who puts on a brave face, but with some little conviction, or does it lie in the motion carried during the Labour party conference?

Conservative Members are not interested in this issue purely for party political gain. This issue has an effect in many constituencies. As hon. Members will know, there is considerable interest in and allegiance to the armed forces in my constituency not least because it is the military headquarters for the west midlands. Thousands of Shrewsbury folk are employed in defence-related industries. Many of those people, thankfully not in their thousands but in their hundreds, support the Labour party. Many of them work in traditional industries and produce Labour councillors and Labour party activists. The workers at Perkins Engines manufacture an excellent tank engine for the Challenger main battle tank. After the Labour party conference, where could those poor souls have read that £5 billion was proposed to be slashed from the defence budget and that their jobs would be lost? Perhaps the Opposition Front-Bench spokesman can suggest a socially useful alternative for a production line producing main battle tank engines. The workers are scratching their heads.

The appearance of my right hon. Friend the Secretary of State for Defence at the Dispatch Box was very welcome not least because he shares with his predecessor a personal experience of the armed forces. I am particularly glad to see my right hon. Friend the Secretary of State at the Dispatch Box because he is a former Light Infantry man. I hope that his Army bias will be displayed in his decisions in future.

My right hon. Friend the Secretary of State referred to procurement and rightly said that his Ministry would try to encourage smaller businesses. We would not disagree with that, but the House must bear in mind that research and development involves an enormous cost and a great proportion of that enormous contribution—especially with the rightly more rigorous regime which the MOD now employs in procurement policy—means that large employers in my part of the world, like GKN, Sankey, Dowty and Perkins may have to carry enormous burdens in their trading exercises to cover the cost of research and development. While we all agree with my right hon. Friend the Secretary of State that smaller businesses have a role to play in defence procurement, we should not forget the valuable contribution played by larger groups in terms of research and development to move us forward in arms procurement.

I was particularly glad to hear my right hon. Friend the Secretary of State scotch some of the myths put about, particularly by Opposition Members, about the smiling face of Mr. Gorbachev as he leads the Warsaw pact nations. Of course we must encourage but, as my right hon. Friend the Secretary of State says, we must be cautious. He was right to remind the House—as hopefully the country will note—that the Soviet Union is producing a new aircraft every day. It is not as if the Soviets have pulled down the shutters and said, "Let's talk with the Americans and back-pedal." They are producing a new main battle tank every day. To be honest, some of us would like to believe that some Soviet weaponry is archaic and absolute rubbish. That is not the case. While some of our NATO allies may still be using second world war equipment, the Soviet main battle tank is a very effective piece of kit.

[Mr. Derek Conway]

The Soviets produce a nuclear submarine every 42 days and a non-nuclear sub every 28 days. There is no impression yet that the Soviet conventional war machine, which is already considerably greater than NATO's, is slowing down.

I was particularly glad that my right hon. Friend the Secretary of State referred to the Ulster Defence Regiment.

Mr. Andrew F. Bennett: Why does the United States not hold the hon. Gentleman's view? President Bush appears to suggest that an agreement on START negotiations could be signed in 1990. If the United States is convinced, why will the hon. Gentleman not at least give some credit to the Soviet Union for starting to move in the right direction?

Mr. Conway: Of course I give the Soviet Union credit for that, and we welcome it. Who wants to live in an age of nuclear proliferation? However, the Americans, like our NATO allies and ourselves, are not being blindfolded. The hon. Member for Denton and Reddish (Mr. Bennett) castigated my right hon. Friend the Prime Minister for supporting the deployment of cruise missiles, but we heard very little when the SS22s were deployed. Together with his friends in CND, he said, "But look, the Soviets have offered to pull the SS22s back behind the Urals." However, what use was that for a weapon with a range of 3,000 miles? We have heard enough of the fork-tongued exercises of Opposition Members. Caution, as my right hon. Friend the Secretary of State warned, is the way forward. We welcome and support new developments, but that does not mean that we follow blindly.

My right hon. Friend the Secretary of State referred to the Ulster Defence Regiment. I do not believe that our debate today and tomorrow is the correct forum to examine the difficulties and the criminal investigations that are being carried out at present. I am sure that the House would want to recognise that nine battalions of the UDR are employed in the Province. Last year, 33 service men were murdered in Ulster, 12 of whom were part-time UDR soldiers. A further 239 were injured.

I have often spoken in the House about my involvement with the Territorial Army. The 90,000 involved in the TA on the United Kingdom mainland is as nothing compared with the bravery of those who volunteer for part-time military service in the Province. I take my hat off to those people and I am not sure whether I would have the courage to do the same in those circumstances. Just because a few apples in the UDR have received bad publicity, I do not believe that we should write off that very effective regiment and its nine battalions as tarred with the same brush.

My right hon. Friend the Secretary of State visited the large-scale TA exercise held by 49 Brigade during the recess as part of its NATO training. I hope that he was taken by the enthusiasm displayed by those TA soldiers. It has long been my experience that often when a regular soldier is posted to a TA unit, he is a bit cynical and prepared for the worst. However, within a few months he is convinced by the enthusiasm and commitment of the part-time soldiers. I am sure that my right hon. Friend the Secretary of State found that.

My noble Friend Lord Ridley is the president of TAVRA, which promotes employer-awareness of the motivation, initiative, leadership and self-discipline which employers can get for free by enabling employees to take part in the TA—currently involving 90,000 people—as an investment by British industry which will be well rewarded.

I shall dwell briefly on Regular Army recruitment problems, which are often commented upon by the press and by the Defence Select Committee and, I am sure, are a matter of considerable and frequent discussion within the Ministry. Some of the terms and conditions which apply to the armed services are starting to look a little archaic in today's scenario. I suspect that much of the premature retirement rate is related to marital pressures. These days, those who are attaining mid rank see their wives still expected to play an absolutely free part in the services, whereas the wives of their contemporaries in civilian life are at work and often earn substantial incomes. Service wives make a real sacrifice today, and we glibly forget it. Those who have achieved senior rank in the armed forces remember what their wives had to do in their day, and they shrug off the matter. I suspect that many of our young and able NCOs and officers are voting with their feet on this issue. A generation gap may have to be bridged politically if we are not to lose more and more future able generals.

On problems with conditions, I remind the House of the active role that my hon. Friend the Member for Canterbury (Mr. Brazier) has been playing in trying to stimulate service men's ability to buy their houses. I always find it slightly depressing that the second part of the estimates, which contains tables shows that the number of people in the armed forces who buy their own homes—particularly those in the Army—are so low. Obviously, the Navy and the Air Force have a much better rate, but in the Army the rate is still pathetically low. My hon. Friend's activities to try to push my right hon. Friend the Secretary of State and his colleagues to greater encouragement of home ownership deserve our greatest support.

We have read of the MARILYN programme within the Ministry of Defence and of the "Five-run-away-together" teams, which has had a glib response in some of the press, focusing our attention on the fact that, when people join the Army in particular, they would like to see one or two faces that they know from their own region. In that respect, if there is one legacy that the Labour party has left the Army and the regional system it is the abolition of the county regiments, which, in the long term, will prove to be a great mistake. That must not be compounded by actions to close regimental depots to try to get an all-arms melting pot training system, which may be favoured by some within the Ministry of Defence but which would be as bad as the abolition of county regiments. Equally, the selling off of local training areas would be another blow to the community ties that are important to maintain the regimental system.

In the Territorial Army, there has been a move to reintroduce geographical titles bracketed behind the names of regiments—they are very long and are not the way to do it. If we are to accept that, for recruiting purposes, it is essential to connect regiments with geography, proper geographical titles should stand.

It is interesting that in London there are about 14 soldiers per 10,000 people. In other areas such as Tyne and Wear, for example, there are about 52 soldiers per 10,000 people. On Merseyside there are about 55 soldiers per 10,000 people, and in Cumbria about 58 soldiers per

10,000 people. That differential is related not only to unemployment problems but to the strong geographical identification in those areas.

In my original service with the Royal Regiment, the Fusiliers, the old love of the Royal Northumberland Fusiliers never died. Fortunately, when the regiments were combined, the Fusiliers' hackle for the Royal Northumberland Fusiliers was maintained. Some local people, when they saw the Fusiliers marching actually believed that they were still the Royal Northumberland Fusiliers. To introduce it as a proper county regiment would be a definite way forward, and equally so for the Durham Light Infantry. Of course, there is still a Light Infantry battalion based in Durham—the seventh battalion, and an excellent battalion it is too. Who can possibly doubt the strength of local feeling that existed for the Durham Light Infantry and the benefits for regular recruitment if it still existed?

Despite some of the knocking that often takes place in defence debates, I am convinced—certainly from my constituency experience—that there is a great warmth in our communities for the armed forces. They are not seen as a sinister wing of Government, waiting to remove democracy, but are regarded as part of the community. In my constituency the Light Infantry, the Yeomanry and RAF at Shawbury play a full and welcome part in civic occasions. The House and the Ministry of Defence will regret the day when we take our armed forces from communities. If there is one message for my right hon. Friend, it is, "Please bring back the county regiments."

6.44 pm

Mr. John Cartwright (Woolwich): As someone who also represents what has traditionally been a military town, I strongly endorse what the hon. Member for Shrewsbury and Atcham (Mr. Conway) said about the need to improve what we think of these days as the quality of life for service men and their families if we are to attract young people into the armed forces, and, even more important, to retain those whom we already have.

I shall concentrate my remarks on arms control and the implications for the NATO Alliance of what is happening and what may happen in arms control. Much of the White Paper has been overtaken by the dramatic events of the past six months. All hon. Members would welcome the fact that prospects for arms control have now totally changed. No longer is it a tedious business of shadow boxing, with one side aiming to wrong-foot the other in the eyes of the watching world. It is worth recalling that the mutual and balanced force reduction talks dragged on for 15 years—from 1973 to 1988—with little to show for them.

Against that background, the much wider negotiations on conventional forces in Europe, which started on only 9 March this year, have made breathtaking progress in the past six months. Agreement has already been reached on the six categories to be included in the negotiations and on the overall ceilings for two of them—tanks, and armoured troop carriers. There is agreement on the principle that no one nation on either side should have a disproportionate share of overall ceilings. There is also agreement on the need to limit forces stationed outside national borders. The parties to the talks have agreed also to aim at least for a phase 1 deal before the end of 1990.

Of course, there are some important disagreements as well. For example, there is no agreement on ceilings for artillery, aircraft, helicopters or military manpower and there is yet no agreement on regional arrangements to be made within the Atlantic to the Urals area covered by the negotiations. There is also perfectly understandable Soviet concern, which was referred to by the Secretary of State, about the sheer scale of reductions which they will have to make in manpower, weaponry and military production in a short time. Given the problems of the Soviet economy, I can understand their worries about having to demobilise large numbers of service men and to switch substantial defence industries in a very short period.

A great deal remains to be done in the CFE negotiations. Some complex technical problems are yet to be resolved, but one has a great sense of optimism about the talks compared with what happened in the past. There is clearly now a political will on both sides to achieve an agreement. To a large extent, it stems from the changed attitude of the Soviet Union, and it is important to recognise that it has happened not just because of a change in Soviet leadership. I certainly accept that, at least partly, it is due to the fact that NATO has stuck fast to its dual-track approach—a willingness to negotiate, while maintaining an effective level of defence capability. The right hon. Member for Chesterfield (Mr. Benn) underlined the fact that the change is due also to the awful realisation on the part of the Soviet leadership that they had urgently to tackle their appalling economic problems and to meet the aspirations of the Soviet people.

It is worth recalling that the USSR's official budget deficit is now estimated at $160 billion, which is 9 per cent. of its gross national product. Its share of world trade is only 4 per cent. Its total hard currency income is now $24 billion, of which no less than $18 billion goes on servicing foreign debt. Of 1,200 items in the Soviet housewife's official shopping basket, only 200 are now widely available. It is estimated that $500 billion-worth of roubles are hoarded simply because there is nothing to spend them on. Several assessments are being made in the West about the possibilities of success for President Gorbachev's economic reforms. Even the best case scenario is likely to produce such a small increase in economic growth that there will be no significant improvement in the Soviet economy or, indeed, in the quality of life of Soviet citizens. Against that background, the Soviet Union will clearly need massive assistance, advice, expertise and technological aid from the West if it is to achieve its objectives. The one thing that the Soviet Union can offer us in exchange for that assistance is security by removing the threat of military attack which has hung over western Europe for the past 40 years. That is the underlying basis of the negotiations and it is why there are grounds for optimism about the eventual outcome.

Many people are already looking beyond the CFE to what might be the next steps in conventional arms reductions. The Supreme Allied Commander, Europe, General John Galvin, has already spoken about the possibility of further drastic reductions beyond the levels now being discussed at CFE. The former SACEUR, General Andrew Goodpaster, is among those arguing the case for a phased reduction by the mid-1990s to a level at least 50 per cent. below NATO's current deployments. They argue that such cuts are both practical and possible.

Those comments from perfectly prudent military sources, added to obvious improvements in super-power relationships, will have a substantial impact on public opinion in the West. They seem to have had some impact

[Mr. John Cartwright]

already on some NATO Governments. Cuts in defence spending have already been announced by the Netherlands and Belgium specifically in anticipation of agreements likely to come from the CFE process. Other nations are discussing reducing the length of their military service or scaling down their defence efforts. It is hard to resist the judgment that some of us are giving in to the temptation to cash the dividends from an arms control agreement before the cheque is even in the bank. That is a dangerous process.

There is a pressing need for NATO to work out a co-ordinated, Alliance-wide approach to this problem. If we do not have such an approach the risk is that we shall indulge in an unseemly scramble, with individual nations seeking to reap the financial benefits of arms control by making unilateral cuts. If that process continued, we risk ending up with a fragmented, unco-ordinated, ineffective structure of defence in western Europe.

We must recognise that the pressure for defence cuts —again we are grateful to the right hon. Member for Chesterfield for underlining this point—will come from western public opinion, which sees a marked reduction in the perceived threat from the Soviet Union and is increasingly reluctant to pay for levels of defence that it no longer considers necessary.

Mr. David Martin (Portsmouth, South): Is that not precisely what was being said about China, which was thought, if anything, to be ahead of the Soviet Union on reform? The events in Tiananmen square brought up short the argument that the British people no longer perceived a threat.

Mr. Cartwright: If the Soviet Union and Warsaw pact countries had reacted to the extraordinary developments in eastern Europe as the Chinese Government did in Tiananmen square, I would see the relevance of the hon. Gentleman's point, but as the tanks have not rolled into Warsaw, Budapest or East German cities, his point is not relevant.

The public in the West will see massive changes in the Soviet Union and in eastern Europe generally and will be increasingly reluctant to pay large sums for a level of defence which they, perhaps mistakenly, no longer perceive to be necessary. NATO must respond to that. The argument was put clearly in a paper produced for the North Atlantic Assembly by Ambassador Jonathan Dean, a former United States negotiator at the MBFR talks. He argued that NATO must

"develop a concept which would have the prospect of obtaining the enduring support of western publics for financing NATO's remaining forces over a long period . . . A rationally argued proposal for deep cuts is preferable to an erosive piecemeal process of unilateral budget cuts in the NATO countries."

We need that approach.

I accept the case for some caution when we observe the extraordinary developments in eastern Europe. The Soviet Union is going through fundamental changes and as a result will be a much less predictable nation than it was in the days of the geriatric leadership. History suggests that, when empires break up, we experience a period of uncertainty. That may be what we now face in eastern Europe. Ethnic problems are bubbling up inside the Soviet Union and there are tensions within and between the Warsaw pact members. These are all potentially destabilising factors.

Perhaps we should also recall the warning of Boris Yelstin—that President Gorbachev had a limited period in which to deliver the goods to the Soviet people, and that if he did not succeed there would be the risk of widespread internal problems. That underlines the sense of instability. Against that background, it makes absolute sense to negotiate balanced reductions, not to make unilateral cuts on the assumption that the Soviet Union and Warsaw pact will follow suit. More importantly NATO needs to harmonise its arms control objectives with its force planning. We must look at the structure of our forces to take full account of what is happening in the negotiations to ensure that what is left after the cuts makes sense in defence terms.

More fundamentally, we need to determine what level and type of defence we need to take account of the major changes taking place in East-West relations. That strengthened the case for reconsidering our defence on a more integrated European basis. All nations in western Europe share the same manpower problems and the same budget pressures. We are all aware of the prospect of reductions in US forces deployed in western Europe. We shall all have the problem of sharing out the arms control ceilings flowing from the CFE negotiations. To suggest that we can take an individual national approach to those problems does not make sense. It is about time that western Europe began to think collectively about its future defence needs.

I have no difficulty in accepting the argument that for the foreseeable future the security of western Europe depends on a mix of conventional and nuclear weapons, but there is room for debate about the make-up of that mix. If Soviet conventional forces are reduced, there will be no need for the present levels of sub-strategic nuclear warheads that NATO deploys in Europe. The future size and make-up of NATO's nuclear arsenal should be based on hard assessments of targeting needs and survivability. We should advance the concept of a minimum nuclear deterrent, recognising that it will be credible only if it is modern, effective and survivable.

We could deploy far fewer than NATO's present 4,000 warheads in western Europe, and a key element will be the tactical air-to-surface missiles to be deployed on NATO aircraft. The case for deploying a new generation of short-range surface-to-surface nuclear missiles strikes me as dubious. I cannot see any practical possibility of persuading the Federal Republic of Germany to deploy a follow-on to Lance, and I cannot see the point of dividing the Western Alliance by forcing through such a development. Unless we can achieve the concept of minimum nuclear deterrence, it will be more difficult to sustain existing public support for the retention of nuclear weapons as part of our deterrent capability.

We see the prospect of real success in arms control, but we must recognise that that success will bring new problems. There is a need for NATO and the Warsaw pact to accept a change in their role. They must be not only instruments of collective security but agents to manage the fundamental changes to much lower levels of arms deployment from the Atlantic to the Urals.

When making the case for appropriate levels of defence, we cannot rely on the old knee-jerk reactions of the cold

war. We must make a much more sophisticated case to our people if they are to support the levels of defence that we need in a fast-changing world.

We should also recognise that soldiers and weaponry are not the root of our problem. They are merely a manifestation of the mistrust between the two super-power blocs. We now have the prospect of a totally new relationship between ourselves in the West and the nations of the Warsaw pact. Those nations will be looking to the West for help because they have to accept the fact that their system has simply failed to deliver what their peoples want. The post-war period is now coming to an end and we are entering an era of great change. It is essential that the Western Alliance should redefine its defence needs to take full account of those changes.

7 pm

Mr. Jonathan Sayeed (Bristol, East): It is a pleasure to follow the hon. Member for Woolwich (Mr. Cartwright), who is a valued colleague in the Select Committee on Defence. I hope that he will excuse me if I do not follow him, but embark on my own tour d'horizon. I sometimes feel that second-guessing Soviet intentions is a somewhat futile occupation. Kremlinology may well have been invented to make astrology respectable. However, whether or not that is the case, I intend to resist the temptation to Healey-hop around the hemisphere and will stick to three points—two about procurement, and one about personnel.

The lessons of the sinking of HMS Sheffield and the Atlantic Conveyor and the massive damage done to HMS Glamorgan—all ships that were unable to defend themselves against a French-built Exocet—are that we armed and protected Her Majesty's ships so that they could defend themselves against Soviet weapons systems, but not against weapons systems built by friendly powers. Consequently, we should have learned that the staff requirement should, whenever possible, take account of the weapons and defensive systems—and the developments—not only of the Soviet forces, but also of friendly forces.

I wish that that had been the only example of where we had got it wrong, but sadly it was not. I bring another example to the attention of the House. It is referred to in the 11th report of the Select Committee on Defence and relates to the light anti-tank weapon for the 1980s, a shoulder-fired, unguided anti-tank weapon. Its full development started in 1977 and it came into production in 1987—10 years later. It entered service last year—five years late.

Paragraph 7 of the 11th report states:

"The extensive time and cost overruns stem primarily from a re-assessment by MoD of the protection levels of Soviet armour and a complete re-appraisal of the weapon system performance requirement. This arose after the requirement had been specified and endorsed, the development programme had been planned, and work had begun. Its outcome was a change to the weapon performance requirement designed to increase the effectiveness of LAW 80 against thicker Soviet frontal armour and the re-definition of the development programme."

Paragraphs 31 and 32 then state:

"Considerable advances have been made in recent years in the armour for the modern battle tank. One of the principal advances has been explosive reactive armour (ERA) which was patented in the West in 1974 and first appeared in service in 1982 fitted to Israeli Centurion and M60 tanks. It has been reported that the Soviet Union has developed ERA with unexpected speed, and that since the early 1980s it has been fitted to large numbers of their tanks.

The General Staff Target for LAW 80 was issued in 1971 and full development commenced in 1977-78. The performance requirement is designed to counter thicker Soviet frontal armour and not ERA. It would seem therefore that LAW 80 will not be capable of penetrating the frontal arc of the latest Soviet tanks where this is protected by ERA".

I have no doubt that LAW80 is an excellent weapons system—indeed, the best in the world. However, it is years late and well over budget, and that is because the staff requirement of 1971 was based on a fallacy. It was based on an assumption that the Soviet Union would not develop its armour any further. However, we know that developments in the Soviet Union do not stand still. It was based on the assumption that what this country had developed in 1974—ERA—would not be available to the Soviets by 1983, the first projected date for bringing that weapons system into service. Frankly, that was just foolishness.

Although it will not always be possible to do so, I hope that, as far as is practicable, the Ministry of Defence will ensure that when a staff target is determined it allows not only for likely Soviet advances in weapons and defensive systems, but also for the developments made by friendly forces.

LAW80 crops up again in my second criticism of the procurement process, as does the vertically launched Sea Wolf. Hunting Engineering was the lead contractor for LAW80 and British Aerospace was the lead contractor for Sea Wolf, but both had Royal Ordnance as their main sub-contractor. Royal Ordnance was Hunting's sub-contractor for the rocket motor for LAW80 and BAE's sub-contractor for the boost motor for Sea Wolf. However, the contracts were different. Hunting's contract was initially set in 1977 on a cost-plus basis and was changed in 1983 to an incentive pricing basis.

On the other hand, we were told proudly by Ministers that British Aerospace's contract was on a fixed price basis. No doubt this is naive, but I always thought that a fixed price would not change. However, I got it wrong. A fixed price means a fixed price for the MOD, not for the taxpayer. For both Hunting's LAW80 and BAe's vertically launched Sea Wolf, because the sub-contractor was owned by the public—at that stage Royal Ordnance was still in the public sector—the public had to pay when the sub-contractor got it wrong.

I trust that when my right hon. and hon. Friends on the Treasury Bench again tell us that a contract has been let on a fixed or firm basis, they will ensure that they also tell the House whether any of the sub-contractors are owned by the public, because if they are, although the price may be fixed for the MOD, if things go wrong it will not necessarily be a fixed or firm price to the British public. It is wrong for the taxpayer to end up bailing out failure when we have been assured in the past that that will not happen.

I should like to make another short point before leaving the issue of procurement. I do not doubt the competence of my right hon. and hon. Friends, but I find it somewhat odd that the three Ministers who had anything to do with procurement—the Secretary of State, the Minister of State and the Under-Secretary of State—should have been moved from that Department at exactly the same time.

My last main point concerns personnel. We have heard much about the demographic time bomb, about

[Mr. Jonathan Sayeed]

MARILYN and about the problems there will be in recruitment. All that is absolutely true. It is essential that we face those problems early and that we do something about them. However, there is another point, on which my hon. Friend the Member for Hampshire, East (Mr. Mates) touched, and that is the retention of personnel. At present, when a man asks to leave under premature voluntary retirement—PVR—he is interviewed by one of his senior officers and asked why he is going. He may give them frank reasons, but sometimes he may blame his wife and some of his real reasons may be rather different.

I suggest that my hon. Friend the Under-Secretary of State for the Armed Forces should consider the suggestion that, six months after a person has left under PVR or declined to re-engage, that person, or a sample of such people, should be interviewed by an organisation independent of the Ministry of Defence. The Ministry should then attempt to determine what actually prompted that person to leave and should attempt to remedy the defects that cause PVR or cause people to decline to re-engage, as far as that is possible.

I should also like the possibility of re-enlistment bonuses to be considered. As we well know, every year there is a shortfall in a number of specialisations, usually those for which it has cost the taxpayer hundreds of thousands of pounds to train men. It should be possible to undertake annually a cost-benefit analysis and to compare the cost of paying a re-enlistment bonus to all those eligible where there is a projected lack of personel in any one year against the cost of additional training and the cost of the shortfall. There could be published annually in Defence Council instructions a list of re-enlistment bonuses that might be paid for that year to certain specialisations. It costs a vast amount to train men and women. It is right that we should do so and continue to do so, but it is also right that we should do our best to retain within the services the skills that have cost the taxpayer so much. I hope that my hon. Friends will consider those points.

I listened carefully to the hon. Member for Clackmannan (Mr. O'Neill). At the end of his speech, I realised that the Labour party does not have a defence policy; it has a disarmament policy. It is a disarmament policy based essentially on surrendering everything for next to nothing. If the right hon. Member for Chesterfield (Mr. Benn) did not make that clear, the twisting and turning of the hon. Member for Clackmannan did.

Only one party can be trusted with the defence of this country, and that is the Conservative party, as it has shown time and again. I have no doubt that in two to three years' time the British public will demonstrate at the polls their trust in this Government and their defence policy.

7.13 pm

Mr. Andrew F. Bennett (Denton and Reddish): I find the remarks of the hon. Member for Bristol, East (Mr. Sayeed) amazing, when one considers the content of the speech by the Secretary of State today. He was introducing the estimates, which was a major opportunity to set out the Government's policy. What did he tell us? He told us that a new department of defence studies was to be established at London university and he then went on to attack the Labour party for debating the direction of our defence policy. There was no recognition that there needed to be a change of policy and the development of a new strategy. The Secretary of State did not deal with the many problems that face our defences at present. He did not refer to any of the Select Committee reports except with a passing reference of gratitude to the Select Committee, perhaps for not asking too many awkward questions. If one looks down the list of points for us to debate today and the serious questions raised, one realises that he did not answer any of them.

The Secretary of State did not tell us what will happen to the Trident programme and whether it will come about. He did not deal even with the question of anti-tank weapons. However, his real failure was that he did not set out a strategy for disarmament or arms reduction for this country over the next 10 years. He said that it was far too soon to know whether the Soviet Union is really taking the process seriously and whether changes will come about. In defence, decisions have to be taken well in advance. We could have expected from the Government in a major speech such as today's that they would at least set out some tentative proposals on the way in which the Government are starting to think. We got none of that.

Clearly there is now a need for a major review of our whole defence strategy, as the Opposition Front Bench suggested. The key question was put by my right hon. Friend the Member for Chesterfield (Mr. Benn) when he asked how much we were prepared to spend and, within that target, where our priorities should lie. That is the debate in which we should be involved.

We should recognise that Gorbachev has changed the whole debate on arms. He has broken the cold war mould and we now have to address ourselves to what we put in its place. The Government cannot continue to play the red menace card to justify a defence policy that has continued for years. They must face up to the fact that a new mould is being created. They cannot pick up the pieces from the old mould. There is a new mould in which we should have a positive input and we should say that we want to be involved in the disarmament process. We want to ensure that our legitimate interests are looked after in that process.

We do not want to be left out. It is only too evident at present that this country is very much on the sidelines. If this country does become involved, it is to say, "Don't make progress. Don't do this. Stop that. We want to modernise this area of weapons. We do not want to get involved in the disarmament process." What we needed from the Government and the Secretary of State was a clear statement of how the Government are going to face up to the challenges of the next 10 years in which, with any luck at all, we shall be moving to a position where disarmament and not rearmament is the key.

I should like Ministers to tell us what is happening at the START talks. We are told that President Bush hopes that there can be an agreement on the first phase of those talks for the summer of 1990. Will that include some commitment on numbers for the United States Trident D5, to which my hon. Friend the Member for Clackmannan (Mr. O'Neill) referred earlier? If there is to be some agreement on the numbers of Trident C5s that the United States will be able to deploy, what are the implications for us on costs and the total numbers concerned? It seems inconceivable that the number that the United States will be able to deploy will be limited by those talks and yet we will not be included in that.

I understand that on 23-24 September, there were discussions about a memorandum of understanding about the START talks which involved the whole question of radar installations. The Soviet Union unilaterally announced that the station at Krasnoyarsk is to be dismantled. It then said that if it were to do that unilaterally, the United States should consider the dismantling of the radar installation at Fylingdales. Is that correct? If so, what discussions are taking place between the British Government and the United States about the future of Fylingdales? It may be that the United States is saying firmly that it is not prepared to go along with the Soviet suggestion. However, we should be involved in those discussions.

What do the conventional forces in Europe talks mean for Britain? If there are to be limits on the number of tanks deployed in Europe, what will be the effect on fresh orders for the Challenger tanks? What about the nuclear capability of the Tornados? What will happen to troop numbers in Germany? Those are all questions that we should address and matters on which we should decide where we want to go

On the issue of troop numbers in Germany, one key question is: how will the armed forces successfully recruit youngsters? There has been a dramatic fall in the number of 18 and 19-year-olds. What are the implications for the conversion of our defence industries? The Government have made no comment. My right hon. Friend the Member for Chesterfield told us of the extent to which our economy depends on defence contractors. If there is a lessening of tension between the super-powers and a reduction in regional conflicts, the demand for weapons is likely to decline. We must look positively at ways to find new products for these companies and at how we can provide Government assistance for research and development so that these firms can produce goods for peaceful purposes.

I understand that the crucial debate at the conference in Geneva on disarmament is about a ban on chemical weapons, with the discussions involving not only the super-powers but other countries. Anyone who has seen pictures of the Iran-Iraq war and the effect of chemical weapons cannot fail to be impressed by the need to make progress.

Nuclear testing is also a subject at the Geneva talks. In the September talks, the Soviet Union proposed further bans on underground testing and announced that it would impose a unilateral ban on underground testing and plutonium production. So far, the United States does not seem happy about this, but at least it is prepared to discuss the issue. What has been the British Government's reaction? I understand that the Minister of State, Foreign and Commonwealth Office—the hon. Member for Bristol, West (Mr. Waldegrave)—responding for the British Government, said that any further underground test ban would be premature and destabilising because such tests were fundamental to maintain the British nuclear deterrent. It is appalling that Britain is dragging its feet in the discussions.

I have made my position on the Trident programme clear—it is immoral. We must, however, consider whether it has any credibility. Increasingly it is becoming a sick and expensive joke. The Defence Select Committee has said in its reports that there are major problems in terms of the production of missile heads and of refit facilities. It is clear that the programme has been called into question because of what is happening in the United States.

I am pleased to see the Minister of State for Defence Procurement on the Government Front Bench. It is interesting that, when Sir John Nott announced to the House on 11 March 1982 that we would commit ourselves to the D5 missile system, the hon. Gentleman asked the crucial question. He started with a bit of flannel, telling the Minister how wise the decision was, but he went on to ask:

"what guarantees are there that during the currency of the procurement of the system it will not be cancelled, either at the whim of the United States Congress or as a result of changes of President or changes of presidential mood or attitude over the next 20 years?"

Sir John Nott brushed the hon. Gentleman aside by saying that there was no problem. He said:

"On the whole, our allies tend to keep to their agreements. I do not think that such a hypothetical situation has ever arisen".—[*Official Report*, 11 March 1982; Vol. 19, c. 982-83.]

Sir John Nott did not think that it would ever have any practical effect.

The United States is questioning the future of the Trident D5 programme. We understand that the British ambassador, Sir Antony Acland, is trying to convince senators and congressmen that they have to reinstate the $1·8 billion that they have cut from the programme.

The Minister of State for Defence Procurement (Mr. Alan Clark): I was doing that last week.

Mr. Bennett: It brings into question the Government's credibility. The British Government are supposed to be independent, but the United States Senate and Congress make the decisions.

We understand that committees in the United States decided on the cut because they had seen classified information—two trials failed and there were major problems with the missile system in the one that succeeded. It does not really matter whether the money is put back—if the system is technically in disarray, there are major problems. How can the Minister be so confident that the technical problems can be overcome? Those senators and congressmen who saw the classified reports felt that there was so much difficulty about the programme that they cut the amount of money available. I realise that this is a matter of argument between the various parts of the United States military machine, but there are two sides to the issue—either the United States will include the Trident missile system in START or, because of delays, the Trident system will be brought into question.

I have raised several times my point about the communications system for the Trident submarines. Ministers keep arguing, "We cannot tell the House of Commons about our communications system. It must be kept secret." There can be little credibility in that approach. If Trident is to be a deterrent, we should be prepared to tell people that we have an effective communications system. A deterrent can be credible only if people believe that it will work. The only argument in favour of the Government wanting to keep the system secret is that there is no system at all.

We are told that the Government are considering an extremely low frequency transmitter at Glengarry Forest in Scotland. How much will that cost? Is it merely an experimental station? If it works, will a full-scale station have to be designed? What is the time scale for construction? Obviously, the Trident programme is

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slipping. Unless there is an effective communications system, there is not much point in having it. Unless there is a connection between the button and the submarines —it does not matter whose finger is on the button—the system does not have credibility. Will the ELF system stand up to electromagnetic pulses? Will we be involved if, following START I, START II or START III, the United States includes its Trident D5 system in the negotiations?

The tragedy of today's debate is that the Government have not put forward their strategy for becoming involved in the disarmament talks. Whether they are slow or very slow, so far the Government have said that they are not getting involved. Many Opposition Members and people outside believe that we should be enthusiastically involved in those talks and that we should be reducing the world production of armaments, finding jobs for those who are displaced and ensuring that they can produce goods that are socially much more useful for this country and the world.

7.28 pm

Mr. Keith Mans (Wyre): I should like to apologise to the hon. Member for Clackmannan (Mr. O'Neill), who unfortunately is not in the Chamber. I had no idea when I was attempting to intervene that it would be quite so easy to disrupt his speech. I can only assume that it was easy because he had the greatest difficulty in following it himself. Not only Conservative Members but Opposition Members felt that some of his arguments were, to say the least, a bit specious.

If I had been allowed to inervene, I would have said that I was interested in the fact that finally the Labour party had admitted that in real terms the cost of the Trident missile programme was on the way down, not up.

I was less convinced by the Labour party's new policy, which does not seem to go for parity of weapons, conventional and nuclear, with the Soviet bloc, but is prepared to accept the Soviet bloc's superiority in a wide range of weapons systems.

I was interested that the hon. Member for Clackmannan (Mr. O'Neill) seemed to support various defence companies which are worried about how Ministry of Defence competitive tendering has been organised. I do not share his worries. Surprisingly, it was the right hon. Member for Chesterfield (Mr. Benn) who explained to his own Front Bench that the hon. Member for Clackmannan had nothing to worry about, as such companies had made £3·3 billion in profits last year. I have little doubt that competitive tendering has been successful during the past few years.

As many hon. Members have said, since last year's debate on defence procurement, there have been rapid changes on the international and national scenes which have profound implications for this country's defence and for the future of NATO.

The belated recognition by the Labour party that its policy of unilateralism cannot be sustained, and its adoption of a weak and illogical form of multilateralism, should not go unnoticed. It should also not go unnoticed that Labour's new defence policy envisages Britain scrapping a nuclear deterrent, but a potential aggressor such as the Soviet Union still having nuclear weapons. Despite the appearance of the Labour party radically shifting its position on nuclear matters, in reality it has only moved a few tentative steps in the right direction and then stopped.

The commitment accompanying the reduction in the nuclear deterrent, to cut conventional defence forces by around £5 billion, or 25 per cent. of the present defence budget, gives cause for concern. The Labour party may try to wriggle out of it and to say that it is not a binding commitment and may occur over a number of years, but if a commitment to a weaker form of multilateralism and a decision to reduce conventional forces were taken at the same time, at the same Labour party conference, even if the decision to cut conventional forces is not binding, it must call into question Labour's commitment to any sort of multilateralism at all.

It is significant that, throughout these debates on the armed forces during the past two years, we have been told by the Labour Front Bench—it has been its constant refrain—that the Government have cut conventional defence expenditure to maintain a nuclear deterrent. While that is untrue, it is a little odd that the Opposition now want to go further down the route that they have previously criticised the Government for taking. Such cuts would mean that the country would not be adequately defended. For example, they might mean the complete cancellation of the European fighter aircraft programme which would have a horrifying effect on job prospects in the north-west. These policies could also mean the elimination of the whole of the Royal Navy's surface fleet, or a huge reduction in the number of ground troops we commit to Europe. It is clear that, if such cuts were carried out, every soldier, sailor and airman would have to go into battle virtually defenceless.

As to the much saner policies of the Government, I congratulate my right hon. Friend the Secretary of State on the measures the Government have taken to help recruitment. In particular, the extra encouragement to women to join the armed forces is very welcome. The change of policy to allow women to train as pilots is one that many hon. Members have asked the Government to consider, and I am delighted that it has happened.

Still more needs to be done to help recruitment and retention of personnel. If the armed services are to continue to attract and retain the right calibre of personnel, a more flexible pay policy will have to be introduced. That policy, as in any other business, should be designed to pay the market rate for skills that the armed services need to retain. It would almost certainly mean more reliance on specialist pay rather than on rank pay. For example, flying pay will have to be doubled, if not trebled, if the losses of highly experienced and highly trained personnel to airlines are to be stemmed.

I hope that my hon. Friend the Minister will press the Treasury to allow service men who sign for a further term, who have come to the end of one term, to keep the gratuity. At present, they obtain the gratuity only if they leave. Some service men leave, take the gratuity, and return a year later, to the resentment of those who have stayed in service. I am convinced that, if the gratuity were given at the end of the first period of service, it would stem the flow of experienced service men who leave at the end of their first engagement.

Another measure that is long overdue is a better service saving scheme to make up for the disadvantages service personnel suffer compared with civilians when buying a house. My hon. Friend the Member for Canterbury (Mr.

Brazier) has pressed very hard for a scheme to solve this problem, and I hope that the Ministry of Defence will give it further consideration.

A subject that is allied to recruitment and retention of personnel is the contracting out of certain service functions to civilian companies. I approve of contracting out as it gives the taxpayer better value for the money spent on defence, but I feel that the Government have to move carefully in its application.

The recent security scares have shown how thin on the ground service personnel are at certain locations and how, because of contracting out, they are expected to carry out an increasing number of additional tasks, such as guard duties. That does not help morale in the services or encourage people to stay on for a further engagement.

Contracting out should be examined and clauses should be included in contracts to encourage employees of civilian firms to join the reserve forces so that extra personnel are readily available in times of emergency or high alert states to carry out the many additional tasks that need to be completed at those times.

I find it a little strange that the armed services have to employ private security firms to guard military installations while they have in the past provided the Home Office with service personnel to guard prisons.

I congratulate my right hon. Friend the Secretary of State on the recent 4 × 4 lorry contest and the way it was organised. It shows clearly the advantage of competitive tendering when it is carried out properly. I am convinced that the contest will be the forerunner of many more highly successful contests of that nature.

I hope that the Ministry of Defence will soon be able to order the naval version of the EH101 and the utility version of this aircraft for the Royal Air Force. The Secretary of State has rightly drawn attention to the need to procure aircraft and other weapon systems across service boundaries, and helicopters are a good case in point. I realise that the RAF is lukewarm about funding the EH101, as it feels that this may compete against any future funding for the updating of the Nimrod air-to-surface anti-submarine aircraft.

This problem also exists over the procurement of the light attack helicopter, about which the RAF is lukewarm because it feels that the funds spent on it may come from other projects about which it is enthusiastic, such as updating the ground attack capability of the Tornado, the Harrier and, in the future, the European fighter aircraft. The RAF will have to pay more attention to helicopters than it has done, because they provide good value for money in the land battle order. It is high time that the Ministry of Defence decided the mix between tanks, helicopters and artillery in the air-land order of battle. By not doing so, it is holding up procurement of important weapons systems.

The mid-life update of the Tornado, and more specifically the provision of a stand-off weapon for that aircraft, needs more attention. Now that the United States seems to be less enthusiastic about the version of that weapon that we should like to procure, it is all the more important that we make certain that we get on board some of our European allies to produce a weapon that meets our specifications, and to make certain that the Tornado continues to be a highly effective weapons system well into the next century.

The changes that have taken place over the past year will mean, over a number of years ahead, great changes in our views on defence. It is important now that we maintain a strong guard during the period of instability in eastern Europe. These estimates show that the Government are doing precisely that.

7.41 pm

Mr. Jim Sillars (Glasgow, Govan): I was extremely disappointed by the speeches of the two Front Bench spokesmen. It would be churlish not to welcome the Secretary of State to his new post, but his speech was seriously deficient, and that deficiency was also apparent in the speech of the hon. Member for Clackmannan (Mr. O'Neill). Both of them meandered around the place, but neither had any strategic sweep or vision in the make-up of their ideas and their concept of this important issue. Both went out of their way to avoid a key element of the framework of the so-called British defence system in the immediate future—Trident. The Secretary of State hardly mentioned it.

I thought that the hon. Member for Clackmannan was bound to mention Trident. During the recess, on 28 August, I read an article in *The Guardian* headlined:

"Delays 'put Trident in jeopardy'."

It then had a smaller heading:

"Labour warns nuclear defence programme is at risk."

It then quoted the Labour defence spokesman as saying:

"Sir Francis's study is the first public admission of the failure to organise the production of the British element and the so-called independent deterrent. After months of complacency and denial, the MoD has finally admitted that there are severe shortcomings in the programme."

I could not make out from that whether the hon. Member for Clackmannan was happy about the problems because that might lead to there being no Trident, or was unhappy because the problems might be solved and lead to Trident being here. There was an illogicality and a serious ambiguity about his position.

I thought to myself, "Not to worry, Martin is on holiday as well and we are all entitled to a breather. He'll come to the big two-day defence debate when we return, open for the Labour party and we will get it laid out." I thought that there would be a close probing of the Government about Trident. We might not get Trident, and the Labour party would hope that what is happening with warheads and in the Congress of the USA would lead to no Trident emerging. As I understand the Labour party's position, it does not want Trident, but unfortunately vessels 1 and 2 will be built and vessel 3 will be 40 per cent. through and a future Labour Government will have to accept them, however reluctant they are, but they will not take the fourth.

Such an attitude is different from what I understood was the Labour party's previous position, which was that Trident could not be put in place on the Clyde at all. There would be no Trident, no warheads, none of the rest of it. However, the hon. Member for Clackmannan told us nothing about this. There was also nothing from Labour as an element of the Socialist movement, despite what we expected. There should have been some understanding of the window of opportunity now opening because of events in eastern Europe.

I am not naive. I know the Communist system very well —[HON. MEMBERS: "Oh!"]—from a study point of view. I have never been a member of the Communist party. I have always had grave doubts about the ability of the Soviet-Marxist system to reform itself fundamentally, without the most serious dislocation and going into a

[Mr. Jim Sillars]

catatonic state. I hope that the Gorbachev wing of the Soviet Communist party succeeds, although I fear that he may become a victim of present circumstances. There is a great paradox. Mr. Gorbachev is far more popular in western Europe and the Warsaw pact countries than he is inside the Soviet Union.

On the fundamentals, the politics there is essentially not different from the politics here. If Governments cannot put money in the pocket, food on the plate and people into decent housing, or provide a health service, they lose public support. After four years, Mr. Gorbachev's policies are not delivering the goods to the ordinary Soviet citizen. I should be sorry if he fell from power, because the world owes him a great deal, but it is interesting that in East Germany, West Germany and the United States he is popular, but one would not find crowds shouting "Gorby, Gorby" in Moscow, the Ukraine, Byelorussia or other parts of the Soviet Union.

Even if Mr. Gorbachev is a victim of the changing circumstances, we cannot go back to the Brezhnev-style years. Gorbachev is an individual, but he is a representative of an important movement for change in the system. While he might be a victim of it, Russia will never be the same again. I should have thought that someone coming from the Socialist movement, like the hon. Member for Clackmannan, would have some idea of the opportunities that are opening up. We must make real and substantial gestures, and we on this side of the eastern bloc should start mobilising resources to help people rather than to build weapons to kill them. That would assist the reform movement in the Soviet Union, because it requires technical assistance, training, technology and the transfer of capital. How much better it would be for a member of the Labour party, which is supposed to be a Socialist organisation, to have such a programme. However, we did not get it.

The Scottish National party has been unilateralist for many a long day and it will remain so. It is consistent in its policy—almost as consistent as was the Leader of the Opposition until a short time ago. I shall now examine why the Labour party changed its policy and rejected unilateral nuclear disarmament as a means of contributing to the process of disarmament and peace. I shall also apply the test of difference to a concept being touted around Scotland by the hon. Member for Glasgow, Garscadden (Mr. Dewar), who leads the Labour party north of the border—a concept of Scottish independence in the UK. That is the Labour party's answer to the Scottish National party's policy of Scottish independence as a member state of the European community. The term used by the Labour party north of the border—I am sure that this will surprise many Labour party supporters south of the border—is independence in the United Kingdom.

Defence policy is a reasonable test of whether there is genuine independence. As I understand it, over many years the Labour party's policy on unilateralism rested on three foundations. The first foundation was that the British bomb was not independent. Secondly, the Labour party argued that it had never been a deterrent. Thirdly, it alleged that it was deeply immoral to use the bomb, even in retaliation. I shall quote the Leader of the Opposition on this issue. The right hon. Gentleman made the position clear, and in so doing gained much approval from folk like me. On 13 February 1984, when addressing the Carnegie Endowment in Washington DC, he said:

> "In nuclear war, initial attack—whether by first strike or first use—would be an act of self-immolation and retaliation a gesture of supreme and terminal futility."

I also quote someone else who is now a Member of this place but who used to be known outside as Brian Wilson. I refer to the hon. Member for Cunninghame, North (Mr. Wilson). When writing in the *West Highland Free Press* —it is an extremely important newspaper—he was involved in an exchange with the then Tory Member, Hamish Gray, who is now in another place. In his peroriation, he wrote:

> "But above all the case against possession or use was a moral one—the mass slaughter could never be justified whether as 'first strike' or 'second strike', by which time the only motive would be revenge."

The hon. Member for Houghton and Washington (Mr. Boyes), who sits on the Opposition Front Bench, is mumbling. Let him understand that I was referring to the view of the Leader of the Opposition in 1984 and that we are now in 1989. Anyone who turns to pages 86 and 87 of the Labour party's policy review document will find that two of the three foundations to which I have referred remain solidly in place. It is declared in the policy review document that the British bomb is not independent, and it is denied that the bomb when held in British hands is a deterrent.

That leaves the third foundation of morality. What about morality? Before the hon. Member for Houghton and Washington gives me a sotto voce lecture about 1984, let him understand that I have known the Leader of the Opposition for a long, long time. He was a comrade in arms of mine inside the CND and the unilateralist movement. We are both members of the Transport and General Workers Union—I am as proud of that as he is —and that organisation has held firmly to unilateralism. Underlying every speech of the Leader of the Opposition that I ever heard was the fundamental of the immorality of pressing the button. Would the Leader of the Opposition press the button? That is the third foundation. If there is a change of policy, that can be only on the basis that he would press the button now when he would not do so previously.

The Guardian is not a newspaper that is likely to misquote the Leader of the Opposition, but in an article of 18 May it told us that the right hon. Gentleman personally wrote two fresh passages into the Labour party's defence policy, one formally defining the party's line on whether a Labour Prime Minister would be willing to press the nuclear button. It stated:

> "On the question of using nuclear weapons, the document now states that 'nuclear weapons should not be used by any Government', but that the party 'recognises that for as long as the weapons exist, the assumption by other nuclear powers will inevitably be that circumstances could arise in which they might be used.'"

That is a good lawyer's draft—"Maybe we shall, maybe we shan't, but read out of it what you like"—but it was an attempt to answer the question. We were told in the article that "the document now states". If anyone reads the Labour party's policy review document, he will not be able to find the passage which I have quoted in the defence section. Between 18 May and the Labour party's conference at Blackpool in October, it disappeared. Therefore, the question remains to be posed to the Labour party: will it press the nuclear button or will it not?

I have listened to Trades Union Congress speakers and I have listened to Labour party speakers. They have explained that they have changed their policy because the world has changed. They say that there has been what the Labour party's policy review document describes as "epoch-making changes". In a handout from the Ministry of Defence entitled "British Defence Policy", great changes are acknowledged by the Prime Minister. One passage reads:

"Recently, says George Younger, under president Gorbachev the Soviet Union and its allies have become more ready to respond to these initiatives. As the Prime Minister said during President Gorbachev's visit last month, we welcome these signs of a peaceful revolution in Soviet thinking."

These are "epoch-making changes" and "signs of peaceful revolution". I say to Opposition Front-Bench Members that the world has changed for the better. The Warsaw pact has profoundly changed. In my view, it has changed irreversibly. Its ability to mount a so-called surprise attack, which is central to the White Paper around which the debate is centred, is no longer what it was four or five years ago. Are we to believe that under big bad Mr. Brezhnev, with his doctrine of intervention, the Labour movement was prepared to go into unilateral nuclear disarmament, and that under nice Mr. Gorbachev, with a great loosening of the ties between the Soviet Union and countries such as Hungary, Czechoslovakia and Poland —Poland does not have a Communist Government now —it is not prepared to take that course? That is an absurd position. I say to the hon. Member for Houghton and Washington that I regret the Labour party's position and believe it to be deceitful and distasteful.

The Labour party boasts of making Scotland independent within the United Kingdom. Defence policy provides the acid test. At the Scottish Labour party's conference, which was held in March, there was a vote on changing the Labour party's defence policy. A report in *The Sunday Times* on 12 March stated:

"Delegates voted overwhelmingly to reaffirm the Scottish party's support for unilateralism. Not a single speaker in the hour-long debate supported any change in policy."

The vote was overwhelming. Correspondence in the *West Highland Free Press* over the past month has shown that, of the 72 constituency Labour parties in Scotland, only two support the new policy. The other 70 remain in support of the Scottish Labour party's conference in March.

What happened when the Scottish Labour party arrived in Blackpool? The answer is that it was brushed aside and entirely ignored by the chiefly English component of the British Labour party which wished to chase Tory votes in the south-east of England. What are the implications for the future?

Let us consider numerically and qualitatively the Scottish Labour contingent in the House. I think that most of us would agree that it supplies a fair amount of the brain power within the shadow Cabinet. I think that there is a general recognition that it provides qualitative input, and all of us agree with that irrespective of political divisions. The PPS to the Leader of the Opposition is the hon. Member for East Kilbride (Mr. Ingram). The Scottish contingent represents over 20 per cent. of the Parliamentary Labour party. That is a powerful position when it comes to applying the Scottish decision in March in this place.

It seems, however, that that position has had no effect within the Labour party. The Scottish contingent could not sustain the Scottish policy position against the wishes of the southern part of the Labour party, which wishes to chase Tory votes in the south of England. The policy implications for a Scot who is an active member of the Labour party north of the border are horrendous.

On the question of the bomb, Polaris and Trident, the Labour party has betrayed the Scottish electorate. Its policy on unilateralism was put to the Scottish electorate in 1983 and was tested again in 1987—and the party increased its Members of Parliament north of the border. I must tell the Secretary of State that, whatever opinion might be in other parts of the British state, unilateralism is a popular policy in Scotland, which has hosted Polaris and is targeted for trident. The Labour party has betrayed us, and it will pay the price.

8 pm

Mr. Robert Hayward (Kingswood): It is a great pleasure to follow the hon. Member for Glasgow, Govan (Mr. Sillars), who has clearly and lucidly identified some of the intellectual illogicalities of the Labour party in its national policy. I was fascinated by his assessment that 70 of the 72 Scottish constituency parties had expressed a view one way or the other, given the fact that several of them—including Dumfries, Galloway and Upper Nithsdale—did not even cast votes at the Labour party conference for people in the constituency section of the national executive. Those constituency parties may have expressed views on one matter, but they were somewhat weak on the ground when casting their votes.

It is somewhat unfortunate that in our debate this evening the Government have clearly outlined their defence policy, as shown in the two documents before us; that the SNP has clearly outlined its defence policy through the hon. Member for Govan, and a consistent policy has been outlined by the hon. Member for Liverpool, Walton (Mr. Heffer) and the right hon. Member for Chesterfield (Mr. Benn)—although I could not agree with his interpretation of history—yet the Labour party and the SLD, the LD, the Liberal party or the Alliance, whatever it now calls itself, have shown an absolute lack of clarity all along the line.

I intervened in the speech of the hon. Member for Clackmannan (Mr. O'Neill) and quoted an article in *The Times* on Thursday 14 September. He said that he would give me a reply later in his speech. That is a fairly usual tactic when someone does not know the answer, and of course I was never given the answer.

The hon. Gentleman's other comment was that I was using information provided by the Whips and that I had quoted only from that part of the article provided by them. Unlike some members of the Whips Office, I was not on holiday on 14 September. I read the article and gave interviews at that time. I have the article in full, and I shall quote the two relevant paragraphs—*[Interruption.]* The hon. Member for Rhondda (Mr. Rogers) does not like that because he knows what is in the article.

The article states:

"Declining to set targets for the level of defence expenditure, Mr. O'Neill said that there was no doubt that production lines would disappear, others would be cut and planning and production teams would be broken up."

The Times quoted the hon. Gentleman as saying:

"What is clear is that the incoming Labour Government"—

[Mr. Robert Hayward]

[Interruption.] Opposition Members do not like hearing me quote their Front Bench spokesman. He said:

"What is clear is that the incoming Labour government will face the consequences of an overblown and ambitious defence programme that no British Government could or would want to be able to meet."

Therefore, the Labour party is saying that there must be cuts in the defence programmes somewhere. Yet what did we hear? When the right hon. Member for Manchester, Wythenshawe (Mr. Morris) asked about Ferranti, the hon. Member for Clackmannan gave him the assurance that it was not Ferranti. What about Westland? The hon. Gentleman said that the Government had not committed enough to Westland or to the Navy. He also said that nuclear defence would be safe.

It is surely only reasonable to presume that the cuts to which the hon. Gentleman referred must be made in conventional forces. Based on figures quoted by my right hon. Friend the Secretary of State today, and reaffirmed by the right hon. Member for Chesterfield, my calculation is that in the west country alone some 10,000 jobs will be at risk. I shall explain how I reached that figure——

Mr. Roland Boyes (Houghton and Washington): By making it up.

Mr. Hayward: I am not making it up.

Mr. Rogers: The hon. Gentleman can carry on with whatever claptrap he likes, but before he sits down I hope that he will tell us how many jobs have been lost under this Government in the arms industry since 1984.

Mr. Hayward: The figures have already been provided by the hon. Member for Clackmannan. In my part of the country, Dowty employs 8,000 people in Cheltenham and the surrounding areas, Smiths employs 3,000, British Aerospace more than 8,000 at Filton, Rolls Royce about 8,000 at Filton and Westland 4,250. If the Labour party adopts the policy that it has expounded in articles such as that in *The Times*, it must be honest with those employees and also with all those who are dependent on those industries, such as sub-contractors, taxi firms and service industries. The Labour party must say which of those production lines will be closed. I calculate that some 10,000 people in the west country alone can reasonably expect to lose their jobs.

Of course, I have been referring only to defence and aerospace. The hon. Member for Clackmannan, in one of his more relevant comments, said that related civilian businesses—he referred to Ferranti—were dependent on the research, development and sales of the defence industry. Therefore, if defence jobs are at risk, so too must be civilian jobs. At least the hon. Member for Liverpool, Walton had the honesty and intellectual intelligence to recognise and admit that. I do not understand why the Labour Front Bench will not do the same.

Mr. Rogers: The hon. Gentleman has not read the speech.

Mr. Hayward: I have read it, and the hon. Member for Clackmannan did not mention one point from the Labour party defence review. We can only presume that he is really saying, "This is the policy we want to adopt, but this is the policy that we will adopt for electoral purposes alone."

Mr. Boyes: The problem is that the hon Gentleman has read only two or three paragraphs of a lengthy speech made to the UCATT conference, which dealt with conversion. The thrust of the speech—and I hope that Conservative Members agree with it—is that if we can get agreement between various countries to reduce the level of armament needs and army strengths, the world will become safer. The Labour party has not adopted policies that will put the workers referred to by the hon. Gentleman on the dole queue. We are talking about conversions and putting people into socially acceptable jobs. Surely the hon. Gentleman agrees that that would be both honest and sensible. I hope that the hon. Gentleman will ask my hon. Friend the Member for Clackmannan whether he can read the whole of his speech. He might then regret some of the comments that he has made tonight.

Mr. Hayward: I do not regret any of the comments that I have made tonight. I listened to the whole of the Labour party's defence debate at the party conference, when there was an opportunity for the hon. Member for Clackmannan to correct any misunderstandings. He also had the opportunity to correct any inaccuracies in *The Times* article by writing a letter to that newspaper. There has been no such correction in the letters column of *The Times*. He has not attempted to correct any misunderstandings that might have arisen from his speech.

Unfortunately, the Liberals are no better. They are not represented here this evening, but let me quote from a motion that was passed at the Liberal party conference in the same week that the hon. Member for Clackmannan was addressing the UCATT conference. Among other things, that motion says that the Liberal party wants an end to Government involvement in promoting arms exports and, in particular, that it wants to close the Defence Exports Services Organisation and to cease financial support for arms exports from public funds by, for example, the Export Credits Guarantee Department.

Virtually every export order that has been achieved in relation to Hawk and Tornado alone, and probably in relation to Westland and a number of other industries such as Smiths and Dowty, which supply those major contractors, have been earned as a result of commitments from the ECGD.

If the Liberal Democrats do not want us to have the ECGD or the DESO, we must kiss all those orders goodbye because the French will step in to take our place. If the French do not, others such as the Americans will. It does not matter which country: one will step in and those orders will go by the board.

If the Labour or the Liberal parties put forward policies they should give due consideration to the impact of those policies. The hon. Members for Walton and for Govan have admitted the implications of their policies and the Liberal and Labour parties should admit the implications of their policies. They should be honest and not try to hide behind a series of quotes and sham defences.

8.11 pm

Mr. Eric S. Heffer (Liverpool, Walton): Let me explain to the hon. Member for Kingswood (Mr. Hayward) that cuts in defence expenditure do not mean job losses. Research shows that investment in construction in the NHS and in education produces 60 to 80 per cent. more jobs than investment in defence.

I should also point out that in the past 10 years in which the Government have held office, the number of jobs directly related to defence has fallen from 390,000 to 310,000, despite an increase in the defence budget from £7·5 billion to £20 billion in the same period. I put that on the record because the hon. Gentleman must not believe that defence cuts will necessarily mean massive job losses, although that could be the case for a time; certainly, if the money is not invested in other directions there will be job losses.

As my right hon. Friend the Member for Chesterfield (Mr. Benn) said, the Secretary of State's speech was one of the worst from any Secretary of State for Defence that I have ever heard. It was a poor speech. The Secretary of State made the remarkable statement that we must maintain our defence policies and put pressure on the Soviet Union if we are to help the people of that country, or the countries of eastern Europe, to get their freedom. Let us think about that for a few minutes.

Does not the Secretary of State realise that that is precisely what some of the Soviet generals, the bureaucrats and the old guard in the Soviet Union want? That is their argument for getting rid of Gorbachev. That is their argument for saying that there is no point in getting rid of their weapons and carrying out the sort of policies that Mr. Gorbachev wants them to carry out because the West will still build up its arms and will continue to be the threat that they say that it is. That is their very argument for undermining Gorbachev and the people in the Soviet Union who want to bring about change there. That is not a sound argument. It is a silly argument.

I have heard one or two other arguments from Conservative Members. Some referred to the events of Tiananmen square. But what happened there was that the man who had some sympathy for freedom was removed from the general secretaryship of the Communist party. The hard-liners and the old element even went back on the so-called policy, about which we have heard so much, that if one has private enterprise, freedom automatically follows. China had gone part of the way towards private enterprise. That took place internally.

It is nonsense to equate freedom with private enterprise. Hitler's Germany had private enterprise, but it did not have freedom. So far, there is no political freedom in Pinochet's Chile or in South Africa. One could go on naming country after country where private enterprise and the market economy are wonderful but where there is no political freedom. It is wrong to suggest that in the Soviet Union freedom has been suppressed because of a nationalised or publicly owned economy. One should begin to look at the history of those countries and recognise that freedom was destroyed relatively quickly after the revolution. Freedom did not last long because of the nature of the Communist party. There were Left-wing socialists such as Rosa Luxemburg and others who pointed out at the time that the proletariat would mean dictatorship over the proletariat—the dictatorship of one man and a small group.

I have long taken that point of view. I was brought up in the Socialist-Communist tradition. It took me some time to understand what happened, but by reading, studying and looking, I became, as I have remained, an opponent of the internal system in the Soviet Union and, at the same time, a firm believer in genuine democratic Socialism. There is no contradiction between the two; that must be clearly understood.

I am sorry that the amendment in the name of my right hon. Friend the Member for Chesterfield, myself and others has not been called, but I understand the procedures of the House. However, as my right hon. Friend said, at least we can express an opinion on it. I support that amendment because it is similar to the resolution that was overwhelmingly carried at the Labour party conference. To those in my party who may not like what we are saying, I say that our amendment is in line with a conference decision, so I trust there will be no talk of discipline in relation to the views that we are expressing. Come to that, I do not care if there is—that does not worry me. I have been in this House a long time and have fought many battles by going through the Lobbies to vote on important issues, and I will continue to do that.

Ours is a common-sense motion and should be supported for that reason. It states:

> "Britain should reduce its defence spending, initially to equal the average level of other Western European countries, and transfer the savings made to social and economic priorities including the National Health Service, pensions, housing, education and other vital services".

As for other NATO countries, Greece spends 6·6 per cent. of its GDP on defence. Next comes the United Kingdom, with 4·3 per cent., and Turkey spends 4·2. Greece and Turkey spend such high amounts because they hate each other. Although they are in NATO they seem more concerned with looking at each other than with the external defence of Europe.

If we reduced defence expenditure to 3 per cent. of GDP we would save a great deal of money: the annual bill would fall from £21 billion to £15 billion, which would add up to a considerable amount in five years, and all of it could be used to help the National Health Service, housing, education and so on. That would not leave us defenceless; we should only be spending the same as our European neighbours in NATO.

Our motion does not go as far as the suggestions of the hon. Member for Glasgow, Govan (Mr. Sillars)—it does not speak of unilateral nuclear disarmament, restricting itself to general defence spending——

Mr. Sillars: I hope that the hon. Gentleman is not back-tracking.

Mr. Heffer: Certainly not. I entirely agree with unilateral nuclear disarmament, but this motion does not argue for it.

We could use the money saved, on construction. The Tories boast about what they have done for people in the way of housing. They have certainly sold a lot of council houses and built a lot of private houses, but then they put the interest rates up so high that people cannot afford to keep up the payments on the houses that they are trying to buy. There is something funny about the Conservatives; I do not understand how they can claim to be on the side of house owners and then put mortgages up by so much that these people are crippled and have to spend all their money on them, leaving them with no money to spend on food or clothing. That does not seem logical, but it is a problem for Conservative Members which they will pay for in the end.

The money could be spent on what the people of this country need. I believe in unilateral nuclear disarmament, and have done for a long time. I know that my hon. Friend the Member for Paisley, South (Mr. Buchan), like me, was in the forces. I remember hearing about the dropping of the bomb. I recall the shudder of horror that went through

[Mr. Heffer]

me. At the same time, we all felt relief because it meant that we would not be going over there. Later, we realised that the bomb meant that a new dimension had entered warfare, which would no longer be even what we had experienced. It could mean the absolute destruction of mankind. That thought has lived with me every since, and when I think of it from time to time the horror still comes back to me. There would be no winners after the bomb was dropped.

On the other hand, we think of the misery in the Third world and elsewhere. There is massive poverty in Latin America, Asia and Africa and in parts of the so-called marvellous developed world—in parts of America and even in our country there are people who live in disgraceful poverty. Yet we spend millions and millions of pounds on weapons of destruction.

I conclude with a quotation from a book which I happened to buy yesterday in the Church house bookshop, "The Bible, the Church and the Poor". It is about liberation theology. Hon. Members know that I study this closely because my Christianity and my Socialism are one and the same. The book says:

> "Just as the situation of the poor has a structural cause, so their liberation has to go through the process of changing the social system, which prevents them from growing and playing a positive part in history. The poor judge society as it is at present, and see that if their situation is to change, this change has to come about in a new form of society."

That is what I believe. I believe that as long as we continue to waste millions of pounds on destructive weapons we will never create that new society. Part of changing the world is getting rid of these dreadful nuclear weapons and working for world peace in a way which we never have before.

8.27 pm

Mr. David Martin (Portsmouth, South): I recognise the sincerity of the hon. Member for Liverpool, Walton (Mr. Heffer) whenever he speaks on these matters, some of which I shall refer to in my speech.

Like my hon. Friend the Member for Hampshire, East (Mr. Mates), I welcome the remarks of the hon. Member for Clackmannan (Mr. O'Neill) about the outrage perpetrated at Deal on the Royal Marines bandsmen. Originally, the bandsmen's base was at Portsmouth and they still have a presence there, albeit a greatly reduced one. However, there has been no reduction of affection and respect for the Royal Marines in the hearts of the people of Portsmouth. I was abroad when I heard the news and I reacted with an abject horror which I know was shared by many of my constituents. Not long before, I had seen the Royal Marines band perform during Navy days in August, and I look forward to seeing them perform again on Trafalgar day—21 October. There is a striking contrast between the finest bandsmen in the world and the barbarism of those who attacked them, between the highest standards of their service and the lowest standards of their attackers. One can understand people's tremendous feelings of sympathy for the relations of those who suffered and for those who must confront terrorism in our country day by day.

I want to deal with something that has been mentioned many times during the debate, and that is how we should look at East-West relations given the changes that have taken place with the better understanding which undoubtedly exists, and which so many people hope will continue to exist between this country and the Soviet Union and between NATO and the Warsaw pact.

We have had a history lesson from the right hon. Member for Chesterfield (Mr. Benn) and the hon. Member for Liverpool, Walton (Mr. Heffer). We have gone back to wartime and since. Europe has been dogged by the wartime legacy. The right hon. Member for Chesterfield referred to the fact that, after the war, many people thought that the Russians would remain our allies and Russia was not perceived to be the threat which it soon became, in the opinion of all sensible people. We have never forgotten which side the Russians were on at the beginning of the war. During the war, they became our allies and many people hoped that they would remain our allies. But after the war many said that the Russians should be pushed back behind their borders. They asked why we had fought a war only to leave them under such a system when we had gone to war to defend the freedom of so many countries—such as Poland—which remained within the Soviet empire.

The Soviet empire was built in the late 1940s and during the cold war, which was recognised at the outset by Winston Churchill in his famous iron curtain speech. Since then it has been a threat and there has been every reason for NATO to retain a strong defence. NATO was not created because there was no threat. It has not been around for so many years with so much expenditure in time, trouble and treasure because there has been no threat. Sensible people have been aware of that threat and have stuck to that view while the siren voices of CND and others have said that we do not need it; that we should turn arms into ploughshares; that we should have social spending on hospitals and schools instead of what was described as socially unacceptable arms expenditure.

We have ignored that. We have carried on, we have kept strong, and there is no doubt whatsoever that the strength and leadership of the West has made Russia realise that she will not under a Brezhnev regime or under a Gorbachev regime weaken our resolve to defend our freedom. We have set an example to the peoples of eastern Europe and shown them the freedoms that they could have.

What could be more moving than to see the people coming from the countries of eastern Europe and the value that they put on freedom? They give up all they possess to come as refugees to a country that they believe will give them hope and the freedom that they have been denied for so many years. That is an eloquent appraisal of the system that still exists in eastern Europe and is at the heart of the Soviet empire.

When any empire begins to break up and discovers that its many varied peoples are struggling against the tremendous discipline that keeps them together, there will be trouble. A continuing amount of trouble will be created in Russia and Gorbachev will have to face up to that. The troubles with the subject peoples of the empire on the borders of the Soviet Union will increase and penetrate the very heart of the Soviet Union.

I am not as optimistic as so many people who say that we are now in an era when we can relax and that not only can we disarm but that we will have peace everlasting because of Mr. Gorbachev. There are great dangers in that opinion. He will never allow the vital base of order to be

undermined, and if he does, many around him will not allow it and there will be a reaction as we have seen so brutally in Tiananmen square in China.

Not long ago, I spent a holiday reading a book describing how China had seen the light and was coming round to Western ways and how Western nations were tripping over themselves to go to China and give economic aid and advice. It was said that China would be the first nation to tread the road of Communism and return from it. We saw the end of that in Tiananmen square. It was a brutal end and it was shown to the world how fast things can change in a country that had been considered to be more understanding of the freedoms of its people. That could happen in Russia.

I do not wish to give the benefit of the doubt to those who say that we should now put down our arms and turn our expenditure to other more socially acceptable pursuits and that we should disarm, as in the new era people will not support the arms we possess. I believe that that would be a wrong judgment. I believe that we should continue, as this Government have continued for so many years, to disarm only on the basis of a fair exchange. I have absolutely no doubt that no Government will be elected to office that does not believe that Britain should retain nuclear weapons for as long as other countries have such weapons targeted on Britain. That applies to nuclear and conventional forces. Russia has not yet disarmed to the extent that many would wish. We have had promise after promise. Let us see that those promises are delivered and then we will disarm to match them.

I wish to comment about what has been said about pressing the nuclear button. The hon. Member for Glasgow, Govan (Mr. Sillars) was searching for quotations to show whether the Labour party, if it were given the responsibility of office, would have a Prime Minister who would be prepared to press the button. The latest quotation I have from the Leader of the Opposition on this matter comes from the BBC television programme "On the Record" on 3 February 1989, when he said:

> "I would not use nuclear weapons because that means annihilation and there is no logic in fighting with nuclear weapons."

That remains the right hon. Gentleman's view and his connections with CND, the campaign for one-sided nuclear disarmament, remain the same. There has been no repudiation, and in his heart that is what he believes. If ever we have such a man in Downing street our nuclear deterrent will be nugatory within weeks, and certainly if there were not an immediate disarmament of nuclear weapons in the minds of potential enemies there would be the feeling that we no longer had the strength of purpose and strong leadership in Downing street to defend our freedoms and the freedoms of the West on a satisfactory nuclear and conventional basis.

I started my speech by referring to the Royal Marines in my constituency. I conclude by making a plea about the searchlight tattoo at the Royal Marine barracks at Eastney, in Portsmouth, which I hope will continue when the future of the Eastney barracks is finally resolved. It is a very popular event which raises money for worthwhile service charities. It creates a great deal of interest and is very much in the affections of the people of Portsmouth. It would be a great pity if such an event were to end because of developments regarding the naval estate in Portsmouth.

The Royal Navy field gun crew should continue in modern times. It is just as relevant now as it ever has been. There are disciplines to be learnt from the field gun crew, as well as from its rôle in recruitment. It adds a human touch, diversity and something extra which cannot be judged in terms of money to the Royal Navy and the traditions which we have come to expect from the Royal Navy which are respected so highly in my constituency.

If I did not speak strongly on that matter, my constituents would wonder why I had not done so. I cannot say strongly enough that the Royal Navy in Portsmouth remains as welcome as it has been for centuries. Anything that can be done to keep its traditions and its role will be highly welcome. I know that the Ministers responsible will take that into account in any future decisions.

8.39 pm

Mr. Tam Dalyell (Linlithgow): The House will forgive me if I say that I feel sick, sweaty and headachy. The explanation is that it was Scottish Question Time this afternoon and, like other hon. Members, I have been sitting here since roughly 2.30 pm. The glare of the lights is damnable, and until such time as someone can alter the powerful glare, quite understandably, hon. Members who have to sit for a long time to catch Mr. Speaker's eye will find the conditions unacceptable.

I should like to say something to the credit of the Ministry of Defence. I have had correspondence with the Secretary of State about its obligations to wildlife. The magazine that it has produced, "Sanctuary", is excellent and contains many good ideas. I make a special appeal for consideration to be given to whether the island of Gruinard, ungrazed for 40 years, which is in the possession of the Ministry of Defence, should be registered as a site of special scientific interest. I make no complaint about the time that Ministers have taken in dealing with my letter on the question of Gruinard..

However, I devote my speech to one subject. For the sake of the Ministry of Defence's good name, there should be a public inquiry into Kincora boys' home, and the systematic rape of boys in care.

In my intervention this afternoon, the Secretary of State asked me for new evidence. Paul Foot's book, "Who Framed Colin Wallace?" has not been answered.

The issue that interests me is whether the security services and the Army knew what was going on at Kincora in 1974. Major Wallace says that they did. He sent a memorandum dated 8 November 1974 to his colleagues spelling it all out very clearly and calling for something to be done. If the memorandum is genuine, clearly the Army knew about Kincora, as did several other people in Government. I am not making a party issue of this because for much of the period a Labour Government were in office. Nothing was done about the memorandum until 1980. The Terry report, which was never published, and the Hughes inquiry report, which was, dismiss any possibility that the Army or intelligence knew of the abuse at Kincora before 1980.

Terry does not say how he arrives at his conclusion. Hughes has a passage on Wallace's document in which he suggests, from a Royal Ulster Constabulary forensic report that the RUC refuses to confirm, that the document may have been a forgery. He says that two typewriters may have been used. Evidence is available from typewriting

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experts, particularly R. W. Radley, that the same typewriter was used. That calls into question a major part of the Hughes inquiry and is a clear indication that many people, including Major Wallace, knew perfectly well that boys were being systematically raped at Kincora and that nothing was done about it.

There are clear signs that a significant number of people in authority knew perfectly well that boys were being systematically raped at Kincora, but that nothing was done about it.

Do Ministers now accept the authenticity of all, or part, of Peter Broderick's statement?

Was the Broderick statement that was submitted to Downing street on 1 November 1984 identical to the one submitted to the Civil Service appeal board in October 1975?

Do Ministers adhere to the claim that

"There is not a shred of evidence to support any of Colin Wallace's allegations"?

I ask solemnly and specifically whether Ministers say that there is not a shred of evidence to support Wallace's submissions in November 1974 on Kincora.

I thank the Ministers of State for the Armed Forces, who, courteously, is present, for his letter dated 16 September. For the sake of time, I shall give the reference —(AF)/AH/9/4/1. He says:

"I can confirm that Mr. Broderick did make a statement to the Appeal Board, and that the quotations to which you refer in this context match the content of MOD records."

The Minister continues:

"Your final question related to the 'episode of the pistol' outlined in pages 125 to 127 of Mr. Foot's book."

Very properly, a copy of that letter was placed in the Library. Therefore, anyone who is interested can refer to that paragraph.

Why does the Minister leave out certain key information? For example, why does he fail to say that, when Major Colin Wallace was interviewed by the Army special investigation branch in 1977, he was informed that the RUC had lost not only his firearms file but the entire records of the firearms dealer from whom he had purchased the pistol?

Why did the Minister not say that the dealer in question was the main supplier of personal protection weapons to the security forces in the Belfast area?

Why was it that, although Wallace's pistol had been lodged in the Lisburn garrison armoury from April 1970, it was not until October 1977 that anyone noticed that the weapon had been overstamped with a different number?

Is it not true that all weapons in the armoury were subject to frequent and detailed inspections, during which the serial numbers were checked?

The Minister's letter dated 16 September confirms that there was an official "dirty tricks" unit at Army headquarters in Northern Ireland during the 1970s.

I believe that we may be dealing with a very nasty scandal. *[Interruption.]* I do not know what the Government Whip said, but I am not making a party point because I believe that this is a House of Commons matter. In all my contributions to defence debates I have been concerned about the good name of the services.

The scandal should be exposed. There should be a public inquiry into Kincora and the case of Colin Wallace, or at least the recall of the Hughes inquiry. I say to the Government Whip and other hon. Members that I personally believe that the uniformed British Army has behaved properly in a most difficult situation.

The 1970s may be regarded by some as stale kail, but I believe that what happened in the 1970s in Ireland is relevant to what is happening in the 1980s. At the very least, senior officials of the Ministry of Defence should invite Major Colin Wallace and Major Fred Holroyd to see them if they are not prepared to have a public inquiry.

I was initially sceptical about this case, but I believe that it raises important matters of principle and should be considered seriously within the Ministry of Defence.

8.49 pm

Mr. Julian Brazier (Canterbury): The position adopted by the Opposition Front Bench on this issue has been effectively demolished by Conservative Members, by Opposition Back Benchers and in particular by the hon. Member for Glasgow, Govan (Mr. Sillars). Therefore, I will not spend much time discussing that position. However, I want to pick out one point made by the hon. Member for Clackmannan (Mr. O'Neill).

The hon. Member for Clackmannan alleged that Britain was the odd one out in NATO and he used the old trick of comparing two lengthy documents of detailed points. I presume that he made that allegation to try to cover up the obvious points made by the Government Front-Bench spokesman that the British Labour party is out of kilter with virtually all mainstream European political parties on a range of different issues, not least economics.

The hon. Member for Clackmannan was wrong and it is essential that we understand why he was wrong. He said nothing about France which is a signatory to the Western Alliance and a member of NATO although not of the integrated command structure. The French insist that the force de frappe should remain an essential part of its national defence so long as the Soviet Union has nuclear weapons. Even more important, the hon. Gentleman said nothing about public opinion in the United States which is becoming increasingly disillusioned by people in Europe whingeing about the presence of American nuclear weapons when America has such a large financial commitment and a large commitment in the form of American lives, some 300,000 people—to the defence of Europe.

Two fundamental points can be made. Again and again we have heard Opposition Members say that we are in a new situation and that everything has changed over the past few years. The hon. Member for Clackmannan repeated that, claiming that everything has changed in the past three or four years because of President Gorbachev.

However, the situation has changed, because Britain and its NATO allies stood out and insisted that we should re-arm with cruise missiles and re-equip our conventional forces while the Soviet Union did the same. Throughout that process, Opposition Members decried us, as indeed did some of their colleagues in other countries. President Bush said that the British Prime Minister provided the crucial "anchor to windward" which made the present negotiating process possible.

The older fundamental point is that from where we stand now the difference between the Opposition and the Government is not that we do not want to spend money on arms which could be better spent elsewhere. Of course we

would love to have more money available for other things. However, there is a critical difference of timing. This Government's defence cuts will result from a proper negotiating process—a process which is proceeding at the moment.

The Opposition pledge unilaterally and immediately to cancel the WE177—the air-launch bomb for the Tornado—just when the Soviets are introducing their own equivalent into service. They have also pledged to stop all nuclear testing so that we cannot introduce weapons to balance the Soviets' weapons and they pledge to cancel Trident C4 thus undermining the minimum critical mass, according to the expert advice from the chiefs of staff. We believe that we have the new dialogue now because we decided to take a robust view then and we believe that the dialogue will continue and we will get disarmament on the other side only if we pace our disarmament in tune with theirs.

I want now to refer to the manning problems in the armed forces. We are only just entering the manpower trough resulting from the shortage of 18 and 19-year-olds. Our main problem today lies not with recruiting, but with retention. The recruiting problems remain for the future. I believe that there are three ways in which we can tackle the problems. I want to stress that, whatever problems we may have with retention today, they do not approximate to the problems that existed in 1979 when we took over from the Labour party. The Government have an excellent record on armed forces pay. I want to refer only to issues involving conditions of service which have arisen over a generation instead of over the past few years.

The first issue to be tackled is housing. I will be very brief because I have spoken about this on many occasions. The Armed Forces Pay Review Board is right to state that we will not solve the problems of retention in the Army and the Air Force unless we tackle the housing problem. I believe that the solution does not lie in encouraging more soldiers and airmen to buy their houses while they are in service. Their families are mobile and if they buy houses, their families will want to live in them. That means that the family will be split or the man will leave the services.

As Field Marshal Bramall said in the other place in July, in practice the premature purchase of a house usually leads to premature voluntary release. The Navy's position is quite different because Navy families can be static. There must be an alternative and to be attractive it must involve the same tax benefits as those enjoyed by civilian owner-occupiers.

We must also tackle problems of retention in the Royal Navy. The Navy's problem is different from that in the other two services. The Navy does not principally have a mobility problem. Almost all Navy personnel are deployed in this country and it is manifestly obvious that the wives cannot go to sea with their husbands. There is no point in encouraging accompanied service in the Navy if that simply means wives living at a port which happens to be a vessel's home port. We want to encourage Navy families to be static and to put down roots which help to compensate for the Navy's problem of separation.

Let us make no bones about it: however many battalions there may be in Rouemont in Ulster at the moment—I believe that it is seven—the Navy's separation problems are far worse than those experienced by the other two services. They are in a league of their own. We must be willing to consider a package of allowances as they affect the Navy separately from the other services. Unless we are willing to acknowledge that the Navy is a special case when we consider boarding school allowances, leave warrants and problems with competitive refits which result in warships being refitted 300 or 400 miles from service men's homes, and acknowledge that the Navy has very different problems with separation, serious problems will continue in the Royal Navy.

At a time when equipment decisions are rightly being made on a centralised basis in the MOD, there is much to be said for getting better value for money if we make decisions on allowances on a decentralised basis which recognises the differences between the three services and the particular problem in the Navy.

My final point about retention relates to social security benefits which, of course, are not an MOD matter. However, they are causing problems and unhappiness disproportionate to the sums involved. Through a series of anomalies which have grown up over the past generation, through a series of different Bills which have failed to state that service in the armed forces is equivalent to service in the United Kingdom, a very unjust situation has developed whereby service men's wives cannot receive the benefits enjoyed by their counterparts in the United Kingdom.

So the wife of someone in the British Army of the Rhine who has paid class 1 national insurance contributions all the way through, and has perhaps done a job for several years in Germany, may find herself unemployed and will then be unable to obtain unemployment benefit. Similarly, the wives of people who come back to the United Kingdom, perhaps after 22 years service—I came across a case recently involving disablement benefit—are told that because their husbands have been working abroad they cannot get any benefit. The sums involved are very small but the disquiet that has been produced within the armed forces is disproportionate.

The common theme in all the points I have made on retention is that the sums of money involved are not large, whereas the sums involved in training replacements are. It would make excellent sense and be better value for money if we were willing to sort out the anomalies and give service men the same deal as civilians by recognising the difference in the nature of their employment. I know that the Government are interested and concerned about this. They have fulfilled in full the pay recommendations of the Armed Forces Pay Review Body every year for 10 years. Their heart is in the right place and we are pushing on an open door. Let us do the little things that make all the difference.

9.1 pm

Mr. Harry Cohen (Leyton): The defence estimates amount to £20 billion this year and will rise to £22 billion next year. All we have had from Conservative Members to justify that are two fictions. The first is that the Soviet Union is rearming, when we all know that the opposite is the case. The second is from a neutral source—the International Institute for Strategic Studies—which states in its definitive annual "Military Balance" that the unilateral Soviet cuts virtually eliminate the surprise attack threat that has for so long concerned NATO planners. Everyone knows that there have been unilateral cuts in the Soviet Union, and there are offers of a great deal more.

The second fiction is the old one of the Soviet threat. It is just a continuation of the old cold war thinking, which

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is that we have to have an enemy to justify our high military spending. People say that there could be political changes in the Soviet Union and things could get worse. However, things could get better. The fact that things could get worse is used as a ratchet for expanding the arms race.

I have news for the Conservative party: things are getting better under President Gorbachev. We have a chance to break through the permanent arms race spiral, and we must take it. The Soviet Union also needs that breakthrough, because of its budget crisis. It needs to move the resources from weaponry to its people. We have the same motivation. The Government's arguments are not adequate to justify the huge expenditure.

A previous Secretary of State for Defence, Sir John Nott, described the Ministry of Defence as

"a huge supertanker, well captained, well engineered, well crewed, its systems continually updated—but with no one ever asking where the hell it is going."

It is about as well captained as the Torrey Canyon or the Titanic. Judging by the Secretary of State's speech, the captaincy is about to get worse.

Sir John Nott was right about the Ministry's poor direction. It has poor direction in terms of its policy on Northern Ireland. I will not go into that in great detail as it is a subject for another occasion. However, 20 years of continuous war is a statement of its poor direction.

It has poor direction in terms of waste and mismanagement. The Ministry of Defence has been incontinent with taxpayers' money. Many examples have been given today. There is the anti-tank gun that does not pierce armour but which costs £300 million. We could talk of other projects, such as the improved United Kingdom air defence ground environment, the cost of which has shot up from £100 million to £500 million-plus. It is still overdue, and the system does not do what the Ministry of Defence thought it would. Worse than that, it is over a barrel to the multinational defence contractors who intend to charge the Ministry of Defence £1 billion-plus if it wants to get its hands on the software. Those are just a few examples.

The real mismanagement is on the nuclear matters, but I shall deal first with conventional forces. The Ministry of Defence has mismanaged those forces because of a late realisation of obvious demographic trends. It failed to make the necessary changes. The new film version of "Henry V" by Kenneth Branagh uses a new substance called vacform. It is a type of plastic which is ideal for shaping into human bodies for the battle scenes. Because of their incompetence over demographic factors, the Government are trying to run a vacform army.

There is widespread dissatisfaction in the armed forces over pay and conditions. There are fewer personnel, but the Ministry of Defence will not reduce any of the commitments. Therefore, the personnel are put under enormous pressure. Personnel, from captains to lower ranks, are leaving in droves. The Government must face reality and reduce our commitment all over the world, particularly in Germany and Ireland.

The conventional armed forces in Europe talks are going on. With our demographic factors, the Government should be enthusiastic about the talks. They should be pushing for the greatest possible reductions. Even if they do not do so, they will happen, because we do not have sufficient manpower. So far there is absolutely no British commitment. We are buying more tanks and aircraft and trying to get the narrowest possible definitions in the talks so that we may reduce as little as possible. A wider definition would mean that the Soviet Union would make even greater cuts. The Government's actions are counter-productive. There is no commitment to reduce the number of troops in Germany, and there is little Government policy on the CFE talks. There is poor direction and waste in terms of nuclear weapons.

Of course, the START talks are welcome. If we can get an agreement, there will be a cut of approximately 50 per cent. There are about 6,000 strategic nuclear arms on each side, which shows the ridiculously high number of nuclear weapons now. There has been no British involvement in the START talks—we have consistently gone the other way. We have said that our capable aircraft must be excluded from the cuts. That was insisted upon by the Government.

We are buying the SRAM stand-off missile from the United States, and there is a big expansion in the free-fall hydrogen bomb. In the 6,000 limit under START, in an aircraft carrying free-fall bombs or short-range missiles, the entire weapon load counts as only one unit. The Government are keen on that, because it is a way of getting around the START agreement even before the ink has dried on the paper.

The same applies to the follow-on to the Lance missile. The Senate Armed Services Committee has said that it might recycle those warheads that were formerly on INF missiles on to the follow-on to Lance and then return to Europe. That is legal under the INF agreement, but it is a way of getting around it, and the Government support the follow-on to Lance.

There is nothing under START to tackle sea-launched cruise missiles—there should be, but the Government have set their face against it. Instead of curtailing sea nukes, Britain's contribution is Trident, which will have about 16 MIRV missiles, each with 14 warheads. If we multiply that figure by the four Tridents, there will be about 896 separate targets or warheads. One Trident skipper can unleash the equivalent of 6,500 Hiroshimas. As well as being terribly dangerous, the project is useless, does not work, and is easily identifiable by radar. Huge ships carry that sort of weapon load, and even the United States is curtailing it.

The Tory policies are a disaster. Conservative Members proclaim their defence policies even though they are a miserable and expensive failure. They are unattuned to world trends, needs and people's desires. All we heard from the chairman of the Conservative party at the Conservative conference last week was a question to Labour:

"At the end of the negotiations will Labour get rid of all Great Britain's nuclear weapons while the Soviet Union retains some of theirs?"

That is the argument that Conservative Members will try to use in the next election. It is a ridiculous question. If we all say that we will keep the last weapon, there will never be any cuts and we will never get rid of the world of nuclear weapons. It also makes the ridiculous assumption that Britain and the Soviet Union are the two nuclear super-powers. Of course, the United States, not Britain, is the nuclear super-power. It is up to the United States and

the Soviet Union to enter negotiations and to give up the last nuclear weapon. Our weapons just get in the way of that process.

A question arises for the Conservatives: if the Soviet Union gets rid of all its nuclear weapons—and that is President Gorbachev's avowed aim for the year 2,000—will the Tories get rid of Britain's nuclear weapons? We have had an answer from the Prime Minister. The answer is no, they will not. They want to keep nuclear weapons forever. They say that we cannot disinvent nuclear weapons. We cannot disinvent gas chambers, either, but we can disavow them.

They say that nuclear weapons have deterred war for the past 40 years, but that is not the case. President Reagan said:

"Nuclear deterrence is too risky to rely on long-term."

How do we deter a nuclear accident from occurring? That was cheap, slick propaganda and I am sure that we shall hear more of it. Tory policy is useless and does nothing to reduce the risk of nuclear catastrophe. On the contrary, Tories proudly proclaim their commitment to rearmament and modernisation regardless of world events.

I support the policy of reducing our defence expenditure to the same percentage of GDP as that in the rest of Europe. That would release over £5 billion per annum for peaceful purposes. We devote 55 per cent. of our research and development spending to military projects. In Japan the figure is only 2·5 per cent. It is no wonder that it is an economic powerhouse while our economy is lurching into crisis. To cut military expenditure is the way to transform our economy, expand our health and welfare services and release resources to tackle poverty, disease, ecological disasters and international debt which racks the world. The Tories do not have the answer. Their priority is more worthless armaments.

9.11 pm

Mr. Roland Boyes (Houghton and Washington): We have had a good first day's debate on the defence estimates. Some hon. Members have expressed long and deeply held views and they are respected for them. We have had speeches from other hon. Members who have campaigned for peace in different ways over many decades. Many points were made with which I fundamentally disagree, but the debate benefited from a series of well-informed speeches. I do not intend to comment on every speech, although I missed only one and a half of them.

We welcome the new initiative of a centre for defence studies. I hope that it will be properly funded so that reports can be prepared without pressure.

As a postgraduate of Bradford university, I took exception to the cheap remarks made by the hon. Member for Colne Valley (Mr. Riddick). I hope that the Secretary of State will mention to him that all hon. Members defend academic freedom.

The Secretary of State commented on the new opportunities for understanding and spoke of the massive reduction and eventual elimination of chemical weapons. He also recognised the professionalisation of the forces. I, too, shall mention that, but in a slightly different way.

Nothing has been said today about the warship programme. Many companies wonder what is happening. I hope that the Minister will speak about it and will have some good news and assurances for us tomorrow.

The hon. Member for Kingswood (Mr. Hayward) is not in his place but my hon. Friend the Member for Clackmannan (Mr. O'Neill) is back. I invited the hon. Gentleman to read the whole speech on conversion instead of the distorted and selected examples from it which he used to make a narrow point. I hope that the Secretary of State will encourage him to do that.

The hon. Member for Glasgow, Govan, (Mr. Sillars) made a long diatribe against the Labour party's policy, not recognising that our policy has changed in response to the change in the international situation. That diatribe was a bit much, coming from the hon. Gentleman. He talked about my right hon. Friend the Member for Islwyn (Mr. Kinnock) making U-turns when, to my knowledge, the hon. Member for Govan has been a member of the Labour party, left that to form another party and ended up in the Scottish National party. I wonder where his career will eventually end. On the strength of the speech he made today, I fancy that I may see him on the Conservative Benches in the near future.

Mr. Sillars: Is not the hon. Gentleman aware that it is much better to change party because of one's principles than to change policy because one has no principles?

Mr. Boyes: One of the most striking things about SDE89—I shall use that acronym instead of saying "defence estimates" every time—is the wealth of evidence that it presents on the failure of this Government's much-vaunted procurement reforms. When Sir Peter Levene was appointed as Chief of Defence Procurement, amid much controversy over his inflated salary and the unconventional method of his appointment, he made reductions in the cost of defence procurement a top policy priority. However, the Government's record on containing the costs of weapons programmes is abysmal.

A brief glance at some naval projects listed in the major project statement in the 1989 document shows that the costs of the type 23 frigate programme have increased by 26 per cent. since last year and planned peak expenditure had been extended by one year to 1993, no doubt presaging further delays and cost increases. The troubled Upholder class diesel submarine is one year later than was predicted last year. The cost of the vertical launch Sea Wolf has risen by a whacking 168 per cent. and that of the sonar 2054 programme is up 29 per cent. on last year.

The Government have also regularly boasted about the number of jobs that defence spending creates in this country. However, as befits a party that has no commitment to maintaining employment levels in any of our key industries, the Government's boasts are hollow, as is shown by the 1989 document. In last year's White Paper the Government claimed that 350,000 jobs were dependent on defence procurement. They do not repeat that claim this year. Why? Well, if one cares to delve deep into the statistical volume of the 1989 White Paper, one finds that the number of jobs dependent on procurement is now only 310,000—11 per cent. lower than last year's figure. In 1979, when the Government first took office, the figure was 400,000. There has been a drop of over 20 per cent. in the seven years covered by the data. So much for Tory support for the defence industries.

This year's White Paper shows that the equipment budget will be only 41 per cent. of total defence spending in the current financial year as against 43 per cent. last year. That is an all-time low since the Government took

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office. With continued pressure to improve salaries and conditions for personnel in the armed forces, Sir Peter will have great difficulty in maintaining even those levels of procurement spending.

At this stage it might be opportune to digress a little to discuss manpower, which many hon. Members have mentioned. The retention of manpower in the armed forces is an area of concern to the Opposition. The 1989 document contains a cautious and typically euphemistic admission that this is an explosive situation, stating:

"Recruitment was more difficult in 1988-89"

and:

"retaining trained manpower has also been more difficult".

Last year's "Statement on the Defence Estimates" showed that premature voluntary release rates in 1987 were 3·1 per cent. for officers and 2·7 per cent. for other ranks. It then pointed out that those levels were

"fairly stable and compare favourably with previous years".

However, the 1989 figures show that the PVR figure rose in 1988 to 3·3 per cent. for all personnel.

Those figures are bad enough, but the figures for applications for PVR show an even greater rise from 1987 to 1988. That means that a lower proportion of those who have applied to leave the services early are being granted release. I hope that the Minister will see that that is a dangerous and short-sighted policy. Simply forcing people to stay on when they do not want to stores up ill feeling and resentment and is highly unlikely to reduce the rates of PVR applications as morale will decline and other personnel will see at first hand that those with grievances are not being dealt with sympathetically.

I am happy to see from the statistics in the 1989 report that the Royal Navy is doing rather better in terms of recruitment and PVR rates than in previous years, but that does not mean that the problems have disappeared. People on press and parliamentary visits to Royal Navy ships and establishments are still being taken aside by commissioned and non-commissioned personnel alike, told that the salaries and conditions are inadequate and urged to do something about it.

I have experienced some aspects of that. During the Richmond by-election, I went round the Catterick camp. I do not know whether action has been taken at that camp recently, but the condition of the houses was quite horrific. They needed much repair and gallons of paint. It is not right that service personnel should have to live in such conditions.

The *Daily Star* of Wednesday 11 October had a full page headed

"The bitter legacy of loyalty."

The article referred to "brave Lynda Lewis" and said that she

"is fighting a desperate battle against the crippling disease multiple sclerosis. Her world is a hospital bed. She is trapped there because of a red tape wrangle which denies her husband the money to pay for her to go into a nursing home. Now the pride that has sustained Staff Sgt. Robert Lewis through 17 years of service is cracking under the strain of watching his wife's pain . . . and a growing feeling of betrayal."

The article also mentions—I shall not go into detail—army wife Sue Brett, who is

"plunged into a social security quagmire."

If the Minister gets hold of this paper, he will see that there are many more complaints.

When my hon. Friends and I were at a NATO meeting with senior military personnel, they talked to us about the problems of holding highly trained, highly skilled staff. The brigadier to whom we were speaking put it to us that there were a variety of reasons why people did not want to stay in the forces. I am sure that the Secretary of State will take an early opportunity to talk to senior military personnel about why there are so many who want to leave the forces at present. The cost of training highly skilled, professional military people and then of losing them so easily shows that the Government should look carefully at why their policies are leading to that position.

The Secretary of State mentioned chemical weapons and the hope of eliminating them. This country has enormous potential to play a positive role in many different areas of arms control. Some of that potential has been apparent in the past in the chemical weapons negotiations, and promising progress has been made. There have been some welcome developments on the Soviet side. At the United Nations last month, the Soviet Foreign Secretary said that he favoured an immediate halt to poison gas production. At the Paris conference in January, he announced that the Soviet Union was beginning to destroy its existing stocks of chemical weapons.

Meanwhile, considerable progress was being made in the negotiations at the conference on disarmament. In August, the Soviet Union met one of the long-standing objections of the United States on verification by agreeing to challenge on-site inspections of suspected chemical weapons facilities before a treaty is signed, not just after it comes into force. This development should have satisfied the Americans and our own Government that it would now be possible to verify the claim of the Soviet Union that the stockpile is only 50,000 tonnes.

Mr. Mates: Untrue.

Mr. Boyes: Technical experts—from who we got our information—appear to be in agreement that the technology exists for proper verification of a comprehensive chemical weapons ban.

President Bush, apparently responding to the allegations that the Soviets are always making the running on arms control, announced last month in his United Nations speech that the United States was prepared to cut 80 per cent. of its chemical warfare stocks, pending completion of the treaty, although binary weapons production would continue until all likely chemical weapon possessor countries had signed a comprehensive treaty. There is a long list of countries that have chemical weapons or have a chemical weapons potential. We all accept that getting some countries, such as Iraq, to sign such a treaty is a serious problem. We all agree that these are obscene weapons. All of us must work as strongly as possible to rid the world of them.

Mr. Sayeed: Like other Conservative Members, I share the aim of eliminating chemical weapons. Can the hon. Gentleman say who these experts are and in what publications we can read such pieces of expertise?

Mr. Boyes: I shall write to the hon. Gentleman.

Amid all the applause that greeted the statement, I was worried, as it implied that the United States would never give up chemical weapons production as long as any country was assessed to be capable of producing chemical weapons.

President Bush's statement was upstaged yet again by the Soviets when the Foreign Secretary announced that the USSR was prepared to give up all its chemical weapons —not just 80 per cent.—pending signature of a treaty. Last week we heard the shattering news that the United States would keep producing chemical weapons even after a treaty was signed. The announcement did not mention whether this was contingent on what other countries were doing.

This point was made in an article printed in *The Guardian* on Tuesday 10 October. It stated:

"Analysts and US officials criticised Mr. Bush's decision, which they said would encourage other countries to match the US effort, contributing to poison gas proliferation."

It is obvious that the 80 per cent. of chemical weapon stocks which the United States says that it will give up will consist entirely of the unitary munitions which the Pentagon has been arguing for years are militarily useless, obsolete, leaking and dangerous. That can hardly be described as an arms control initiative. Now we know that the other 20 per cent., which are currently old unitary weapons, are simply being reserved for the binary weapons which will be produced indefinitely.

President Bush says that he has a strong emotional commitment to ridding the world of chemical weapons. In fact, *The Washington Post* of 21 October quotes him as saying during the campaign for the presidency:

"'If I'm elected president, if I'm remembered for anything, it would be this: a complete and total ban on chemical weapons,' Bush told students at the University of Toledo. 'Their destruction forever. That is my solemn mission.'"

The events of the past couple of weeks contradict what Bush said at that time. I am sure that my feelings are shared by all hon. Members: we all want Presidents Bush and Gorbachev to agree to rid the world of these weapons.

If President Bush wants to be remembered for "a complete and total ban on chemical weapons", he will have to change his mind. As Vice-President, Bush used his tie-breaking vote in the Senate to support the go-ahead on binary weapons production, to which his mother strongly objected. His emotional commitment to chemical weapons is rather stronger than his emotional commitment to banning them.

Let us step back for a moment to consider what possible logic there is for this new United States position. Presumably, the United States thinks that it is necessary to continue producing chemical weapons to deter other possessor countries from using them. Think of the countries who are likely to use chemical weapons, such as Iran and Iraq. For the most part, they do not enter into direct combat with the United States of America—certainly not the sort of mass land combat which lends itself to the use of chemical weapons.

If the fact that the United States currently possesses chemical weapons did not deter Iran and Iraq from using those weapons, how can it be any different in future? If the United States' stockpile of chemical weapons does not work as a deterrent merely by its existence, we can only assume that a deterrent effect can be achieved only by demonstration and use of the weapons; but not even the most rabid anti-American would accuse them of being so stupid as to use chemical weapons against a country that had not used chemical weapons against United States troops or citizens.

President Bush has become a hostage to the strong pro-chemical lobby inside the Pentagon. There is no logic to its position. It is simply composed of people who have built their careers on chemical weapons. We must be positive, even in the face of such depressing developments from our principal ally.

I pay tribute to the fine work done by our own negotiators in Geneva on a convention to ban chemical weapons. I appeal to the Government to make it known to President Bush that Britain does not support his commitment to the continued production of chemical weapons. I hope that when he next speaks to his United States counterpart the Minister will make it clear that this latest United States announcement will make nonsense of any chemical weapons convention, as it will encourage many more countries to start building chemical weapons before a treaty comes into force, quite apart from the effect it will have on the Soviet attitude towards the Geneva talks.

The new US policy on chemical arms control will be a major test of our Government's seriousness about a negotiated disarmament. We should either make it plain to the Americans that we are serious about ridding the world of these insidious weapons, or we should throw away any potential we have to influence positively world events.

I wish to raise a significant question, which arises from the 1989 "Statement on the Defence Estimates", about the role of the Royal Navy's Polaris submarines. Over the years there have been a number of statements by Ministers and officials to the effect that no Polaris submarine has ever been detected or tracked when on patrol. They have always created the impression that Polaris operates in an entirely independent and self-reliant manner, using stealth to avoid detection rather than relying on other systems such as aircraft and hunter-killer submarines to provide anti-submarine cover.

In the 1988 "Statement on the Defence Estimates", however, a new role appeared for the Royal Navy—the deployment of our strategic deterrent. This year, that role appears as the first of the Navy's three tasks, in front of the containment of the Soviet northern fleet and the protection of reinforcement shipping. This is an amazing revelation: Polaris is not self-reliant at all, but requires a major effort by Royal Navy and Royal Air Force units to protect it.

Since this is now stated officially in the "Statements on the Defence Estimates", will the Minister tell us what level of resources is being expended on the protection of Polaris submarines on patrol? If has been a convention that the cost of Britain's strategic nuclear forces is limited to the capital and operating costs of the Polaris and Trident fleets. It now seems that we should add some of the costs of anti-submarine patrols by ships, aircraft and other submarines, including perhaps part of the capital cost of building some of these vessels.

Does the Minister recognise that this is a fundamental issue? The Minister should explain to the House why the role of protecting the deployment of our strategic deterrent has never been mentioned in the annual "Statements on the Defence Estimates" until 1988, but is now the first of three roles played by our maritime forces. Has Soviet open-ocean anti-submarine warfare suddenly advanced strategically in complete contradiction of US intelligence evidence, which suggests that it has not? Have the hundreds of millions of pounds that have been spent on Polaris refits in recent years failed to produce a vessel that can operate independently and without fear of detection?

The Secretary of State's speech was confused, contradictory and lacking in essential detail. He ignored the big issues, such as Ferranti and the new frigates.

Mr. Tom King: I dealt with Ferranti.

Mr. Boyes: Only when he was pressed on it did the Secretary of State——

Mr. O'Neill: After.

Mr. Boyes: Only after he was pressed did the Secretary of State volunteer anything on Ferranti. We have been told nothing about the new frigate programme, and I hope that the nodding of the head of the Minister of State for Defence Procurement means that we shall have an important announcement tomorrow.

In the struggle for peace, it is clear that only the Labour party has the strategy, the will and the policies that will allow our generation to pass on the earth to its children. That is why it is essential that we rid ourselves of the Government; and, according to the opinion polls, we are well on the way to achieving that objective.

9.36 pm

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. Michael Neubert): After three months of the summer recess, and even longer since our last extended debate on the subject, after the rapid, not to say dramatic, developments in East-West relations and after the extraordinary public outpourings of popular feeling in eastern Europe and beyond, it is no surprise that today's discussion has ranged widely over issues of more than usual interest and topicality. In the time that is allotted to me, I shall try to comment on a number, although not all, of the points that have been made today. I shall also make some comments of my own.

I am sure that the hon. Member for Houghton and Washington (Mr. Boyes) knows that the policy issue of frigates and warships will be taken up tomorrow by my hon. Friend the Minister of State for Defence Procurement if he catches your eye, Mr. Speaker.

Since we last met, my responsibilities have changed. In a widely unpublicised postscript to the Government reshuffle, I have moved across the Ministry of Defence to become the Under-Secretary of State for Defence Procurement. My hon. Friend the Member for Plymouth, Sutton (Mr. Clark) the Minister of State, will deal with the full range of our present projects for all three services and procurement policies in general, and points appertaining to them that have arisen today, when he opens the second day of the debate tomorrow.

I shall draw attention to the equally important work going on within the MOD to improve cost-effectiveness and efficiency in the conduct of our business. My right hon. Friend the Secretary of State highlighted some of the main features of this. He gave the broad picture. If the Chamber of the House of Commons were to be compared with the Sistine chapel, he would be Michaelangelo and I would be some dauber in the dark corners. However, I hope to add something to the report to the House that we are making today.

Before I do so, I shall return to the subject of housing, which preoccupied me in my previous armed forces post. In the debate on the Army held earlier this year, I described the assistance that we provide to service men who wish to become home owners and I know that this is a topic of interest and concern to many hon. Members, most especially my hon. Friend the Member for Canterbury (Mr. Brazier), who has made this his subject. The hon. Member for Clackmannan (Mr. O'Neill) is now trailing behind my hon. Friend in his enthusiasm for the subject.

It can be argued, and rightly, that, provided that the pay and allowances of service men are comparable with those in civilian employment, they are as well placed as any to enter the housing market. The measures that I described then recognise that many service men have bought and will continue to buy their own homes. However, there is no doubt that, because of the mobility that we require of our service families, particularly in the Army, the service would-be home owner may face practical and financial difficulties that his civilian counterpart generally does not. Of particular concern is the position of the long-serving service man, who finds towards the end of his engagement that the council house that he might have been assuming would be available is not and that he is not easily able to afford a decent family home.

I told the House earlier in the year that one idea which we were actively considering was the establishment of a scheme involving a housing association or associations. I am glad to say that we have now carried that work forward to the point at which we have decided in principle on the outline of a trial scheme and we are about to get down to the detailed work with housing associations. Our aim is for the trial scheme to offer about 60 to 70 homes, with flexible arrangements to buy and/or rent, which will be targeted at longer serving Army NCOs.

I would not suggest that this one step alone will have a huge impact, and not until we are able to evaluate the success of the trial shall we be in a position to decide whether, and if so how, we might take it further. I hope that hon. Members will take this as a demonstration of the importance we attach to this issue and our willingness to explore new approaches.

Mr. Brazier: I am certain that hon. Members on both sides of the House will welcome the fact that the Ministry of Defence is taking a modest step towards trying to do something about the social problem of those who find at the end of their service that they are homeless. However, even if it were to provide several thousand houses, they would be rapidly filled. The problem of those who have already left has nothing to do with the principal problem of premature voluntary release, which is offering a man who joins the services now, or who has joined recently, an alternative to house purchase as a route to owning his own home at the end of his service. As Field Marshal Lord Bramall said in the other place in July, premature purchase of a house leads all too often to PVR. I put it to my hon. Friend the Minister, as he knows only too well, that tax changes will be required if such a scheme is to be attractive.

Mr. Neubert: The scheme is proposed as only one contribution to a range of possibilities for helping serving men and women provide their own housing. It is not intended to answer all the questions that my hon. Friend constantly puts before us.

My hon. Friend the Member for Hampshire, East (Mr. Mates) expressed concern about the application of the community charge to service men. When I first came into post in December 1988, it was a letter to him on this subject that was among my first duties. It is a complex matter that is perhaps not easily discussed on the Floor of the House. My hon. Friend's point is taken, but the decision had been made. It is one that involves shielding

the serving man and woman from the worst excesses of high-spending local authorities by reason of the requirement for mobility and location in such authorities without removing the general principle of accountability, which is the purpose of the scheme.

My hon. Friend the Member for Hampshire, East is concerned also about shortage of civilian staff. In this he was joined by the hon. Member for Blaydon (Mr. McWilliam). It is true that shortages cause delay in the day-to-day business and lead to slippage in equipment programmes. In response, we redeploy resources to meet urgent needs. Our remedies have been outlined in the report of the Select Committee on Defence. Perhaps the Committee did not give sufficient credit to us for our initiative, which we hope will bear fruit.

I turn to the recurrent theme of value for money. In his opening speech, my right hon. Friend the Secretary of State touched on our *New Management Strategy for Defence*. This has profound implications for the way that the Department is run, and I should like to say a little more about its history, and about what we aim to achieve.

As the White Paper notes, this is the 25th anniversary of the unified Ministry of Defence. A succession of important organisational changes have followed to reinforce this unification, so that corporate decisions on policy, priorities and on resource allocation are taken within a common defence framework.

This process of reinforcing the centre was consolidated in the reorganisation initiated by my right hon. Friend, the Member for Henley (Mr. Heseltine) in 1985, under which the responsibility for advising Ministers on the future size and shape of the armed forces was passed to a centralised defence staff, and an Office of Management and Budget. But the 1985 reorganisation had a second and no less vital purpose: to create the framework for the decentralisation of responsibility for day-to-day management of the defence resources allocated. In short, this means the maximum delegation of management authority, down clear lines of accountability to commands and outstations.

This last aim—delegation—has been on the agenda for some time. As long ago as 1901, the Esher committee complained that, to use its words,

"the entire system of War Office finance . . . is based on the assumption that all military Officers are necessarily spendthrifts, and that their actions must be controlled . . . in detail by civilians".

Responsibility for managing resources on the ground remains strictly separated from financial control of those resources. As a result, although our present systems of financial control are relatively cheap and effective , they can stultify managerial initiative. As a result of our reforms, the conditions are now ripe to put that right, and thereby to provide the means of releasing the energies and abilities of managers, both military and civilian, who are close enough to the action to know what drives the costs, but who, hitherto, have been shackled in performing their tasks by the remote system of financial control and by over-detailed instruction and direction from above.

That, then, is where the new management strategy comes in—to provide a framework within which financial responsibility can be more closely aligned with executive authority, to delegate day-to-day management and, therefore, to complete the design that was outlined in the 1985 reorganisation. The ultimate aim is much more efficient management of our operating costs to ensure that we can continue to afford the defence that the nation needs and the necessary investment in vital new equipments.

I shall not go into great detail about the mechanics of the NMS, some of the detail of which is set out in the Defence Committee's perceptive report. It is gratifying that it welcomes the strategy. Broadly, we intend to achieve our aim through a threefold programme. First, we will allow our managers new ways of managing. Our new system of budgets, delegated throughout the Department, is aligned closely with the command and management structure itself. Line managers will be given considerable flexibility to decide for themselves how best to achieve their tasks, thereby making the best use of their ability, energy and initiative. That offers real freedom to our managers to get on with their jobs, unfettered by needless control. As the Defence Committee has recognised in its report, effective delegation will be crucial for the new management strategy's success.

Secondly, we will give managers the necessary technical assistance. That will include the system of budgets that I have already mentioned; a new and more systematic system of planning under which objectives are made clear; targets for achievement set through management plans that define managers' objectives; and advanced management information systems.

Thirdly, there will be new structures—and here I am referring to the establishment of the defence support agencies that my right hon. Friend announced in his speech this afternoon. That will not lead, as the hon. Member for Clackmannan suggested, to privatising apprenticeships in the armed forces. The support agencies will remain within the Ministry of Defence, and they will be discrete bodies within the organisation. That will allow us to reap the benefits of the Government's "next steps" initiative, while recognising the particular circumstances of defence.

Our organisations are highly interdependent because, ultimately, we have—to use the jargon—a single output, the defence of the realm. The concept of defence support agencies will ensure that the organisations continue to be regarded as integral to the fabric of defence, not least because of their roles under operational circumstances within the chain of command.

Mr. O'Neill: That point was recently put to me by some members of the defence unions who were concerned about their career prospects. They believe that, having been civil servants with the Ministry of Defence, if they continue to be employed they will become the employees of agencies that will be responsible for the training of young soldiers doing service apprenticeships within the armed forces. Can the Minister confirm that that is what will happen, because I understand that it is now the subject of negotiation with the trade unions?

Mr. Neubert: Yes, and that is where it should rest for the moment. These are new proposals and we have other proposals. It is important that they should not be confused and that each should be taken on its own.

In addition to a wide range of defence support agencies we are, of course, proceeding with our plans to turn into full "next steps" agencies the two major candidates that we identified shortly after the publication of Sir Robin Ibbs's report—the Meteorological Office and the non-nuclear research establishments.

[Mr. Neubert]

As the House will be aware, I announced recently that the Meteorological Office will assume executive agency status in April 1990.

The Meteorological Office already has worldwide renown for its contribution towards meteorological and environmental matters. It is well known to millions, but not everyone is aware that it is in fact part of the Ministry of Defence. Of those associated with the Ministry of Defence, the television weather forecasters are probably the best known and the most popular—present ministerial company excepted.

The Meteorological Office is part of the Ministry of Defence because much of its work involves direct support of all three services, a role which would become particularly crucial in wartime when weather conditions can be of vital operational importance. Therefore, we have decided that the new agency will remain within the ambit of the Ministry of Defence.

Nevertheless, I am anxious that the Meteorological Office should have every opportunity, within that necessary constraint, to manage its own affairs. It will have a new charter, and we will give it peformance targets to encourage a new management approach and to stimulate greater flexibility and openness toward commercial opportunities. I intend that the Meteorological Office should, as necessary, recruit business and commercial talent from outside. That will complement the unique scientific expertise that the Meteorological Office already had.

Our aim in establishing the Meteorological Office as an agency is to improve its management and commercial skills, while retaining the high technical and scientific standards that have placed it as a front runner in its field. This will provide a better service for all its customers, civil and military, and give the Ministry of Defence better value for the operating costs of the Meteorological Office, which amount to some £80 million a year.

The House will recall the announcement on 16 March this year by my predecessor, my hon. Friend the Member for Hove (Mr. Sainsbury), of the Government's intention to establish a defence research agency, made up of the four principal defence non-nuclear research establishments. Those are the Admiralty Research Establishment, the Royal Aerospace Establishment, The Royal Armament Research and Development Establishment and the Royal Signals and Radar Establishment. The Atomic Weapons Establishment will not be included, but we are considering whether other areas within the Ministry of Defence, such as test and evaluation facilities, should also form part of the agency.

We have appointed a chief executive designate, through open competition, to manage the four establishments that will make up the DRA and to prepare the organisation for agency status. Detailed work, of which there is a great deal, is now well under way.

Our aim in establishing the agency is again to get better value for money from our expenditure on defence research and project support. We see this being achieved by a sharpened customer-supplier relationship, and by allowing the establishments greater freedom to manage their resources in response to changing customer requirements. The DRA's primary function will continue to be providing the Ministry of Defence with technological support and independent advice. But we will encourage it to widen its customer base, so as to make the best possible use of its intellectual and physical resources. At the same time, it will be very important to maintain the confidence of industry and of our international partners in the impartiality and commercial confidentiality of the agency.

Our intention remains to establish the Defence Research Agency within the public sector, as the hon. Member for Clackmannan noted. I hope to be able to clarify its precise status and composition by the end of the year. Target vesting day is in the spring of 1991.

Let me deal now with a particular management initiative which has saved the Ministry of Defence many millions of pounds over the last ten years, and that is contracting out or "contractorisation".

It is by now a well established principle that the Ministry of Defence should transfer to the private sector any work that does not need to be retained in-house for operational reasons, provided, of course, that it is in the taxpayers' interests to do so.

In recent years, we have extended what we call the "market testing" of defence support services, from the traditional areas—such as cleaning, catering and ground maintenance—to the less obvious, such as range operation, bird control at RAF stations, and the management of aircraft storage. We are also now looking at a new development—facilities management—which would involve larger, all-embracing, support contracts, whereby one contractor would be responsible for providing a whole range of support services at an establishment.

I should point out here that market testing does not, as is often claimed, automatically lead to a task being contracted out. In some cases the mere discipline of subjecting activities to competition has achieved considerable economies in the in-house operation, so making it cheaper and more cost-effective than the private sector. Nor is cost the only consideration.

Nevertheless, we reckon that, since 1979, contracting out defence services has made net savings that now run at some £50 million a year. The MOD is recognised as a leader in that field within Government. It handled about 70 per cent. of all market testing done by Government Departments in the last financial year.

Whilst it is obviously important that we obtain the best value for money in managing the defence budget, we do not, and must not, allow that to override the operational needs of the services. In looking at what tasks might be contracted out, we give full weight to operational needs, and we accept that many tasks must, for operational or security reasons, be performed in-house.

The terrible events at Deal last month have caused some people to suggest that we have gone too far in putting security tasks out to the private sector, but it would be wise not to rush into hasty judgments and to wait until our examination of the circumstances surrounding this incident is complete. Even if we decided that, for the future, the use of contract security personnel should be restricted that is only one small part of our support activities. There will still be many other areas in which contracting out—provided that it meets the operational and security criteria—will offer a highly effective means of making the defence budget go further.

To answer the hon. Member for Clackmannan, this matter was raised by the husband of the hon. Member for Peckham (Ms. Harman) at the joint Whitley council. I was

sorry to disappoint him, but I had to say that as far as contractorisation was concerned, each proposal was considered on its merits, and the concerns that he voiced at that meeting and which have been voiced here today are properly part of that consideration. A review was under way but even while it was under way I could give no guarantee that proposals for contractorising services over a wide range of options would not be implemented. It would be wise, as I said before, not to rush to judgment on matters whose circumstances we cannot know. We would do better to await the outcome of the inquiry.

Mr. McWilliam: I do not wish to rush the Minister over any fences, but I wonder how he can tell the House that, in the face of the fact that the private security company at Deal had been sacked by another Government Department. It seems that the Minister has been singularly badly advised when constructing this part of his speech; perhaps a little less complacency would be in order.

Mr. Neubert: There is no complacency: there is simply the need to establish the facts. I recommend, as I recommended to the husband of the hon. Member for Peckham, that the hon. Gentleman wait for the facts. However, I realise that my answers were not to be allowed to get in the way of a good press release by her husband. It is instructive that the story appeared only in *The Guardian* and the *Morning Star*, and if the hon. Gentleman wants to be better informed in future he might stick to the serious papers.

My right hon. Friend challenged the Opposition spokesman to tell us whether the motion carried so overwhelmingly at Brighton by the Labour party conference represented Labour party policy. He was told in answer that it would not appear in the party manifesto. I invite the hon. Gentleman to reconsider his response. Are we to believe that a decision taken on behalf of 4 million people at a Labour party conference——

Mr. Boyes: The same question again.

Mr. Neubert: Everyone is asking the same question because that is the question that we want answered. Are we to believe that this is not Labour party policy——

Mr. O'Neill: I am grateful to the Minister for giving me the opportunity once again to explain this to him. It seems that I must do so to each Minister individually. The motions passed at the Labour party conference are of differing significance—*[Interruption.]*—and the resolution which was passed without the need for counting, supporting the Labour party's document on foreign affairs and defence, will form the basis of the Labour party's election manifesto. What appears on the Order Paper is of no relevance to what will appear in our manifesto.

Mr. Neubert: We are being asked to believe that the Labour party—that great democratic institution, as Labour Members present it to us, despite their block vote —when faced with a decision of conference by an overwhelming majority of two to one, gives as its answer the classical two fingers. But is that the truth?

We have here the longest amendment I have ever seen from an official Opposition. It is what I would describe as densely worded. It is an impenetrable thicket, no doubt to dissuade anybody from reading through it, but I am charged with some responsibility for the nation's defence so I have struggled through it.

In line 4, the amendment calls for the Government to, "undertake a Review". We know what that means in Labour party terms. It means a substantial reduction in expenditure. The Opposition would go on to examine the allocation of resources which could be released for social and economic purposes. That is what the official amendment says, but if we want to understand what it means, we should turn to the unofficial amendment in the name of the right hon. Member for Chesterfield (Mr. Benn) and his hon. Friends.

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

Community Charge (Isle of Wight)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

10 pm

Mr. Barry Field (Isle of Wight): I thank you, Mr. Speaker, for granting me the opportunity of placing before the House tonight the arguments set out in a document entitled "An Island Apart", which seeks to identify the cost of severance by sea for the Isle of Wight. But before I do so, I thank my hon. Friend the Under-Secretary of State for coming along to reply to tonight's debate and congratulate him on the news that his wife is expecting their first baby. I am sure that everyone hopes that he or she will be a Chope off the old block.

My hon. Friend is, of course, a near neighbour, representing a Southampton constituency. I should like to place on record the considerable assistance that he has given me, particularly in the correspondence we have had about the planning considerations for the Isle of Wight's terminal at Portsmouth, Southampton and Lymington, especially as some of them appear to be under pressure for redevelopment.

I am also glad that my hon. Friend will have the opportunity of replying to tonight's debate, because, like me, he has enjoyed the privilege and pleasure of serving as a local councillor before his election to the House. I know that that knowledge will bring a special understanding and comprehension of the island's problems.

The document "An Island Apart" was prepared in January 1989 and was submitted to my hon. Friend the Under-Secretary of State together with a personal letter from me.

I should like to pay a particular tribute to the retired county treasurer, Don Tuck, who worked so hard on the document and who has led successive delegations to Whitehall. It is worth recalling that in 1978 he obtained the agreement of the Department of the Environment statisticians that special costs did exist, and the then Secretary of State was prepared to do something to compensate for those costs, provided that the Association of County Councils agreed. However, it has always been the policy—in my opinion it is never likely to alter—that the Association of County Councils will not support one individual member in its submission to the Department of the Environment for a special case.

My hon. Friend will see that on page 6 of the document we seek to set out the additional costs that are borne by the island. They include £821,000 for the fire service; £547,000 for waste disposal; £155,000 for further education; £27,000 for vehicles and plant; and the impact of the three prisons on the magistrates courts, which is £95,000. That makes a total of £1,266,000 and, as my hon. Friend will be aware, the Isle of Wight is the smallest county council in England.

As an illustration of the difficulty of obtaining economies of scale, I always use the comparison of staff. Hampshire county council has 52,000 employees, and the Isle of Wight county council has 4,121. From that, I hope that it can be seen immediately that a difference of just £10,000 has a substantial impact on the Isle of Wight county council budget, whereas it takes several millions of pounds for it to be felt on other county councils.

The most easily understood problem facing the island is the need for our fire service to be self-sufficient. All fire services in the United Kingdom rely on adjoining authorities to give them back-up facilities in the event of a major disaster or fire, but it is fairly obvious that one cannot make a 999 call on the Isle of Wight and expect the fire engine to catch the next ferry from Hampshire.

I understand that the Home Office had confirmed to the Department of the Environment that it is impossible for us to run a smaller or more efficient fire service than that which we currently operate. My hon. Friend the Minister will therefore be able to see that the overspending that is shown up by the methodology under the existing system conspires heavily against the Isle of Wight.

Because of the sensitive nature of the aquifer and the fact that the island is not self-sufficient in drinking water at peak times, more than 25 per cent. of our water supply must be piped in from the mainland. That means that the water catchment areas on the island are exceptionally sensitive, which leaves us little space in which to dispose of our household refuse. The problems that are being created by an endeavour to solve this difficulty with a waste-derived fuel plant currently appear to be compounding our financial difficulties rather than assisting them.

It will not have escaped my hon. Friend's eagle eye that the controlling group on the Isle of Wight county council is the Social and Liberal Democratic party. I am sure that my hon. Friend and his advisers would wish to know that I have made it crystal clear to the county council that I do not believe that it can simply be left to me to plead in Parliament the case for the Isle of Wight as a unique authority that deserves similar treatment to the only other island that is administered by the English Civil Service —the Scilly Isles—where a special factor called D2 is currently applied to its finances.

That same uniqueness, if I may use such a non-word, must bring a positive response from the county council to ensure that it considers every service, every function and every facility provided by county hall, and to ensure that, as England's Lilliputian county council, every facet of its work is justified and necessary.

My challenge to the county council will, I sincerely hope, reassure my hon. Friend that, in pleading on behalf of everyone on the Isle of Wight for some assistance under the proposed needs assessment area cost adjustments, there should be a special adjustment for our island in the community charge financial regulations.

On Monday of this week, a public meeting was held on the island organised by the Cowes governors support group, at which I and representatives of the county council answered question from a large audience about the island's finances. I made it quite clear that we must see a positive response from the county council to fine-tooth-comb all its functions. I believe that we received a positive response to that challenge at that meeting. I hope that in reply my hon. Friend will say that my submission—that the message that the island's largest local authority must provide a policy of value for money—has been received and understood, and I hope that it will be acted on.

However, that will still not provide us in any shape or form with the level of finances that we need to run our island services. Will my hon. Friend the Minister comment on the constitutional point, in endeavouring to reach a decision with his ministerial advisers, on the difficulty in which he and they find themselves in favouring one authority, particularly as it is generally accepted that, in the distribution of local authority finance, Ministers take

the advice of the Civil Service and the distribution of finance must be seen to have been applied fairly to all authorities.

I sincerely hope that my hon. Friend can reassure me that, because the precedent has already been established for the Scilly Isles, there will be no constitutional difficulty perceived by his permanent under-secretary or by his other ministerial advisers in ensuring that the island is once and for all legislated into the regulations—so to speak.

I appreciate that the effect of safety netting and the announcement made by my hon. Friend the Minister for Local Government and Inner Cities during the Conservative party conference last week will have some effect on the island and that it is possibly too early to give the House any precise information about how safety netting will assist us.

I want to draw the attention of my hon. Friend the Minister to the fact that, under the grant-related expenditure system, we are already the most heavily safety-netted authority in England. When the Association of County Councils put forward a recommendation to the Department of the Environment that safety netting should be abolished, my council and one other county council would have been very seriously hit if my right hon. Friend the Secretary of State had accepted its suggestion.

My hon. Friend the Minister is aware that the Isle of Wight is the largest water-metering test area in the United Kingdom, and that 53,000 meters are being fitted. There is absolutely no doubt that that will have an impact on households with young families. There is concern that the experimental tariff may have been set at a rather high level. My hon. Friend the Minister will be aware that the island has already received a ministerial assurance in this House that the tariff will be reviewed once the data are available.

The additional papers submitted to "An Island Apart" as a result of the visit of my hon. Friend the Minister for Local Government and Inner Cities to the island on 19 April, contain additional information requested by the Minister in support of "An Island Apart". They set out the impact on the island of the dislocation from the mainland and the additional costs of providing local authority services to the average island family. I particularly draw the attention of my hon. Friend the Minister to page 38 of "Regional Trends 23", the 1988 edition, which gives the average full-time male weekly wage on the island as £192·60, compared with £230·16 for the outer south-east.

The average income per head on the island is significantly lower than on the mainland due to the large proportion of pensioners in the island population. The Audit Commission report on urban deprivation gives us a Z score of plus 0·4 per cent. compared with the family average of minus 1·3 per cent. The 1989-90 Green Book shows that the figures for GRE for housing benefit for the two island boroughs averaged 21 per cent. more per head of the total population compared with all English shire districts. The major cause of the variation is attributable to rent allowances paid to private sector tenants. It can therefore be said that the average island family has a higher cost of living and a lower wage level than their mainland counterparts.

My hon. Friend will be aware that the figures were prepared before the last public sector wage awards of more than 8 per cent. for the National and Local Government Officers Association and more than 7 per cent. for the teaching professions, both of which are well above any increase in earnings in the private sector on the island.

I have just completed a tour of several factories and large employers, and in no case did I find any island employer increasing wage rates to anything like those levels. In practically all cases, they were involved in further cost-cutting exercises. Therefore, the island's community charge payers are placed in the nutcracker between nationally negotiated pay awards for public sector employees, the lack of economy of scale, and the particular difficulties, highlighted in "An Island Apart", of running England's smallest county council on the one hand and having a low wage economy with the additional costs of basis necessities as a result of our dislocation from the mainland on the other hand.

I hope that, having briefly set out to my hon. Friend the problems facing the island in the provision of basic and essential services, he will accept that the Isle of Wight has a case and that he will assure me that he and his advisers will give the island's case the most careful and detailed scrutiny before reaching a decision.

10.16 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): I thank my hon. Friend the Member for Isle of Wight (Mr. Field) for the kind words that he included in his speech. I have known my hon. Friend for some time—since before he became a Member of Parliament. I am obviously familiar with many of the problems of the Isle of Wight because of the proximity of my constituency.

I congratulate my hon. Friend on securing this debate and on the clear way in which he put forward the case for his constituents on the island. Having served as a county councillor on the island, he has a deep knowledge and understanding of the issues and is a persistent and energetic advocate on behalf of his constituents. He persuaded the Minister of Agriculture, Fisheries and Food, my right hon. Friend the member for Suffolk, Coastal (Mr. Gummer), to visit the island earlier this year. My hon. Friend has frequently visited my Department in Marsham street, and he is also a persistent letter writer. Whatever else can be said, it cannot be said that his constituents' case goes by default. My hon. Friend is very assiduous in his work.

The points that my hon. Friend has made this evening show a concern about the new grant arrangements which will come into place next April as part of the reform of local government finance. As my hon. Friend knows, the community charge will be a much fairer system than the system of domestic rates which it replaces. The community charge will have to meet only about one quarter of the total costs of local authorities. The Government will continue to provide substantial support for local government services through Exchequer grants, as now.

The Secretary of State for Trade and Industry, my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley), when he made his announcement in July, said that central Government support for local authorities in England for 1990-91 should be £23·1 billion, including the yield from business rates, which is 8·5 per cent. more than this year on a comparable basis. In addition, about £2 billion will be paid in rebates and income-related benefits to help poorer charge payers. We have also announced a scheme to help certain individuals who might otherwise lose significantly from the move to the community charge.

[Mr. Christopher Chope]

The new grant system is intended to be simpler and more straightforward than the existing arrangements. The key principle will be to ensure that if each local authority spends to provide a standard level of service the community charge can be set at the same level—the national norm—which will be about £275 for 1990-91. That is before taking account of the transitional arrangements. There will then be a clear accountability between each authority's spending levels and the level of the community charge. That accountability is at the heart of the reforms.

To achieve that general principle, the Government are working out for each authority what it should cost to provide a standard level of service, taking account of the particular characteristics of that area. Obviously the more pupils there are in an area, for example, the more it will cost to provide an education service to any given standard. Similarly, an area with a high population of elderly residents is likely to require a higher level of expenditure on social services than an otherwise similar authority. This assessment is known as the standard spending assessment. An SSA will be calculated for each local authority. It will reflect a range of factors, such as the population, the mileage of roads which have to be maintained, number of school pupils who have to be educated, and other factors which affect the amount which needs to be spent on local services.

To make such an assessment of the cost of providing a standard level of service for authorities up and down the country facing a tremendous variety of circumstances is, I readily accept, not an easy task. We are committed, however, to ensuring that these new standard spending asessments should be simpler and easier to understand than the existing arrangements.

We are also committed to producing assessments which treat every authority fairly and properly. To do this we need to devise a means of assessment which is based on applying the same calculation for each authority using information which has been assembled and verified on the same basis for all authorities in the country.

There are, of course, many ways in which these assessments can be approached. A great deal of work has been done over the past few years considering the various possible methods. This work has intensified since last December, during which time officials from my Department have been discussing with officials of the local authority associations detailed options for individual services. A large number of papers have been prepared, and a large number of meetings have been held. My right hon. Friend the Secretary of State and I discussed the results of this work with the leaders of the local authority associations at the end of last month in the consultative council. We have had many letters from hon. Members and local authorities, including letters from my hon. Friend. All these letters have put forward points of great concern to the individual authorities and they are all carefully considered, as will be the remarks of my hon. Friend.

We shall be reaching final decisions shortly, and making our proposals known when we consult the associations about the amount of grant for next year early in November. My hon. Friend has therefore got his timing exactly right in initiating this debate tonight. The final proposals will be set out in a report to be debated in the House in January.

My hon. Friend has referred to the paper "An Island Apart" which he sent to the Department in February on behalf of the three local authorities on the island. It sets out the case for special treatment, reflecting the particular circumstances of the island.

As my hon. Friend has made clear, the Isle of Wight is the smallest of the shire counties—indeed, it is only about a third of the size of the next smallest in terms of population, which is Northumberland. It is also smaller than any of the London boroughs. In addition, the county is separated from mainland Britain by the Solent, which increases transport costs and makes it more difficult for the fire service, for example, to rely on mutual support from neighbouring authorities.

"An Island Apart" suggested that these two factors—the small size and the separation from mainland Britain—meant that the cost of providing local authority services to any given standard would be higher on the island than elsewhere. My hon. Friend developed that argument in detail, and gave particular examples. The report suggested that "insularity" forced the councils to spend a total of £4·6 million a year extra. He has therefore suggested that, in the methodology for calculating standard spending assessments, there should be a specific recognition of this factor.

My hon. Friend has suggested that proper account should be taken of the age profile of residents of the island. He is quite right. Standard spending assessments should and will take account of the proportion of the population which is elderly and the proportion of children in the area in assessing an authority's requirement for spending on social services. This will be so not just for the Isle of Wight, but for all authorities in the country.

My hon. Friend has also spelled out in some detail the range of incomes of people on the island. However, this is not a relevant factor to consider in relation to appropriate spending levels. The new community charge system is specifically moving away from any consideration of local resources whether they be measured by rateable values or by incomes. This is one of the ways in which our new proposals are seen to be fairer than the existing rating system. In terms of the provision of local authority services, many of which have a high labour content, low incomes would serve to reduce costs.

My hon. Friend has said that there is a problem with nationally negotiated wage deals, but it is possible for local authorities to take an independent line. It is also possible for local authorities to contract out more of their services and to invite more competitive tenders. If they invite competitive tenders, they should find that the tenders reflect more accurately local labour costs rather than national salary levels negotiated on a national basis by the national associations.

Mr. Barry Field: My hon. Friend will be aware that more than 60 per cent. of the county council's budget is spent on education. I understood that it was Government policy that education was to be centrally resourced and that it was of a national standard.

Mr. Chope: Certainly we want to maintain national standards of education, but that does not mean that the cost of running schools in every part of the country will be

identical. We know that many of the ancillary staff employed in the schools service have wage rates that differ substantially from one part of the country to another. That is an example of how, even within the education service, one should be able to get a better deal if one is operating in an area where wages are lower.

As my hon. Friend explained, there has always been special treatment for the Isles of Scilly, but that is a very extreme case. The population of the Isles of Scilly is less than 2,000, less than one fiftieth of the population of the Isle of Wight. It does not necessarily follow that the Isle of Wight and the Isles of Scilly should be treated in the same way.

"An Island Apart" was discussed at meetings between the Department and the associations as part of the general consideration of the area cost adjustment which is included in the standard spending assessment calculation. I have to say that representatives of the Association of County Councils and of the Association of District Councils were not convinced of the case for giving special treatment to the island. Their view was that the problems faced by the island were not significantly different from those faced by some other authorities.

Communications with the island, for example, are not necessarily more difficult than communications between, say, Cornwall or Cumbria and the rest of England. Some people in Cornwall say that Cornwall is an island because it is separated from the mainland by the river Tamar. Equally, the extent to which authorities can look to their neighbours for support varies across the country. Counties with long coastlines or estuaries that split the county may face problems similar to those of the island, but, as I have said, we shall be considering all those arguments carefully before we reach our final decisions.

We shall certainly be reflecting in the standard spending assessments the fact that in some areas it costs more to provide services. We have in mind the fact that wage rates in London are higher than those elsewhere and that it necessarily costs London authorities more to recruit and retain staff. If we go for an area cost adjustment that includes all of the south-east, the Isle of Wight, notwithstanding its relative low-wage economy, will benefit from such a cost adjustment. The issue is whether we go further than that and decide that the position of the island is so different from that of other authorities—each of which believes that it circumstances deserve exceptional treatment—that a special factor is required.

To answer my hon. Friend's specific question, there is no constitutional bar to giving the Isle of Wight an area cost adjustment if it is justified on the merits. However, at present all these issues are being considered by the Department, and I hope that my hon. Friend will understand that I cannot say any more tonight about the specific points he has raised. As usual, he has put them forward persuasively, and I have listened to them carefully.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Ten o'clock.

House of Commons

Thursday 19 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

INTERNATIONAL WESTMINSTER BANK BILL *(By Order)*
Order read for consideration of Lords amendments.
To be considered on Thursday 26 October.

ISLE OF WIGHT BILL *(By Order)*

ST. GEORGE'S HILL, WEYBRIDGE, ESTATE BILL *(By Order)*

HYTHE MARINA VILLAGE (SOUTHAMPTON) WAVESCREEN BILL *(By Order)*

NEW SOUTHGATE CEMETERY AND CREMATORIUM LIMITED BILL *(By Order)*
Orders read for consideration of Lords amendments.
To be considered on Tuesday 24 October.

ASSOCIATED BRITISH PORTS (NO. 2) BILL *(By Order)*
*Order read for resuming adjourned debate on Question —[23 May]—*That the Bill be now read the Third time.
Debate to be resumed on Thursday 26 October.

BRITISH RAILWAYS (PENALTY FARES) BILL *[LORDS] (By Order)*
Order for further consideration, as amended, read.
To be further considered on Thursday 26 October.

BUCKINGHAMSHIRE COUNTY COUNCIL BILL *[LORDS] (By Order)*

LONDON LOCAL AUTHORITIES BILL *[LORDS] (By Order)*

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *[LORDS] (By Order)*

BRITISH RAILWAYS BILL *(By Order)*

BROMLEY LONDON BOROUGH COUNCIL (CRYSTAL PALACE) BILL *(By Order)*

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*
Orders for consideration, as amended, read.
To be considered on Thursday 26 October.

CITY OF LONDON (VARIOUS POWERS) BILL *(By Order)*
Order for consideration, as amended, read.
To be considered on Tuesday 24 October.

BRITISH FILM INSTITUTE SOUTHBANK BILL *(By Order)*
Order for Second Reading read.
To be read a Second time on Tuesday 24 October.

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *[LORDS] (By Order)*

CARDIFF BAY BARRAGE BILL *[LORDS] (By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 26 October.

Oral Answers to Questions

NATIONAL FINANCE

Public Spending

1. **Mr. Geoffrey Robinson:** To ask the Chancellor of the Exchequer what is the public spending planning total for 1989-90.

16. **Mr. Andrew Smith:** To ask the Chancellor of the Exchequer if he will make a statement on the public spending planning total.

The Chief Secretary to the Treasury (Mr. Norman Lamont): The public expenditure planning total for 1989-90 published in Command Paper 621 is £167·1 billion.

Mr. Robinson: While thanking the Minister for that informative answer, may I put it to him that he should not seek this year or in any other year to effect a cut in the activities of the Export Credits Guarantee Department? He should take it from me that, given the staggering, disastrous balance of payments deficit run up because of the Chancellor's mismanagement of the economy, the last thing that we want is a cut in the activities of the ECGD. I make special reference to the London Project Group, which finances major capital projects in the Third world. Does the Minister agree that it would be not only absurd but perverse for the Secretary of State to curtail the activities of the ECGD at this time?

Mr. Norman Lamont: In the midst of the public expenditure round, I note the representations made by the hon. Gentleman. I am sure that they will also be noted by the Secretary of State for Trade and Industry. Subsidies for capital exports have been maintained in recent years. Nonetheless, it is extremely important that British exports are obtained on competitive grounds and not by subsidy from the taxpayer.

Mr. Smith: Given that the actual rate of inflation has so far so consistently exceeded the Chancellor's original estimate, will the Minister revise upwards the public expenditure planning total to compensate for that, or will he tell the House how extensive the cuts will otherwise be in essential public services?

Mr. Lamont: The policy of the Government is the same policy as that subscribed to by the Labour party—we should plan in cash terms. A cash planning system does not mean that we accommodate inflation. That is the essence of the system.

Mr. Tim Smith: Does my right hon. Friend agree that if inflation is to be brought down, firm control must be

maintained on public spending? Will he compare his prudent fiscal policy with that of the Labour party and say what effect its spending plans might have on inflation?

Mr. Lamont: My hon. Friend is absolutely right; the control of public spending lies at the heart of economic management. Furthermore, as my hon. Friend suggests, just to go in for huge surges in public spending, as the Labour party did when it was in power, does not serve the public services well. As we all know, what happened was that the Labour Government started off in years one and two trying to expand public spending regardless of the circumstances and, in the end, they had to cut it. They also had to cut capital programmes. Our record compares well with theirs. We believe that it is necessary to control public spending to get inflation down and that it is essential to do so for a sound economy.

Mr. Butterfill: Will my right hon. Friend confirm that the result of his prudent policies gives us, for the second year running, a budget surplus and the ability to repay debt? Will he compare that with the enormous increase in public sector debt which was incurred when the Labour party was in power?

Mr. Lamont: Our policy of having a budget surplus and repaying debt meant that last year we were able to find more room for priority programmes. If we had maintained the public sector borrowing requirement at the level with which the Labour party left us when we came to office in 1979 we should have a crippling burden of debt interest to pay.

Mortgages

2. **Mr. Worthington:** To ask the Chancellor of the Exchequer how many letters he has received from members of the public on the high level of interest rates or their impact on the cost of mortgages.

The Chancellor of the Exchequer (Mr. Nigel Lawson): A large number.

Mr. Worthington: I am surprised at that because it is rare for people to write to the deaf and blind. In replying to the many people who have written to him about the catastrophe of mortgage rates, which means that the average householder taking out a mortgage will be more than £1,000 a year worse off, will the Chancellor explain that there is no external cause for this cut in their standard of living? Will he explain that the responsibility lies solely with his own mismanagement of the economy? Will he apologise to the British people for this?

Mr. Lawson: As to the hon. Gentleman's first point, I do not for a moment regard myself as being deaf—in fact, I heard his question very clearly. I am surprised that he suggests that it is unusual to write to the deaf because that is the most convenient method of communication. As for the question of interest rates, I have made it clear time and time again that it is necessary to keep interest rates as high as is needed for as long as is needed to get on top of inflation. Getting inflation out of control—getting it to the sort of levels it was under the last Labour Government—would be far more damaging for home owners. There is another thing on interest rates; what we will not have is the negative real interest rates that there were under the Labour Government which robbed pensioners of their lifetime savings.

Sir Anthony Grant: While recognising the overriding importance of the control of inflation, may I ask my right hon. Friend, with his fertile and imaginative mind, not to give up the quest for alternative methods to the crude one of interest rates? Does he recognise that interest rates are all very well for the haves but bear very cruelly on the have-nots, particularly the groups which he and I have always supported: small businesses and home owners?

Mr. Lawson: Of course, my hon. Friend is right, and I have acknowledged on a number of occasions that higher rates do impose a burden on many home owners, particularly those with large mortgages and, indeed, on many small businesses. However, I have to tell him that there is no alternative and he would be deluding the House to suggest that there is an alternative to high interest rates if one is serious about getting inflation down. The plain fact is that it would be very much worse for all those concerned if inflation were to go up again.

Mr. Beith: With so many people facing this crippling burden of high interest rates and with the Chancellor apparently unable to take up the option of an early exchange rate mechanism, can we get it clear: are the interest rate increases dictated by a fear that the money supply is growing too fast or a feeling that the pound has been falling too far?

Mr. Lawson: The interest rate increases are clearly designed to deal with the problem of inflation—to get on top of inflation and to bear down on inflation. Inflation is affected both by the exchange rate and by domestic factors—every schoolboy should know that, even the hon. Gentleman.

I must say, too, that this is not peculiar to this country. As the hon. Gentleman and my hon. Friend the Member for Cambridgeshire, South-West (Sir A. Grant) will be aware, earlier this month, in order to deal with an inflationary problem which varies from country to country but which each country is concerned about, there was a rise in interest rates throughout most of Europe.

Mr. Arbuthnot: Will my right hon. Friend confirm that some people spend all their time complaining about the cost of high interest rates to borrowers without at the same time recognising that those same interest rates bring high rewards to savers, thus encouraging what we want to encourage and discouraging what we want to discourage?

Mr. Lawson: My hon. Friend is absolutely right: this does bring considerable benefit to savers. I can tell the hon. Member for Clydebank and Milngavie (Mr. Worthington) that I have a large number of letters from savers—perhaps not quite as many—and from pensioners saying how pleased they are with the higher return on their savings. So I receive those sorts of letters, too.

We know what the Labour party will do because the gaff was blown by the hon. Member for Dagenham (Mr. Gould) last Sunday, when he said:

"What we're saying, is that if there is a problem in terms of managing the degree of credit growth in this economy it has to be at the margin when new mortgages are being granted."

In other words, Labour policy will be to stop new mortgages being granted to everyone except new home buyers, causing a total seize-up in the housing market, with disastrous effects.

Mr. Gordon Brown: When will the Chancellor issue a word of regret, apology or sympathy for the problems that he has caused millions of homeowners in the form of the £10 billion extra that they will have paid in mortgage payments by the end of the year and the £1,000 on average that the typical homeowner is having to pay? Does he still repeat the advice that he gave a year ago to home owners —that they should cut back on something else—or does he accept that thousands of home owners have nothing else to cut back on?

Mr. Lawson: Home owners are in many cases cutting back on something else and deferring other purchases—that is part of the process by which the necessary slowdown in the economy is occurring. What is happening now will be nothing like as bad for the cause of home ownership and the housing market generally as the Labour party policy of putting a complete block on new mortgages.

Business Investment

3. **Mr. Moss:** To ask the Chancellor of the Exchequer if he will make a statement on the level of business investment for the latest full year for which figures are available.

Mr. Lawson: Business investment increased by 17½ per cent. in 1988 and now stands at a record level as a proportion of GDP.

Mr. Moss: I warmly welcome those excellent figures for 1988, but does my right hon. Friend agree that they serve to underline the basic strength of the economy? Can he give the House the latest investment projections, particularly for manufacturing industry, for 1989?

Mr. Lawson: I can tell my hon. Friend the latest figures that we have for manufacturing industry investment. They were for the second quarter of 1989 and were 7·8 per cent. above those of a year ago. Of course, the figure for the second quarter of 1988 was particularly high, so manufacturing industry investment is still forging ahead, and that is very important in ensuring that we have good prospects of continuing growth in the future and continuing export growth in the future after the current slowdown is over.

Mr. Pike: Why does not the Chancellor recognise that those figures are only part of the story? Is it not a fact that in a key manufacturing region such as the north-west investment in manufacturing is still 36 per cent. below its level of 1979 in real terms? Is it not true that until the Government put that right we shall continue to import more than we export, with a resulting massive deficit?

Mr. Lawson: The hon. Gentleman will be glad to know that, taking the nation as a whole, manufacturing investment is at an all-time high.

Mr. Anthony Coombs: Total investment in Britain over the past 10 years has risen by nearly 40 per cent. in real terms. Is my right hon. Friend aware that only this morning the biggest carpet manufacturing company in my constituency, Brintons, announced a £50 million five-year investment programme in its manufacturing capability? Is that not the clearest possible evidence of the strength of the real manufacturing economy and does it not show the confidence of manufacturers in the prospects brought about by the Government's policies?

Mr. Lawson: I am glad to learn what my hon. Friend said and I wholly endorse the conclusion which he drew from it. The plain fact is that manufacturing industry is more efficient, more competitive, more productive and more profitable than it has been for a very long time. That is why it has the confidence to go on investing and that is what it is doing, and this investment augurs well for our future. Also, of course, we have to bear in mind the quality of investment. Not only is the quantity of business investment as a percentage of GDP higher than since recorded figures began, but the quality of investment is very much higher, too, and that is equally important.

Mr. Gordon Brown: On business investment and the impact on it of high interest rates and exchange rate stability, Sir Alan Walters has said that the European monetary system is half-baked. He said in an article that the arguments for it have never even attained a minimum level of plausibility and that the Prime Minister concurs with his view. In the light of that, will the Chancellor tell us who is now in charge of economic policy in the Government? Is it the Chancellor or Professor Walters who should be giving the Mansion House speech this evening?

Mr. Lawson: I am not sure, Mr. Speaker, what that has to do with the question, but I will gladly answer it. The views which the hon. Gentleman quoted on the EMS from Sir Alan Walters are clearly not the views of the Government. The Government have made their views clear and the Prime Minister has made them clear: we are committed fully to joining the EMS as part of stage one of economic and monetary union. As for investment, which actually is the subject of the question, I am not surprised that the hon. Gentleman shied away from it because, unlike the sharp growth in investment that we have had during the period of this Government, during the period of the Labour Government investment did not grow at all.

Mr. David Davis: I should like to return to investment. My right hon. Friend has given us the latest new figures in a long series of investment figures for Britain. Can he tell us how those compare with the growth of consumption in the United Kingdom over the same period?

Mr. Lawson: Yes, I can. For the past seven years investment had grown twice as fast as consumption in this country, and for the whole of our period of office it has grown by getting on for twice as fast as consumption. That compares with the Labour Government where there was a small growth in consumption and no growth in investment whatever. Also, of course, the international comparisons are not without interest. I am sure they will be of interest to my hon. Friend even though they may not be to hon. Members opposite. During the period of the last Labour Government our investment growth was one of the lowest in the European Community. During the period of this Government our growth in investment has been the highest in the whole of the European Community.

Negative Transfers

4. **Mr. Bernie Grant:** To ask the Chancellor of the Exchequer what has been the negative transfer of financial resources from the 17 most heavily indebted countries since 1983 to the latest available year.

17. **Mr. Graham:** To ask the Chancellor of the Exchequer what has been the negative transfer of financial resources from the 17 most heavily indebted countries since 1983 to the latest available year.

The Economic Secretary to the Treasury (Mr. Richard Ryder): Over the period 1983 to 1988 the 17 heavily indebted countries received a positive net transfer of $5·7 billion from the international financial institutions, including the IMF. In addition, they have benefited from generous treatment provided by Paris Club official reschedulings.

Mr. Grant: What is the Government's position on the rescheduling of debts for black and Third world countries? Will the Minister also tell us how that compares with the Government's position on the rescheduling of debts to racist South Africa? Does he agree with President Kaunda who said at the Heads of Government conference in Kuala Lumpur that the banks that have thrown a lifeline to the racist South African regime are nothing but blood-suckers?

Mr. Ryder: The arrangements that have been made between the commercial banks and South Africa are a matter for them. They are not the direct business of Government. The hon. Gentleman asked about the assistance that the Government have provided to Third world countries. It was my right hon. Friend the Chancellor who initiated the Toronto terms which led to so many countries in sub-Saharan Africa being assisted.

Mr. Key: My right hon. Friend the Chancellor is to be congratulated on achieving leadership in the rescheduling of debt, particularly in sub-Saharan Africa. Does my hon. Friend agree that if only countries such as Zambia would follow the lead taken by exemplary countries such as Ghana in reforming their economies and not seeking to stifle the market, their economies would not be in the mess that they are now?

Mr. Ryder: Three weeks ago I attended the Commonwealth Finance Ministers' meeting in Jamaica. It was apparent from that meeting that many countries in the Commonwealth were embarking on market-oriented policies of the type espoused by the Government but not yet by the Leader of the Opposition. Those countries include Ghana, Gambia, Kenya, India, Jamaica, Trinidad and many more.

Mr. Robert Hughes: The Minister is seeking to slide out of his responsibility for the rescheduling of debt in South Africa. Will he at least accept responsibility for the access of the South African Government to credit, borrowing and new capital? Will he give an undertaking that the Government will reject any approaches by the South African Government, especially as Mr. Walter Sisulu and the others who have been recently released have made it clear that they believe that external pressure assisted their release?

Mr. Ryder: That is exactly the same question as the one asked earlier by the hon. Member for Tottenham (Mr. Grant), and I will give it precisely the same answer. This is not a matter of direct concern to the Government; it is a matter for the commercial banks to work out with the South African Government.

Mr. Jacques Arnold: Is it not the case that the weight on the least-developed countries has been reduced by the sub-Saharan debt initiative taken by my right hon. Friend the Chancellor, and that that initiative is being followed by an increasing number of developing countries, thus assisting the Third world?

Mr. Ryder: My hon. Friend is right. Were it not for the initiative taken by my right hon. Friend the Chancellor, many countries in sub-Saharan Africa would not have been helped in this way.

Third World Debt

5. **Mrs. Ann Taylor:** To ask the Chancellor of the Exchequer when he last met ministerial colleagues in the G7 to discuss Third world debt.

10. **Mr. Win Griffiths:** To ask the Chancellor of the Exchequer when he last met the managing director of the International Monetary Fund and the president of the World Bank to discuss Third world debt.

Mr. Lawson: During my visit to Washington last month for the annual meetings of the IMF and World Bank.

Mrs. Taylor: Does the Chancellor accept that high interest rates impose bigger burdens not only on home owners and others in this country but on Third world debtor nations, because of the high levels of repayment? In view of that, will the right hon. Gentleman stop lecturing those countries about putting their economies in order? Will he acknowledge that he has not been able to put his own house in order, and that his policies are making it much more difficult for them to do the same?

Mr. Lawson: I have to say first that it is necessary for those countries to put their own houses in order, and they know that very well; that is agreed, I think, by all those who have considered the matter seriously.

As for the effect of interest rates, for the vast majority of these countries it is of course the dollar interest rate which is far more important to them than the sterling or any other interest rate. As for the question of helping these countries, as the hon. Lady will no doubt know, we have all agreed on a strengthened debt strategy involving a significant element of debt reduction for the middle and low-income development countries. That is of course over and above the help for the very poorest of the sub-Saharan indebted countries, which was secured in the way that my hon. Friend the Economic Secretary to the Treasury recently said.

Mr. Griffiths: Did the Chancellor find that the president of the World Bank and the manager of the International Monetary Fund expressed any surprise at the fact that Japan is now offering money out of its Third world budget to Britain to save a major food research institute, which the Government want to close to save £1 million? Is that part of the economic miracle of 10 years of Tory rule?

Mr. Lawson: Without accepting the terms in which the hon. Member put the question to me, I have to tell him —even though it is not connected with this question—that this country is receiving Japanese inward investment on a very large scale, far larger than any other European country. This is because they recognise this country as a country with excellent prospects, and that is why they want to come here.

Mr. Page: Is not my right hon. Friend to be congratulated on giving the lead in transmitting debt to write-offs for countries stricken by disease and plague? Is he not absolutely right in giving the lead to the rest of the world? Is he not also right to say that Third world countries have been correctly forced into the reconstruction of their debts so that they can succeed economically and take on commitments from the rest of the world, so that in future they do not rely upon handouts but stand up as fully independent members of society?

Mr. Lawson: I am grateful for what my hon. Friend says about the initiative that I took over two and a half years ago now which eventually led to the international agreement on the so-called Toronto terms to help with the indebtedness of the very poorest countries of sub-Saharan Africa. As for what countries are doing with their economies and what economic policies they are pursuing around the world, I found it very striking at the annual meeting of the Bank and fund this year to see more than ever before, all round the table, country after country was determined to turn its economy from a Socialist economy into a market economy because it saw that as the way forward. Incidentally, no one put this more clearly than the new Polish finance Minister Mr. Balcerowicz who wants a fully capitalist market economy organised in Poland. It will be very difficult, but I think we should give them all the help we can.

Mr. Conway: Is my right hon. Friend aware that while there will be support from all sides of the House for easing the debt burden of Third world countries, there is concern in some of those countries that have made attempts to honour their debts that they should not be penalised by those who follow a Socialist spendthrift economy?

Mr. Lawson: My hon. Friend has a very good point. Certainly that is something which we need to take into account as the debt strategy evolves. That is a further reason why I believe that it is better to leave that, so far as possible, to the commercial banks—when it is commercial debt bank debts we are talking about, which it largely is —to negotiate with the individual debtor nations without the Government seeking to twist their arms.

Mr. Chris Smith: Does the Chancellor of the Exchequer accept that contrary to the impression that he attempted to give my hon. Friend the Member for Dewsbury (Mrs. Taylor), the sterling interest rate is relevant to Third world debt and affects very large amounts of debt held by the United Kingdom financial institutions and banks? Does not a high interest rate policy in the developed world intensify the flow of funds from poor to rich countries? Does it not increase the crippling debt burden that the Third world faces, or is the Chancellor ignoring the need of the poor around the world as he is the needs of home owners in Britain?

Mr. Lawson: I take it that what the hon. Gentleman means by the flow of resources from the poor to the rich is the debtor countries paying interest on the debts they have incurred.

Mr. Smith: Exactly.

Mr. Lawson: The hon. Gentleman says, "Exactly" from a sedentary position. I hope that he is not suggesting that those countries should not pay interest on debts that they have incurred.

Mr. John Greenway: When my right hon. Friend next meets Finance Ministers in the G7 group, will he take time to consider with them the world development movement's current resolution on world poverty? Does he agree that it would be far better if help given to the Third world, whether in debt reduction, debt alleviation or generous assistance, were measured in its effect on relieving poverty and not in promoting political propaganda?

Mr. Lawson: It certainly should not be directed to enabling Governments of those countries to make political propaganda. I agree with my hon. Friend. Of course it is aid that we use to relieve poverty and that is very important. Development assistance is designed to help those countries to have more successful economies and to develop their economic policies, but of course at the end of the day the measures that they take to put their own houses in order—and this goes back to the question that the hon. Member for Dewsbury (Mrs. Taylor) originally put—are all important.

Privatisation Revenue

6. **Mr. McFall:** To ask the Chancellor of the Exchequer what is the latest estimate of privatisation revenue.

The Financial Secretary to the Treasury (Mr. Peter Lilley): The net proceeds from privatisation since May 1979 amount to some £27½ billion.

Mr. McFall: Will the Chancellor confirm that since the sale of the electricity and water industries, Government expenditure on adverting will now exceed £2,000 million? Bearing in mind that more than 75 per cent. of the population are against such proposals, when will this Government get off the backs of the people and save money instead of wasting taxpayers' money so profligately?

Mr. Lilley: The figure given by the hon. Gentleman is complete bunkum. Advertising expenditure on the privatisation programme since British Telecom has amounted to less than 0·4 per cent. of the revenues raised, has undoubtedly enabled millions of people to participate in those privatisations and has thereby enabled us to obtain a better price when we have privatised. It would have been irresponsible not to have advertised and not to have let people know that we are carrying out these privatisations.

Mr. Jack: Can my hon. Friend confirm that the receipts from privatisation have helped to strengthen our public finances, repay the national debt and increase funds available for private sector investment?

Mr. Lilley: My hon. Friend makes a good point. A Labour Government, of course, would find themselves in difficulties without those revenues. However, they are not

the main point of privatisation. The main point is to improve the strength of the economy, which it has undoubtedly done. That is why every economy from Warsaw to Tokyo is following our advice and only Opposition Members are against it.

Interest Rates

7. **Mr. Lamble:** To ask the Chancellor of the Exchequer what is the current short-term interest rate in *(a)* the United Kingdom and *(b)* Germany.

Mr. Ryder: On 18 October three-month money market rates were 15 per cent. in the United Kingdom, compared with 8·3 per cent. in Germany.

Mr. Lamble: Given the fact that the Chancellor said that he had to increase interest rates because the Germans had, what advantages does he see in remaining outside the EMS?

Mr. Ryder: My right hon. Friend the Chancellor has made it perfectly clear on several occasions—just as my right hon. and learned Friend the Lord President did in questions here on Tuesday—that we shall enter the exchange rate mechanism when the conditions that my right hon. Friend the Prime Minister set out at the Madrid summit have been met.

Sir Peter Tapsell: In view of the impact that changes in short-term interest rates can have on stock markets, do the Government have any plans to emulate the example of the United States and Japan by introducing circuit breakers in our domestic equity market, bearing in mind that if the American circuit breakers came into operation during one of their morning sessions, our market could be very vulnerable?

Mr. Ryder: That is a matter for the stock exchange and I know that it is being kept under review.

Mr. Robert Sheldon: Has the Economic Secretary read the comments of Mr. Henning Christophersen, who has responsibility within the Commission for economic matters, that reliance on interest rates can be counter-productive in so far as it leads to wage rate rises? Does he agree that if he looks back over the past 13 months of the efforts of this Chancellor, the reliance solely on interest rates has been a grievous error?

Mr. Ryder: Of all people, the right hon. Gentleman should know that virtually every country in Europe is depending on interest rates to bring down their rate of inflation.

Mr. Hayes: Without in any way asking my hon. Friend to comment on the paper issued today by the Centre for Policy Studies on joining the ERM, as it has particularly said—and it is not exactly a nest of Left-wing vipers—that joining ERM would be the best anti-inflation policy that this country could have at present, will he ensure that that paper is widely disseminated among his colleagues?

Mr. Ryder: I should be very grateful if my hon. Friend could send me a copy.

Mr. Nicholas Brown: Given the Chancellor's earlier answer on EMS, how can Sir Alan Walters claim that the Prime Minister agrees with him and with a wholly different point of view to the view the Chancellor has just stated on behalf of the Government?

Mr. Ryder: The hon. Gentleman obviously has not been listening to the replies that have been given. On several occasions today, and during questions on Tuesday to the Lord President, it was apparent that the Opposition were not listening to the answers. The answer is that the Prime Minister has set out on numerous occasions that Britain will enter the ERM when the conditions set out at Madrid have been met.

Income Tax Receipts

8. **Mr. Bowis:** To ask the Chancellor of the Exchequer what are the current receipts from income tax; and what were the comparable figures for 1979.

Mr. Lilley: Net income tax receipts in the financial year 1988-89 were £43·4 billion, compared with £18·7 billion in 1978-79.

Mr. Bowis: Is it not a paradoxical fact, but a fact nevertheless, that under this Government as tax rates have come down the tax take has gone up, which has enabled us to increase in real terms spending on the services that are so necessary to this country? Is it not a fact that the public do not yet fully understand the relationship between lower tax rates and better public services? Is that not partly because Opposition Front-Bench spokesmen fail to understand that concept?

Mr. Lilley: My hon. Friend makes a good point. It is true that the higher the initial rate that we cut, the greater the response of revenue has been. Whereas under Labour, with tax rates of up to 98 per cent., the top 5 per cent. of taxpayers paid only 25 per cent. of income tax revenue, since we introduced those rates the top 5 per cent. of taxpayers pay nearer 30 per cent. of revenue.

Dr. Marek: When the Government tax the British people more heavily than they were taxed in the 1970s and when taxation as a percentage of gross domestic produced is still several per cent. higher than it was when the Labour Government left office in 1979, why does the Financial Secretary pile on the agony for home owners and insist on taxing them by making them pay twice as much for their mortgages as they would pay if they lived in Germany?

Mr. Lilley: I could answer that question more readily if I could explain why the Labour party has voted against every cut in the basic rate of income tax since this Government have been in office. Real standards of living, taking into account the rise in the retail price index, which includes mortgage interest payments, have risen for as long as I have been in Parliament under this Government.

Mr. Patrick Thompson: Is it not a fact that cannot be emphasised too much that tax reductions since 1979 for the top 5 per cent. of earners have led to increased revenue for the Exchequer? Does my hon. Friend agree that the economic policies of the Labour party would simply lead to less revenue for education and the Health Service?

Mr. Lilley: My hon. Friend makes a good point. Labour's punitive taxes amount to killing the goose that

lays the golden egg. Since we have reduced taxes, that goose has been laying fruitfully, and we have been harvesting it to the benefit of public services.

Quotas

9. **Mr. Alan Williams:** To ask the Chancellor of the Exchequer what is the Government's response to the International Monetary Fund's proposals by Mr. Michael Camdessus for a quota increase.

Mr. Lawson: As I said at the International Monetary Fund and World Bank's annual meetings in Washington, the case for a substantial quota increase has not been made, and the Government believe that a moderate increase in quotas is all that is needed.

Mr. Williams: Does the Chancellor recognise that since the last quota increase the growth in the world economy and the emergence of the international debt problem on their own justify a larger rate of increase than the Government are willing to support? Does he accept that historically important changes are taking place in eastern Europe, the success of which will depend on the economic progress of the countries concerned? Would it not be tragic if this unique opportunity, from which we have so much to gain in the West, were missed because we starved the IMF of the resources that it needs to play a constructive role?

Mr. Lawson: I can assure the right hon. Member that this historic opportunity, as he rightly calls it, will not be missed and the IMF will not be starved of the resources that it needs. The question is what does it need. The plain fact of the matter is that the IMF's liquidity today, before any quota increase, is larger than it was after the last quota increase, which my right hon. and learned Friend the Leader of the House played a large part in securing. But it is larger today before any further quota increase than it was immediately after the last quota increase, which itself was to some extent a response to the debt crisis which began with Mexico in 1982.

Sir William Clark: Is it not hypocritical for Labour Members to ask the Government to increase the quota to the IMF because, when they were in Government, they were taking money from the IMF? Is it not proof positive that the economy is sound that we can now consider increasing our quotas to the IMF when, under Labour, that would not happen?

Mr. Lawson: My hon. Friend makes a good point. As I said earlier, we contributed fully to the last quota increase, in 1983, and we shall contribute to the next quota increase whatever that may be. However, we shall not go cap in hand as beggars to the IMF, as the last Labour Government did in 1976.

Child Poverty

11. **Mrs. Beckett:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Child Poverty Action Group to discuss child poverty.

Mr. Lilley: My right hon. Friend has no current plans to do so.

Mrs. Beckett: Is the Minister aware that before the latest interest rate rise, some 2 million people were struggling with debt, and some 200,000 families faced problems with multiple debt? What measures does he propose to tackle this, bearing in mind that of the proceeds of the last child benefit freeze, two thirds went to his Department, and only a third on means-tested family benefit?

Mr. Lilley: The hon. Lady rightly points to measures that we have taken to target benefit better on those in need. As to those who are in debt, in my previous role, I took measures to urge the financial institutions to target their lending more effectively, because they, above all, have a vested interest in not lending to people who cannot repay.

Mr. Ian Taylor: Has not the reduction in income tax under this Government increased disposable income, which in turn has enabled more people to give to charitable causes, particularly those helping people in need? Does this not show the caring society that the Conservative Government have created?

Mr. Lilley: That is right, and giving to charity has roughly doubled in real terms under this Government. The fall in unemployment announced today, of some 50,000, is of the greatest benefit to those in need. I am surprised that there has been no welcome for it from the Labour party.

PRIME MINISTER

Engagements

Q1. **Ms. Ruddock:** To ask the Prime Minister if she will list her official engagements for Thursday, 19 October.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): I have been asked to reply.

I answer the hon. Lady for a second time this week by saying that my right hon. Friend the Prime Minister is attending the Commonwealth Heads of Government meeting in Kuala Lumpur.

Ms. Ruddock: What economies does the right hon. and learned Gentleman advise Londoners to make so that they can meet their mortgage repayments? The average repayment has increased by £161 a month in the past year, while average joint incomes have remained static.

Sir Geoffrey Howe: It is for householders and citizens to make up their own minds—[HON. MEMBERS: "Oh."] Would the Opposition have it any different? It is for such people to make up their own minds as to how they will react to the measures that are necessary to secure success in the battle against inflation. The House should notice that the measures that they will have to take are a great deal less burdensome than those that they would have to take if the Labour party were in office, because inflation would go through the roof.

Q2. **Mr. Baldry:** To ask the Prime Minister if she will list her official engagements for Thursday, 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Baldry: Is my right hon. Friend aware that all those hon. Members who went to Ethiopia during the last drought will forever be haunted by what they saw? Is he further aware that because of crop failure, some 2 million people in Ethiopia face famine and starvation? While

Britain's response in food aid has been swift, the cycle of drought and famine in Ethiopia will never be broken while civil war and military conflict continue there. Is it not time for the international community to act to help to resolve that conflict, because next year, it may be too late for hundreds of thousands of people there?

Sir Geoffrey Howe: My hon. Friend is right to draw attention to the grave situation continuing in Ethiopia as a result of the combined effects of the harvest failure following famine and the continuation of the civil war. He is right to draw attention to the steps already taken by Her Majesty's Government to respond to this desperate human need. We have pledged two consignments of 5,000 tonnes of cereals this year. That makes a total of £4 million worth this year, and some £54 million worth since the beginning of 1987.

Beyond that, the most pressing need must be to end the civil war. Therefore, it is a good thing that, a few weeks ago, direct preliminary talks between the Ethiopian Government and the Eritrean People's Liberation Front began. Further talks are due to take place in Nairobi on 18 November and the House will wish that they meet with some success in bringing this dreadful conflict to an end.

Mr. Kinnock: Now that the Chancellor of the Exchequer has repudiated Sir Alan Walters, who does the right hon. and learned Gentleman expect the Prime Minister to repudiate—her personal adviser or her Chancellor?

Sir Geoffrey Howe: The right hon. Gentleman should know perfectly well that throughout my time as Chancellor of the Exchequer Professor Alan Walters was the Prime Minister's economic adviser and in those circumstances, as today, his advice is one factor taken into account by the Prime Minister and the rest of the Government. The policy of the Government is as stated by people speaking on behalf of the Government. The Prime Minister and the Chancellor of the Exchequer have articulated policy in precisely the same terms and will continue to do so.

Mr. Kinnock: No answer was the stern reply. *[Interruption.]* I hear what the right hon. and learned Gentleman says. Is he also aware that Sir Alan says that the Prime Minister concurs with his view about British participation in the exchange rate mechanism? Is the right hon. and learned Gentleman saying that Sir Alan is not telling the truth about the Prime Minister's view?

Sir Geoffrey Howe: I am not required to answer for every nuance—*[Interruption.]*—and it would be astonishing if I were. The Prime Minister's view is the one that I reiterated in the House on Tuesday and which my right hon. Friend the Chancellor of the Exchequer reiterated this afternoon. The views set out by the Prime Minister at the conclusion of the Madrid summit are well known to the House.

Mr. Ashby: Did my right hon. and learned Friend see the outcome of the proceedings in the Central Criminal Court today in respect of the Guildford Four? Is that not overwhelming proof that there should never be a return of capital punishment?

Sir Geoffrey Howe: I understand why my hon. Friend expresses that view and it is certainly one with which I agree. Perhaps I may take this opportunity to tell the House that in the light of the outcome of the proceedings in the Court of Appeal this afternoon it is the intention of my right hon. Friend the Home Secretary to make a full statement to the House immediately after business questions. A serious miscarriage of justice which has led people to be wrongfully imprisoned for many years has been set right as a result of the police investigations and the Court of Appeal decision. It is right that the House should hear about it as soon as possible from the Home Secretary.

Q3. **Mr. McAllion:** To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. McAllion: Has the deputy Prime Minister had time to read the report published on Monday by the National Association of Citizens Advice Bureaux in which it recounts how it had to rescue a literally starving youngster from the streets? As there is growing concern about the plight of the young homeless who are denied benefit and forced on to the streets, often into crime, prostitution and drug abuse, is it not time that the Government, as well as preaching respect for human rights, began to practise it at home by restoring to 16 and 17-year-olds their right to income support?

Sir Geoffrey Howe: The whole House is bound to have sympathy with any such case. It is for that reason, apart from the wider implications of social policy, that we have maintained proper arrangements for the transition of those leaving school and going on to any form of further training, which will enable them to have their needs met in the most appropriate fashion.

Mr. Ian Bruce: Has my right hon. and learned Friend had the opportunity to look at the unemployment figures today and to reflect that the fall in unemployment is larger than the Labour party promised with billions of pounds of public subsidy? The economic policies of the Government and the high level of private investment have brought down unemployment yet again.

Sir Geoffrey Howe: I have, indeed, observed those figures and I am glad that they were drawn to the attention of the House during Treasury questions. The unemployment figures have fallen for the past 39 months and they fell by 50,000 last month. My hon. Friend underlines the point that the number of people in employment under this Government is at an all-time record. None of those things would have been remotely possible had this country been condemned to follow the policies recommended by the Labour party.

Q4. **Mrs. Clwyd:** To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Lady to the reply that I gave some moments ago.

Mrs. Clwyd: Given the assertion by the Prime Minister that Pol Pot and the Khmer Rouge should not be allowed to return to Cambodia and remembering that they were responsible for one of the worst cases of genocide this century, will the Government now challenge the seating at the United Nations of the Khmer Rouge-dominated coalition when Cambodia is debated on 15 November? Is

the deputy Prime Minister aware of the strength of public opinion in this country on that issue and the feeling that the Government should take a much more active and less hypocritical role in bringing an end to the bloodshed in Cambodia?

Sir Geoffrey Howe: The hon. Lady need be in no doubt about the Government's opposition to the prospect of a return of Pol Pot to effective Government in Cambodia. It has also been very important to secure the withdrawal, after years of illegal occupation, of the Vietnamese army. That at least has been achieved. The hon. Lady may rest assured that we will co-operate with our partners in the international community in maintaining our resistance to Pol Pot's return.

Q5. **Dr. Twinn:** To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Dr. Twinn: Has my right hon. and learned Friend seen the report that was published today which sets out the progress that has been made in developing the Health Service over the past 10 years including a record number of patients treated and a 20 per cent. increase in the number of family doctors? Will my right hon. and learned Friend ensure that those records, among others, are made known to the British Medical Association so that it can inject a little balance into its campaign against the Health Service reforms?

Sir Geoffrey Howe: I have seen the figures to which my hon. Friend refers so helpfully. Under this Government, the National Health Service has employed more doctors, nurses and dentists, and they are being paid much more in real terms, than when the Labour Government left office. The number of people being treated has risen sharply—both in-patients and out-patients. As my hon. Friend states, the BMA would do well to focus on that record of continuing progress and on the fact that the Government are wholly committed to ensuring even better levels of treatment for patients in future.

Mr. Salmond: With his long experience of high interest rates, can the deputy Prime Minister identify for the House the exact economic process whereby penal interest rates wrecking the finances of the fishing industry in the north-east of Scotland will contribute to the diminution of inflationary pressures in the south-east of England?

Sir Geoffrey Howe: The hon. Gentleman knows that interest rates apply throughout an economy. The level of interest rates is determined not only by what happens in this economy, but by interest rates around the world. That is why all countries seeking to challenge inflation effectively are relying on interest rates to play a substantial part in securing that reduction.

Q6. **Mr. Mans:** To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Mans: Does my right hon. and learned Friend agree that progress on nuclear arms reductions—and good progress has already been made—requires us to maintain effective and up-to-date conventional forces? Has my right hon. and learned Friend had a chance to assess this country's capacity to defend itself if £5 billion were cut from the United Kingdom's conventional force levels—the policy adopted by the recent Labour party conference?

Sir Geoffrey Howe: I have indeed. I endorse what my hon. Friend has said about the importance of achieving continued progress in nuclear and conventional arms negotiations. I also emphasise his points about the importance of maintaining our own independent deterrent capacity if we are to continue to play an effective role in that. I underline the fact that our ability to do that would be destroyed totally if we embraced the defence policy adopted at the last Labour party conference.

Q7. **Ms. Walley:** To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Lady to the reply that I gave some moments ago.

Ms. Walley: Despite the right hon. and learned Gentleman's fine words a few moments ago, is he aware of the health profile report produced by Stoke-on-Trent city council which shows that the standard mortality rates in parts of the city are high and that life expectancy is as low as 62 for men and 70 for women in Chell and that our infant mortality and perinatal mortality rates are worse than the national average? Is he aware of the HMSO report produced today which shows that there has been a 6 per cent. reduction in the number of hospital beds? What comfort does the right hon. and learned Gentleman have for my constituents who now find that their special deprivation money has been taken away from the North Staffordshire district health authority?

Sir Geoffrey Howe: I am not able to comment on the relative level of infant mortality in that particular authority, but I am entitled to draw the hon. Lady's attention to the fact that over the past 10 years throughout the United Kingdom there has been a reduction in infant mortality to the extent of 30 per cent. per 1,000 live births. That is an important indicator of the extent to which the hon. Lady is wrong to judge progress in the Health Service simply by counting the number of beds. As a result of increased efficiency in the use of beds there has been a substantial increase in the number of patients treated both in and out of hospital, and so there has been an improvement in infant mortality.

Sir Hal Miller: Does my right hon. and learned Friend agree that the Jaguar motor company is a centre of excellence of design and product which we all wish to see expanded in this country and that the Government should not use their minority share to preclude consideration by all shareholders of whatever plans there may be for the expansion of that company?

Sir Geoffrey Howe: I understand my hon. Friend's emphasis on the importance of the continued prosperity of the Jaguar motor company. I am sure that the Government will bear in mind the point that he makes when considering how to handle their shareholding in the company.

Q9. **Mr. Charles Wardle:** To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Sir Geoffrey Howe: I have been asked to reply.

I have nothing to add to the reply that I have already given.

Mr. Wardle: Does my right hon. and learned Friend agree that apartheid in South Africa will be brought to an end more quickly by quiet and persistent diplomacy than by extravagant and wild but empty rhetoric?

Sir Geoffrey Howe: I agree with my hon. Friend. The progress that is now being made in South Africa has undoubtedly been brought about by the sustained, effective, quiet diplomacy that this Government have deployed. That kind of policy has helped to bring about the most important changes involving the release of Walter Sisulu and the other long-term political detainees. We shall continue to press in the same way to secure the release of Nelson Mandela and the commencement of the discussions within South Africa for which the whole world is waiting.

Business of the House

3.32 pm

Mr. Frank Dobson (Holborn and St. Pancras): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The business for next week will be as follows:

MONDAY 23 OCTOBER—Progress on remaining stages of the Children Bill *[Lords]*.

TUESDAY 24 OCTOBER—Opposition day (19th Allotted Day). There will be a debate on an Opposition motion entitled "High Interest Rates and the Failures of Government Economic Policy", followed by the conclusion of remaining stages of the Children Bill *[Lords]*.

WEDNESDAY 25 OCTOBER—Progress on remaining stages of the Companies Bill *[Lords]*.

Motion on the Merchant Shipping Act 1988 (Amendment) Order.

THURSDAY 26 OCTOBER—Conclusion of remaining stages of the Companies Bill *[Lords]*.

FRIDAY 27 OCTOBER—Ways and Means resolution relating to the Football Spectators Bill *[Lords]*.

Afterwards proceedings on the Prisons (Scotland) Bill *[Lords]*, followed by proceedings on the Statute Law (Repeals) Bill *[Lords]*. Both Bills are consolidation measures.

Motion on the Licensing and Clubs (Amendment) (Northern Ireland) Order.

Motion to take note of EC documents relating to Community—Japan trade. Details will be given in the *Official Report*.

MONDAY 30 OCTOBER—Remaining stages of the Football Spectators Bill *[Lords]*.

[Friday 27 July
Relevant European Community Documents
(a) 6552/87 Community—Japan trade
(b) 5395/88 Relations between the Community and Japan
Relevant Reports of European Legislation Committee
(a) HC 22-xix (1986-87), para 4
(b) HC 43-xxiii (1987-88), para 2.]

Mr. Dobson: As the right hon. and learned Gentleman's reception has been rather more subdued than on the previous occasion when we considered business questions, I start by thanking him for providing time for the Opposition day debate on the failures of the Government's economic policy.

When are we likely to get the opportunity to debate the imposition of the general practitioners' contract? The Secretary of State for Health himself has described the contract as a most contentious matter, so I hope that the Leader of the House will recognise that and agree that the debate on the contract should take place in prime time and not just for an hour and a half in the dead of night.

As the right hon. and learned Gentleman knows, I raised with him immediately after his appointment the pressing need to establish the Select Committee on Scottish Affairs. I hope that he will be able to report to the House that there has been some progress towards its establishment.

Are any hon. Members to be invited to help with the monitoring of the forthcoming elections in Namibia? If they are, we will have to start making the arrangements.

When will we have a debate on the Delors report on economic and monetary union? If we are to have one, can he ensure that it will take place before the Strasbourg summit?

Sir Geoffrey Howe: I am grateful to the hon. Gentleman for his calm reception of my less than earthshaking announcement. I am glad to be able to tell him that the Government will welcome a debate on general practitioners' contracts. We shall seek an early opportunity through the usual channels to have a debate and we will take note of what he said about the timing and pattern for it.

I have taken the opportunity of the recess to study some of the factors involved in the complex question of the Scottish Affairs Select Committee. I have not reached any firm conclusions that I can disclose to the House.

We attach importance to the Namibian elections. They are being observed officially by the United Nations and we look to the UN to do the official monitoring, not just because we are one of the five permanent members of the Security Council, but because we are sending 50 official election monitors as part of the UN team. That does not directly answer the hon. Gentleman's question, but I shall give it some consideration without making any commitment whatsoever.

The hon. Gentleman asked about the Delors report on the financial future of the Community. Obviously there is widespread interest in that. I can undertake to arrange a debate on it in the relatively near future, once again leaving the precise timing to the usual channels.

Mr. Speaker: Before I call further hon. Members to ask supplementary questions, there are two aspects of business question time that I wish to draw to the attention of the House.

The House will be aware that I attempt to call as many hon. Members as possible to ask business questions. I am bound, however, to have regard to the business already set down on a Thursday and also to the purpose of business questions, which is not to make the speech that hon. Members hope to make on the subject of their choice, or to obtain an instant ministerial reply, but to ask for a debate and to state briefly why this should be granted.

To enable me to continue to be generous in calling hon. Members to ask supplementaries to the business question, I ask hon. Members to confine themselves to one question each and not to make a speech or to expect a detailed reply.

Secondly, I should like to refer to early-day motions at business questions. Hon. Members will be aware that it is the practice to reproduce such motions in the *Official Report*. This has resulted in as many as 13 motions being printed as a consequence of one supplementary question. I have directed that in future, only one early-day motion will be reproduced per supplementary question.

Sir Peter Hordern (Horsham): Will my right hon. and learned Friend say when we shall have a debate on parliamentary pensions, since one was promised before the summer recess?

Sir Geoffrey Howe: I have in mind the point raised by my hon. Friend the Member for Horsham (Sir P. Hordern). I hope we shall have the opportunity to come to that before too long.

Mr. Alfred Morris (Manchester, Wythenshawe): On a day when we have all been very much concerned with the quality of justice in this country, is the Leader of the House aware of the tragic cases of people with haemophilia who have been contaminated with the AIDS virus by imported blood products supplied under the National Health Service? Is he aware that many of the victims have scant prospect of living to see a court settlement of their claims for compensation?

Will the Leader of the House arrange for a debate next week, or a statement from the Secretary of State for Health, so that we can press him for an out-of-court settlement and make the point that posthumous justice is not justice at all?

Sir Geoffrey Howe: I understand, of course, why the right hon. Gentleman is concerned about a particular tragic case and I shall bring his remarks to the attention of my right hon. Friend the Secretary of State for Health.

Sir Patrick McNair-Wilson (New Forest): Has my right hon. and learned Friend yet had time to reflect on the assurances given by his predecessor about finding time for a debate to consider the Government's response to the recommendations of the Joint Select Committee on Private Bill Procedure? The report was published 12 months ago and, although there has been one short debate, we are now awaiting the Government's response. If we cannot have a debate before the State Opening, may we be assured that it will take place early in the next Session?

Sir Geoffrey Howe: I have devoted a lot of time to the study of that complex subject in which I know that several hon. Members of all parties are seriously and understandably interested. I would not pretend that I have yet come close to a conclusion about it, but I understand the continuing interest of the House in that matter. I have discussed it with a number of hon. Members and recognise the importance of the points raised by my hon. Friend.

Mr. Jack Ashley (Stoke-on-Trent, South): Does the Leader of the House recognise that haemophiliacs have been condemned to death by an error of the British Government and that it is inconceivable that the Government should not accept moral responsibility for them? Last week I received a moving and well-written letter from a man who is going to die. He said, "I now have to fight for my family after I am dead, but I cannot because I have no money with which to take legal action and there is no legal aid. By the terms of the Government's allowance, I am prohibited from using it for legal aid." He cannot receive money from the Government and cannot get legal aid because of the rules. May we have a debate?

Sir Geoffrey Howe: I cannot follow all the nuances of the point raised so eloquently by the right hon. Gentleman, but I understand the importance of the general case that he is making. As I have said, I will draw to the attention of my right hon. and learned Friend the Secretary of State for Health the right hon. Gentleman's concern as well as that of his right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris). At this stage, I cannot do more than that.

Mr. Michael Colvin (Romsey and Waterside): Will my right hon. and learned Friend set aside time soon for a debate on southern Africa? Because of the increasing momentum of the process of reform in the Republic of South Africa and the need for the Government to decide their specific response to each of the steps in that reform process, it is important that the House should have a chance to express its views on the British Government's possible response in advance of any such moves. It would be regrettable if such a debate was submerged in the general debate on foreign affairs that is likely to follow the Queen's Speech.

Sir Geoffrey Howe: I understand the interest of my hon. Friend and of many other colleagues in the future of South Africa. In my experience, during the past half a dozen years that topic has not found difficulty in making its way to the Floor of the House on many occasions. As my hon. Friend said, it can certainly be raised during the debate on the Queen's Speech. However, I do not know whether I shall find it any easier than my predecessor to find additional space for specific debates on foreign policy topics such as my hon. Friend has in mind, but I certainly do not need to be reminded of the case for them.

Mr. James Lamond (Oldham, Central and Royton): Will the Leader of the House bear in mind the need for a debate on the recently published report on the future of the multi-fibre arrangement by Professor Silberston? As the report draws conclusions that are likely to lead to the loss of many thousands of jobs in the textile industry, which would hit the north-west particularly hard, it should not be brought before the House in answer to a written question, as I think will be the case this afternoon.

Sir Geoffrey Howe: I do not know precisely the total intended reaction to that report. Of course, I understand that a number of hon. Members are concerned about the impact of the MFA and its changes within the textile industry. I shall bring the point raised by the hon. Gentleman to the attention of my right hon. Friend the Secretary of State for Trade and Industry.

Sir John Stokes (Halesowen and Stourbridge): In view of the tremendous events that are occurring almost every day in eastern Europe, with profound effects throughout the world, will there soon be an opportunity for the House to discuss foreign affairs?

Sir Geoffrey Howe: I have already said that there will be such an opportunity, which will arise in the course of the general debate on the Queen's Speech. I understand the importance of the case made by my hon. Friend, supported by the Foreign Affairs Select Committee, whose Chairman I see perched alertly in his place, for additional opportunities for a debate. I shall bear the point in mind, but I cannot promise to deliver.

Mr. Michael J. Martin (Glasgow, Springburn): Next week will the Leader of the House consider time for a debate on dangerous dogs? In the past year children have been killed and people have been maimed. In a city such as Glasgow, which has a lot of tenement property, many neighbours are frightened to come and go from their homes because an irresponsible person has an aggressive dog. Surely the Government should be taking action.

Sir Geoffrey Howe: The Government undertook a series of actions shortly before the conclusion of the

pre-summer session. I understand the anxiety that this topic causes many people. I cannot promise a debate next week, but I shall certainly bear the point in mind.

Mr. Patrick Cormack (Staffordshire, South): Is my right hon. and learned Friend aware that when my right hon. Friend the Member for Croydon, Central (Mr. Moore) was Secretary of State for Health and Social Services he demonstrated that the Government had no real sympathy for haemophiliac AIDS victims? Does he accept that an early statement on this would be welcomed in all parts of the House?

Sir Geoffrey Howe: The fact that that point has already been made twice by Opposition Members and is now supported by my hon. Friend adds to my awareness of its importance. I shall draw all those matters to the attention of the Secretary of State.

Mr. Jim Sillars (Glasgow, Govan): May we have a debate on the subject of the Select Committee on Scottish Affairs so that we can test the astonishing assertion by the Leader of the House that this is a complex matter? The Standing Orders are perfectly plain that a Select Committee should be established. There are many problems in Scotland that are not being addressed because there is no Select Committee. Is the right hon. and learned Gentleman aware that one problem causing grave public disquiet is the combination of functions undertaken by the hon. Member for Stirling (Mr. Forsyth) as chairman of the Tory party in Scotland and as a functional Minister inside the Scottish Office? There has been a blurring of distinction between the two functions. Is the right hon. and learned Gentleman aware that it would be unacceptable if we did not have a Select Committee on Scottish Affairs in the next Session?

Sir Geoffrey Howe: I will not comment on the hon. Gentleman's attempt to link a number of points in the course of asking a question during business questions; I leave him to raise those matters in debate as they have no place here. The question of the Select Committee on Scottish Affairs has remained unresolved for some time and I cannot promise to come to an answer at high speed.

Mr. Nicholas Soames (Crawley): Is my right hon. and learned Friend aware of the considerable concern felt on both sides of the House about the destruction of the atmosphere in the Chamber caused by the current appalling lighting arrangements? Will he see whether it is possible to arrange time for an early debate about this to see if we can curtail this bad experiment before it goes any further?

Sir Geoffrey Howe: I am sorry that my hon. Friend does not have overwhelming enthusiasm for this aspect of the experiment to which the House is committed. As he knows, arrangements for the experimental period were carefully considered by the Select Committee. The Committee has already met once this week under my chairmanship, for what that is worth. If my hon. Friend has any points to raise in connection with the experiment, he should draw them to the attention of the Committee.

The Committee is certainly anxious to secure the best possible conditions. We responded to the anxieties expressed about the high temperature which was causing Mr. Speaker to lose his cool, or so he told the House. As a result of that, we were able to secure a substantial reduction in the ambient temperature. We shall try to achieve improvement, within the limits of what is possible.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House have a word with the Secretary of State for the Environment and tell him to come to the House to make a statement about altering planning arrangements for opencast mining? This matter is especially important in my constituency because this new and so-called "green and friendly" Environment Minister has, during his first week in office, overturned a decision of the previous Secretary of State for the Environment who stopped the opencast mining at Barlborough and Clowne. My constituents want him to come to the Dispatch Box to explain himself because he will not answer the letters that I keep sending him.

Sir Geoffrey Howe: I shall convey to my green, friendly and right hon. Friend the observations of the far from green and not always overwhelmingly friendly hon. Gentleman.

Mr. Andrew Rowe (Mid-Kent): My right hon. and learned Friend will be aware that there is a faint chance that a private Bill will be introduced in November for the construction of a railway line. He will also be aware that, if it is introduced, there will be a large number of petitioners. Given that four hon. Members will have to devote probably a year or two of their parliamentary lives to dealing with the petitions, will he arrange for a debate so that we can ascertain the rules? I understand that it will be possible for British Rail to introduce this Bill even if it does not have the money to pay for it.

Sir Geoffrey Howe: I shall certainly study carefully the points made by my hon. Friend because he raises a matter which is of importance beyond even his own close interest in it.

Mr. D. N. Campbell-Savours (Workington): In the light of the unprecedented development of the Chancellor of the Exchequer writing to two women in Swindon to apologise for the fact that Inland Revenue officers allowed themselves to be used by the police to prise private information from a computer on the women's personal affairs, should not a statement be made to the House about the role of the police in the affair so that the rules governing police conduct in such matters can be clearly set out before the public?

Sir Geoffrey Howe: I am not sure that would be the right way of reacting to the several factors raised by the hon. Gentleman. They appear to arise within the jurisdiction of my right hon. Friend the Home Secretary, to whose attention I shall draw the hon. Gentleman's point.

Mr. David Madel (Bedfordshire, South-West): Is my right hon. and learned Friend aware that there is considerable anxiety among management and employees in British Rail about the future ownership of their industry? Before the Government make a decision on that subject, will there be a long period of thought and consultation? Obviously that should include a general debate in the House so that the Government can take into account what we all think as individual Back-Bench Members before they make any change.

Sir Geoffrey Howe: My hon. Friend raises a point of wider importance. He is right to understand that this matter needs full consideration. No decisions have been taken on this topic. A number of different approaches are possible which all need careful consideration, and it would be desirable for the House to have an opportunity of considering them, if possible.

Mr. Andrew F. Bennett (Denton and Reddish): I wish to press the Leader of the House on the matter of private business and draw his attention to the amount that has been set down today, the amount that is blocked and the likelihood that over the next two or three weeks there will have to be debates on carry-over motions. Would it not be far better for the Leader of the House to come forward with proposals to implement the recommendations of the Joint Committee on Private Bill Procedure as soon as possible so that we can make sensible legislation, rather than having the present continual farce of private business in the House?

Sir Geoffrey Howe: Clearly this is an important question which needs to be addressed and considered, which is why the Select Committee has addressed itself to it and made certain recommendations. It is equally clear that the House is not in a position to take steps to change those rules at this stage in the remaining weeks of this Session. Therefore, I hope that people will not react by accepting or condoning the obstruction of the business which is already before the House. We need to operate within our existing rules as expeditiously and sensibly as we can, while also considering how these questions should be looked at in the future. I am addressing my mind to that point, and I hope that we can allow the exising rules to operate as generously as possible.

Mr. Christopher Gill (Ludlow): As the former Foreign Secretary, my right hon. and learned Friend will be more aware than most of the importance of transmitting the right message from this House about Britain's role in Europe both to the people of this country and those of continental Europe. Therefore, will he assure the House that we will be given an early opportunity to debate measures which would accord the same status in the parliamentary timetable to European matters as are accorded to other subjects?

Sir Geoffrey Howe: As my hon. Friend knows, this topic is being considered by the Procedure Committee, and the House awaits its report with considerable interest so that we can study the matter further.

Mr. Bob Cryer (Bradford, South): The Leader of the House said that he would refer a query about a textile industry debate to the Secretary of State for Trade and Industry, but does he accept that he has a part to play in providing time for such a debate, especially in view of today's publication of the Silberston report on the textile industries, of the apprehension about increased costs due to the forthcoming privatisation of water, and of the punitive level of interest rates which the Government have created? As each day passes, the need for a debate about the textile industry, which is one of the largest employers in the country, employing 16,000 people in Bradford alone, is becoming increasingly urgent. I hope that the right hon. and learned Gentleman can be more positive and will not shuffle the responsibility off to the Department of Trade and Industry.

Sir Geoffrey Howe: The hon. Gentleman knows perfectly well that I am not shuffling it off to anyone. It is not for me, when answering business questions, to produce a solution to the real anxieties of the textile industry. Of course these problems qualify for further consideration by the House at an appropriate stage, but, either way, the prospects for the textile industry are a great deal more prosperous under this Government, who are determined to sustain sensible economic policies, than they would be under the alternative—the Labour party.

Mr. Gary Waller (Keighley): Is my right hon. and learned Friend aware that interest in the future of the textile industry and in Professor Silberston's report is not confined to one side of the House but is widespread? The textile and clothing industry is one of our largest and employs as many as 500,000 people in this country. Will my right hon. and learned Friend do his best to find time for debate so that hon. Members on both sides can draw attention to the problems of our exporters? They have been doing a good job, but they face severe barriers in some parts of the world to their efforts to ensure that our textile exports find a ready market.

Sir Geoffrey Howe: The fact that two Members representing the constituency of Keighley, one from either side of the House, have both raised this question, and my hon. Friend's close interest in it, underlines the importance of the topic, but I cannot say when and where precisely a discussion of it will fit into the parliamentary programme.

Mr. William McKelvey (Kilmarnock and Loudoun): May I advise the Leader of the House that the last thing we need is time for a debate on the Select Committee on Scottish Affairs? It has been well debated, the argument has been won, and the fact remains that there should be a Select Committee on Scottish Affairs. Scottish Labour Members will not accept the complacent policy of sustained neglect of this matter. The right hon. and learned Gentleman should show some alacrity and set about resolving the question at the earliest opportunity.

Sir Geoffrey Howe: I noted that two directly opposing views have been expressed from the other side of the House —albeit from different parties—about the desirability of a debate about this matter. I can assure the hon. Gentleman that there is no question of neglect by the Government of the interests of the people of Scotland. My right hon. and learned Friend the Secretary of State for Scotland and his colleagues are paying great attention to ensuring that.

Mr. John Bowis (Battersea): May I draw the attention of my right hon. and learned Friend to the fact that we are approaching the season of light—not the lights over our heads, but those of Oxford street and Regent street which, last year, proved to be one of the last straws for London's traffic? Will he invite our right hon. Friend the Secretary of State for Transport to make a statement on how he intends to deal with London's traffic problems and to announce his abandonment of the road study proposals and the adoption of plans for increased expenditure on public transport?

Sir Geoffrey Howe: I shall certainly bring the points raised by my hon. Friend to the attention of my right hon. Friend the Secretary of State for Transport, but whether the House can discuss them before Christmas I cannot say.

Mr. Max Madden (Bradford, West): I wish to press the Leader of the House further for an early debate on the textile and clothing industry. I have here the report by Professor Silberston, which has already been referred to several times. Is it not extraordinary that a major report which fundamentally affects the fourth largest manufacturing industry in this country is met by the Government with a reply to a written question? The report suggests the phasing out of the multi-fibre arrangement, which would result in a trade-off of 30,000 to 40,000 jobs of men and women in British textiles for some very modest and possibly hypothetical consumer benefits.

I urge the Leader of the House to arrange an early debate so that the Secretary of State can hear our views on these matters, especially bearing in mind that the Minister responsible for the policy governing textiles and clothing is in the House of Lords and that it is very difficult to get at him.

Sir Geoffrey Howe: I know from my experience in the Department of Trade and Industry just how important the textile industry has been and remains for the economic well-being of many parts of the country. That is why it is clearly important that the report should have been made available to the House at this time. Clearly it is a topic that will need to be brought to the attention of the Government, and I shall certainly do that. I cannot say more than that at this stage. The hon. Gentleman is quite right to say that the textile industry and its future is a topic that the House does not long neglect, nor should it.

Mr. Tony Baldry (Banbury): Could my right hon. and learned Friend arrange for next week a debate on the Standing Order No. 20 procedure? One of the consequences of televising the House might be a succession of Opposition spokesmen coming to the Dispatch Box at 3.30 and wanting three minutes of unrebutted time targeted at the 6 o'clock and early regional news. While the House would not wish in any way to curtail the discretion of Mr. Speaker, it must be right to provide opportunities to rebut some of the assertions made in Standing Order No. 20 applications.

Sir Geoffrey Howe: My hon. Friend draws attention to one of the topics to which we shall return fairly often, I suspect—the extent to which the House's behaviour reacts to television, or television's behaviour reacts to the House. We shall all have to watch that with some attention.

Mr. Gerald Bermingham (St. Helens, South): Will the Leader of the House find time to ask the Secretary of State for Trade and Industry to come to the House to explain, and perhaps debate, the question of the registration of chemicals that are stored at various sites in the United Kingdom? I ask that following a recent incident at Rainhill in my constituency when a company managed to have the wrong chemical put into the wrong tank which led to a cyanide-type gas discharge. Does the right hon. and learned Gentleman agree that unless we know exactly which chemicals, especially imported chemicals, are stored where, we shall put many people at grave risk?

Sir Geoffrey Howe: I have no doubt that it is possible for grave risks to arise in many ways as a result of the handling and mishandling of chemicals. I am sorry to hear that that occurred in the hon. Gentleman's constituency. I am not sure that is necessarily follows that a wide-ranging debate could resolve all the problems, but I shall certainly take note of the points that he makes.

Mr. John Marshall (Hendon, South): Can the Leader of the House say when he expects to be able to arrange a debate on the Hetherington report? May we have an assurance that the debate will take place before the Queen's Speech?

Sir Geoffrey Howe: I cannot give a specific assurance about that, but, as my right hon. Friend the Home Secretary has said, the House will wish to address itself to that report at an early stage.

Mr. Nigel Spearing (Newham, South): Will the Leader of the House confirm that the otherwise innocuous sounding Merchant Shipping Act 1988 (Amendment) Order, which is to come before the House on Wednesday, is the result of an important decision by the European Court of Justice in Luxembourg, that it relates to the ownership of British firms, of British ships flying British flags and to the quota of fish for this country and other members of the EEC? Will he also confirm that if the House does not pass the order it will be in breach of the treaty of Rome?

Sir Geoffrey Howe: This is not the time or the place for me to begin rejoining with the hon. Gentleman in a long debate about such implications. However, he is quite right to identify the order as one which will have the effect of suspending the application of the nationality requirement of the 1988 Act pending the final decision of the European Court of Justice. It is intended to give effect to the interim order of the European Court of Justice so far issued.

Mr. John Greenway (Ryedale): Will the Leader of the House find time in the parliamentary calendar for a debate on the sheep industry? He will know that at the end of July agreement was reached in the farm council on the broad outline of the new European sheepmeat regime. That agreement leaves many questions of detail unanswered, and that is causing considerable uncertainty among sheep producers. The difficulties are added to by the long summer drought, and many of our sheep farmers face a grim winter. The House should reflect those concerns through a debate.

Sir Geoffrey Howe: I am not sure whether that qualifies for treatment in a full debate, but it certainly qualifies for being drawn carefully to the attention of my right hon. Friend the Minister of Agriculture, Fisheries and Food, who is, of course, aware of the problem. I shall acquaint him with my hon. Friend's concerns.

Ms Joan Walley (Stoke-on-Trent, North): May I draw to the attention of the Leader of the House a Bill that I have introduced to remove Crown immunity from the Palace of Westminster? Will he find time to discuss on the Floor of the House the many changes that need to be made to the working conditions not only of hon. Members but of our employees? Will he also look into the report in the *Sunday Mirror* that the new building is now behind time? Is that report correct? Will the right hon. and learned Gentleman come forward with some radical proposals so that hon. Members can get on with the business that they were elected to do?

Sir Geoffrey Howe: I have held my present office long enough to have been reminded of the extent of the manifest shortcomings in the accommodation available to hon. Members on both sides of the House, and also of the immense difficulty of the task of securing effective improvement in those conditions, given the central and minute location of the premises in which we work. I reflect with envy on at least some aspects of the conditions of Australian parliamentarians, who can spend $1 billion on a green-field site in the middle of a continent. That is not our position, and I suspect that, given our different history, there will be a certain reluctance to embark on changes on quite that scale.

Mr. Harry Barnes (Derbyshire, North-East): The remaining stages of the Football Spectators Bill are due to be dealt with on 30 October. I am not sure whether that is the sole day on which they are to be taken, but, in the light of the interim report into the Hillsborough disaster—which will lead to the tabling of a host of amendments—should not extra time be provided on that one day, and is there not a case for returning the whole matter to Committee so that it can be investigated fully?

Sir Geoffrey Howe: The arrangements being made for the handling of the Bill during this session do indeed involve debate of the remaining stages on Monday 30 October, in accordance with the timetable motion already in place, but there will of course be further opportunities to consider the implications of the Taylor report when the Bill comes to be implemented.

Mr. Brian Wilson (Cunninghame, North): Will the Deputy Prime Minister consider the possibility of a wide-ranging debate on conservation issues and the responsibility of various quangos for their management in advance of legislation? There is deep concern among those interested in such matters, and, I think, in all political quarters, that the Government will produce half-baked legislation that will satisfy no one. Will the right hon. and learned Gentleman also give us an assurance that when legislation is presented it will not go first to the House of Lords, which is riddled with vested interests?

Sir Geoffrey Howe: I do not accept the hon. Gentleman's sweeping condemnation of the other place. The House will certainly have ample opportunities to consider the general questions with which he is concerned, however, and I shall bring his particular anxieties to the attention of my right hon. green and friendly Friend the Secretary of State for the Environment.

Public House Bombings (Guildford and Woolwich)

4.7 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): With permission, Mr. Speaker, I should like to make a statement about the quashing this afternoon by the Court of Appeal of the convictions of Patrick Armstrong, Gerard Conlon, Paul Hill and Carole Richardson of murder and other offences connected with the bombing of two public houses in Guildford on 5 October 1974, and those of Patrick Armstrong and Paul Hill of murder arising from the bombing of a public house in Woolwich on 7 November 1974.

I informed the House on 16 January this year that I had decided to refer the convictions to the Court of Appeal. That was because I had received representations alleging that a miscarriage of justice had occurred, and putting forward matters that had not previously been considered by the courts. Inquiries were carried out by the Avon and Somerset police into the new issues that had been raised, as a result of which I concluded that there were grounds to justify my intervention. Accordingly, I referred the case to the Court of Appeal under the provisions of section 17 of the Criminal Appeal Act 1968.

Following that decision the case became, for all intents and purposes, an appeal to the Court by the four convicted persons. In preparing the Crown case, the Crown prosecution service asked the Avon and Somerset police to carry out further inquiries which entailed scrutiny of the large quantity of police documents.

The information provided by the Avon and Somerset police led the Crown to take the view that misleading evidence had been given by officers of the Surrey police at the trial, and that this was sufficient to undermine the reliability of the confession evidence on which the convictions had been based. I understand that notes of interviews with Patrick Armstrong have been found which indicate that a record which was presented in court at the original trial could not have been the contemporaneous record which it was claimed to be by a number of police officers. It appears that officers gave misleading evidence about circumstances in which they obtained information from Paul Hill after he had been charged. Detention records also showed serious inconsistencies. None of these matters was made known to the then DPP or to the prosecuting counsel at the trial.

In view of those matters, the Crown concluded that it could no longer support the convictions as having been safe. Accordingly, it asked the Court of Appeal for an expedited hearing at which it invited the court to quash the convictions. This has now been done.

Separate confessions were made by Mr. Armstrong and Mr. Hill to Metropolitan police officers investigating the Woolwich offence. The Crown has carefully considered the reliability of those confessions. Nothing that has come to light casts the slightest doubt on the integrity or conduct of any Metropolitan police officer concerned. But it is necessary to put the separate confessions in the Woolwich case into perspective. They were made following interviews by Surrey police officers, in which initial confessions to involvement in the Woolwich bombing had been recorded, and they were made in Guildford police station after Armstrong had been in continuous custody for seven days

and Hill for two days. In all the circumstances, the Crown concluded that the factors undermining the reliability of the confessions recorded by certain Surrey officers extended to undermine also the reliability of the confessions repeated in the same police station to the Metropolitan police officers.

The new evidence was explained fully to the Court of Appeal this morning and the Attorney-General will place in the Library a copy of the transcript as soon as it is available, which he hopes will be early this evening.

Mr. Hill is being returned to Northern Ireland to continue serving the life sentence for murder to which he was sentenced quite separately in June 1975. I understand his sentence will be reviewed under the normal life sentence procedures in Northern Ireland.

This is very grave matter for all who care about justice. A number of issues arise. First, as the Court of Appeal has quashed the convictions on the basis of newly discovered facts, the four persons involved will be eligible to apply to me for compensation under the provisions of section 133 of the Criminal Justice Act 1988. The amount of the compensation will be determined by an independent assessor.

Secondly, the Director of Public Prosecutions has already set in train a criminal investigation, so that he can determine whether there is sufficient evidence to justify prosecuting the police officers involved. It is not possible at this stage to predict how long this urgent task will take. Of the three officers concerned who are still in the police service, the chief constable of Surrey has suspended two, the third being in hospital.

Thirdly, my right hon. and learned Friend the Attorney-General and I have decided to establish a judicial inquiry into the circumstances leading to the trial of those convicted of the Guildford and Woolwich offences to establish as far as possible the details of what occurred. Because it has been claimed that the police were led to Anne and Patrick, and to Patrick Maguire and their sons, Vincent and Patrick Conlon, Patrick O'Neill, and Sean Smyth by statements made to the Surrey police by Paul Hill and Gerard Conlon, my right hon. Friend and I believe it is right that the judicial inquiry should also look into the circumstances leading to their trial in March 1976 for possessing explosives.

We have had to consider carefully whether the judicial inquiry that I have just announced should be postponed until the completion of the criminal investigation which I have also announced. But the length of this investigation cannot at present be estimated. We have concluded that such is the importance of this case that it would be right to establish the inquiry straight away, recognising that it would have to adjust or adjourn its work as the interests of the administration of criminal justice might require. The inquiry will be presided over by the right hon. Sir John May, who was until last June a Lord Justice of Appeal. It will conduct its work on a non-statutory basis. Its terms of reference will be

"to inquire into the circumstances leading to and deriving from the trial of Patrick Armstrong, Gerard Conlon, Paul Hill and Carole Richardson on charges arising out of the explosions in public houses in Guildford on 5 October 1974, of Patrick Armstrong and Paul Hill in relation to charges arising out out of an explosion in a public house in Woolwich on 7 November 1974, and of Anne and Patrick Maguire, their sons, Vincent and Patrick Maguire, and Patrick Conlon, Patrick O'Neill and Sean Smyth on charges of possessing explosives and to report to the Home Secretary and the Attorney-General".

There has been a serious miscarriage of justice which has resulted in wrongful imprisonment for many years. Even though that wrongful conviction has now been righted as a result of police investigations and the decision of the Court of Appeal, we must all feel anxiety, regret and deep concern at what has occurred. The House will, I hope, support the Government's response.

Mr. Roy Hattersley (Birmingham, Sparkbrook): I am sure that the House has listened to the Home Secretary's statement with many different emotions: relief that innocent men and women are now free, horror that they were wrongly imprisoned for 15 years, incredulity that the miscarriage of justice could have continued for so long, satisfaction that the legal system itself exposed the wrongdoing and profound dismay that such a gross miscarriage of justice could have occurred in the first place.

There is also a deep determination to see that all those responsible for the wrongful conviction—I repeat, all those responsible—should be brought to justice and that every possible step should be taken to ensure that such a tragedy cannot occur again. There is also a general understanding that these wrongful convictions have laid the capital punishment debate to rest.

I support the Home Secretary's decision to set up an inquiry and to include the defendants in the Maguire case within its terms of reference. However, I must express our strong belief that the inquiry should be so constituted as to contain an element within it that is wholly independent of the judiciary. It is no reflection on the individual whom the Home Secretary has chosen to say that an inquiry so related to the operation of the judicial system will not be seen as wholly satisfactory if it is carried out by someone whose entire background and experience is within that system.

I want to press the Home Secretary on the way in which the inquiry he proposes will be run. Will it be compellable? Will the rules of evidence normally operating in court apply inasmuch as it will be taken on oath? We support the view that the inquiry should begin at once, but can we be assured that the consideration of initial prosecutions and the inquiry running side by side in the same time scale will not preclude further prosecutions if the inquiry discovers the implication of other men and women and that participation in the inquiry will be no protection against further prosecution?

On the wider question, does the Home Secretary agree that the time has come when British courts should cease to convict solely or mainly on the evidence of uncorroborated confessions? Far too many wrongful convictions—going back to Timothy Evans and including the Confait case—have been obtained in this way and that remains one of the major causes of concern surrounding the men convicted for the Birmingham bombing in 1974.

Is it not also essential, following the recommendations of Justice and the Select Committee on Home Affairs, that some new body be created which could examine dubious convictions with less restrictive terms of reference than those which invariably and inevitably constrain the Court of Appeal?

It is worth emphasising that, despite this morning's events, the overwhelming majority of police officers act honourably and honestly. When the tiny minority transgress, it is almost inevitably the result of pressure—pressure because of the shortage of resources, and emotional pressure quickly to solve a crime that causes

[Mr. Roy Hattersley]

general public outrage. It is essential that we do all that we can in this country, and in this House, to ensure that such pressures do not produce repetitions of the tragedy that we are discussing this afternoon.

Mr. Hurd: I am grateful to the right hon. Gentleman for his last remarks and his general tone. We thought hard about who should lead the inquiry. It is right that it should be not a serving but a recently retired judge, because that is the right way to give the proceedings the necessary stature and authority.

We also considered the basis of the inquiry. No doubt it would have been possible to constitute an inquiry on a statutory basis under the Tribunals of Inquiry (Evidence) Act 1921. Hand in hand with that would normally have gone some promise or undertaking of immunity, but we did not feel that that was appropriate in this case. The basis that we have chosen is well precedented—for example, the Fisher inquiry into the Confait case, with which members of the profession who are present will be well familiar—and I think that it is apt for this occasion.

The right hon. Gentleman rightly said that it is important that if a matter comes to light in the course of the inquiry, that might justify further prosecutions, those prosecutions are considered in the usual way and are not excluded by the fact that the information emerged from the inquiry.

The right hon. Gentleman raised the issue of uncorroborated evidence. The Police and Criminal Evidence Act 1984 laid down in statute for the first time strict rules about that, which had previously been in common law. The position in Scotland is, in some respects, different. I regard that, and the general question that he raised of how we are best to insure against possible miscarriages of justice, as very much back on the agenda. I should think it natural that the inquiry that I have announced under Sir John May might get into that territory.

I agree with the final point that the right hon. Gentleman made about the police.

Mr. David Howell (Guildford): Is my right hon. Friend aware that this reversal of a serious miscarriage of justice is welcome? His initiative and the prompt action that he has taken and announced today in that regard are greatly to be applauded. Quite separate from that, does he accept that we should always keep fresh in our minds the memory of those five innocent people who were slaughtered on that terrible night in Guildford 15 years ago and the 65 who were injured? Will he reassure us that, quite aside from the action that he has taken, which I fully endorse and support, everything will be done to ensure that those who committed that foul crime pay the full penalty?

Mr. Hurd: My right hon. Friend is quite right. It is timely to remind the House and everyone commenting on these events that those desperate murders occurred, and that my right hon. Friend's constituents were murdered. That is the basic tragedy from which all else flowed. He is right that the police must now pick up the threads and see whether there is evidence and room for further examination in an effort to track down the murderers. In that context, the evidence of the so-called Balcombe street gang will need to be reviewed afresh.

Mr. John Cartwright (Woolwich): Is the Home Secretary aware that the bombing of the King's Arms caused considerable bitterness and anger in Woolwich? There will be equally strong feelings at the realisation not only that the course of justice was deliberately perverted to imprison innocent people but that it has taken 14 years to put the matter right. Does he accept that there is widespread belief that if those four individuals had not had the support of some of the most powerful and influential people in the land, they would still be languishing in gaol?

Although the inquiry announced was extremely welcome, can the Home Secretary give a clear assurance that it will not just investigate the circumstances of this miscarriage of justice but will bring forward recommendations to ensure that such a thing never happens again?

Mr. Hurd: I cannot dictate how Sir John May will conduct the inquiry, but, as the hon. Gentleman will recognise, we have deliberately framed the terms of reference in such a way that he will be able to deal with the matters to which the hon. Gentleman referred to the extent that he believes them relevant to the three cases he has been asked to consider.

Mr. Ivan Lawrence (Burton): Is my right hon. Friend aware that, in addition to the thanks that are undoubtedly due to him for taking the initiative that has resulted in the ending of these appalling miscarriages of justice, our thanks are due also to the Avon and Somerset police for their diligence, the Director of Public Prosecutions and the Treasury counsel for ending the catalogue of terrible mistakes?

Does my right hon. Friend agree that, although the best legal system in the world cannot be proof against the wilful wrongdoing of human beings, if tape-recorded interviews and the results of the Police and Criminal Evidence Act 1984 had been in operation in 1974, it is almost certain that none of these miscarriages of justice would have occurred?

Mr. Hurd: My hon. and learned Friend is correct about the Avon and Somerset police, who have conducted a rigorous inquiry. He is also correct to say that the Police and Criminal Evidence Act has created a range of requirements and safeguards for suspects in police stations which have brought about a fundamental change in the framework within which the police operate.

As my hon. and learned Friend mentioned tape recordings, I should say that the tape recording of interviews concerning suspected terrorists arouses particular problems because people coming forward to give evidence may feel that they are exposed to dangers when their evidence is on tape. They cannot be entirely sure where the tapes will end up or what risks they may be running. I mention that to complete the picture and as a factor we must consider. It does not undermine my hon. and learned Friend's basic point.

Mr. Merlyn Rees (Morley and Leeds, South): There has been a serious miscarriage of justice and for many years people both inside and outside the House have been concerning themselves with it. We were beginning to wonder what could be done in this instance when something was obviously wrong. I welcome the events in the Court of Appeal today almost with relief. I also praise the Avon and Somerset police, the Crown prosecution

service, the Director of Public Prosecutions and the Secretary of State who brought in the Avon and Somerset police, to whom I gave evidence.

I am glad that there is to be a police inquiry and even more glad that there will be a judicial inquiry, even though I share some of the reservations expressed by my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley). I am glad that the Maguire family have been included. I know that that will also please my noble Friend Lord Fitt in another place, as he first came to me about that family many years ago. That family were not involved but some of them have spent time in gaol. I met the family again the other night. We knew that something was wrong and wanted to know what on earth could be done.

Do we need to wait for the result of the inquiry? There is the report of Justice with which right hon. and hon. Members on both sides of the House have been associated. There is to be a criminal justice Bill. In that can we have changes in the law and procedures on confessions? There was a report by the Select Committee and its recommendations could be in a new Bill in the Queen's Speech.

I came to the conclusion years ago that the procedure that the right hon. Gentleman and other Home Secretaries has had to operate in the Court of Appeal is far too narrow to get at the major issues of miscarriage of justice. I believe that the time has come to have an independent review body to look at these issues. It is all very well to say that the Home Secretary can refer the matter to the Court of Appeal, but I did that on one occasion and the court's attitude was, "Why has this come back again?"

I hope that the Home Secretary will speak to the press. I hope that the people coming out of gaol after 15 years, particularly Carole Richardson, whom I know, will not have chequebook journalism coming at them. This morning, I fished out a transcript of the trial, at the end of which the judge said to the four young people that, had capital punishment been in force, they would have been executed. I hope that that will be sent to the Prime Minister, and to the IRA, which is pontificating about all this. Last night, its members killed an alleged Protestant paramilitary and nothing will bring him back from the grave. They are not the people to pontificate about British justice.

Mr. Hurd: I am grateful to the right hon. Gentleman. I would not underestimate the energy and sincerity that he and a good many others associated with him have used in pursuing this case. The difficulty for him and for them has been the absence of fresh evidence against convictions that was not before the original court or the Court of Appeal, but that evidence has become available, with the result that he welcomes, although he believes it to be belated.

I know the right hon. Gentleman's views about the system. I shall give him the figures, which I have looked up, because they do not corroborate his view that the Court of Appeal never acts on these referrals. Since I became Home Secretary in September 1985, 17 cases have been referred to the Court of Appeal, involving 27 defendants; this is under section 17 of the Criminal Appeal Act 1968. Of these 17 cases, convictions were upheld in nine cases involving 16 defendants, and in six cases involving nine defendants, the convictions were quashed. There has been a measured response, and there are two outstanding cases involving two defendants.

This debate will start again, and both the right hon. Gentleman and the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) will no doubt participate in it. It will not wait for the report, but it will be reasonable, before we reach conclusions on that debate, to see what the report has to say.

Mr. Kenneth Hind (Lancashire, West): Following these sad events, is it not important to reassure the public that the police are a body that is to be supported, and that the major changes introduced by the Police and Criminal Evidence Act 1984 and the creation of the Crown Prosecution Service have enabled us to ensure that what happened in this case will not happen again? Most importantly, under the present system, the detention sheets that would probably have been made available by the CPS, and which were one of the major factors leading to the vindication of these four people, would have been made available to the defence, as they were not at the trial, would have been used and would probably have undermined the confession evidence put forward by the Crown.

Mr. Hurd: It is worth remembering that the Avon and Somerset police investigated this matter, at my request, and brought out the evidence on which the Crown has acted. I agree with my hon. Friend. In addition, we now have the Police Complaints Authority, which did not exist in 1974, which now has the power to supervise such investigations. My hon. Friend is right. The framework within which the police operate as regards suspects in police stations has been reformed.

Mr. Robert Maclennan (Caithness and Sutherland): However ample the financial compensation may be, it can never adequately recompense the four who have been wrongfully convicted for their suffering. Does the Secretary of State accept that the differences in Scottish and English laws of evidence and police procedures are not such as to make it unsuitable to proceed immediately, in the forthcoming criminal justice Bill, to reform the law on uncorroborated evidence in England to bring it into line with that of Scotland?

Does the Secretary of State also accept that the investigations that are to take place should look not only at possible criminal wrongdoing by the police or other officials, but at whether there were procedures that were followed in this appalling case that allowed the wrong-doing to go undetected for so long?

Why has the Secretary of State not given a more forthcoming response to the proposal that there should be an independent review body involving lay people, because he has been in difficulties, throughout this case, over the lack of such a body to channel the evidence towards him?

Does the Secretary of State agree that this case must damn for ever the repeated parliamentary attempts to reopen the issue of capital punishment?

Mr. Hurd: That last point speaks for itself.

I agree with the hon. Gentleman that the action taken now and whatever financial compensation is eventually agreed does not obliterate or compensate effectively for years of wrongful imprisonment.

On corroboration, the hon. Gentleman may have been misled by something that he heard earlier which I did not correct. I cannot reveal what will be in the Queen's Speech but it is wrong for him to gallop away with the assumption that it will include a criminal justice Bill. Scots law imposes

[Mr. Hurd]

a general requirement that evidence should be corroborated before it can be used to convict. As the hon. Gentleman knows, there are differences between English and Scots law, and the requirement may be met, for example, by the account of the police officers who are present during an interview. I do not dismiss solutions to this problem or suggestions that there should be an independent review, but it would be sensible, as the debate gets under way again, to have regard to what Sir John May concludes.

Several Hon. Members *rose*——

Mr. Speaker: Order. I have to have regard to the subsequent business which is an important debate on the defence estimates in which many hon. Members wish to speak. I request hon. Members to ask brief questions and not to repeat questions that have already been asked.

Mr. Gerald Howarth (Cannock and Burntwood): While the Government's actions should effectively repudiate the outrageous attacks made on British justice by Mr. Patrick Ryan in Dublin, my right hon. Friend will not be surprised to learn that my constituents whose 17-year-old daughter was killed in the Guildford bombing are distraught to learn that her killers are still at large. My right hon. Friend has told my right hon. Friend the Member for Guildford (Mr. Howell) that the inquiry will be reopened. Will he assure the House that no effort will be spared by the police in reconsidering the evidence to make sure that Caroline Slater's killers are brought to justice?

Mr. Hurd: Yes, I give that assurance.

Mr. Stuart Bell (Middlesbrough): As a simple Back-Bench Member, I offer my deepest sympathy to those imprisoned for so long who were the sad victims of a miscarriage of justice.

Will the Home Secretary confirm that the system of justice that has been the basis of our society for a thousand years has been severely undermined by the decision of the Court of Appeal today and by the events which led to the imprisonment of the Guildford Four? I welcome his comments about a judicial inquiry which will look at miscarriages of justice and uncorroborated evidence. Will he give the House an assurance that any recommendations made by the inquiry will be brought rapidly before the House so that we can participate in ensuring that such miscarriages of justice do not take place again?

Mr. Hurd: There has been a serious miscarriage of justice, which, at length, has been corrected by the criminal justice system, in this case by the Court of Appeal. I do not wish to truncate or stifle the discussion that the hon. Gentleman describes. I expect that the House will want to take an active part in it.

Rev. Ian Paisley (Antrim, North): The Home Secretary has spelt out the principles on which he came to the decision, which I wholeheartedly welcome. I believe that it is the duty of the Government to see that justice is done and seen to be done, no matter who is held to ransom in the prisons of this United Kingdom. Is he saying from the Dispatch Box today that other cases will be dealt with according to the principles that he has spelt out?

There are people in the prisons of this United Kingdom, including Northern Ireland, who are in similar circumstances because new evidence has surfaced. I am thinking of four members of the Ulster Defence Regiment who are in prison today. The one person who brought the vital evidence has now stated publicly that she was forced by pressure from the security forces to make false statements. Those men are behind bars. We have tried to have the matter brought forward in the House. What happened? The Northern Ireland Office informed us by letter that the case would not be reopened. Will all cases, irrespective of who is involved or where they are, be dealt with on the same basis of the principles that the Home Secretary has announced today?

Mr. Hurd: The three parts of the United Kingdom—Scotland, Northern Ireland and England and Wales—have separate legal systems and separate exact provisions on these matters. However, I believe that the principles are the same. The case to which the hon. Gentleman refers is not one over which I have any jurisdiction, but I will ensure that my right hon. Friend the Secretary of State for Northern Ireland is aware of the hon. Gentleman's comments.

Mr. Ken Maginnis (Fermanagh and South Tyrone): On behalf of my right hon. and hon. Friends, I welcome the righting of any injustice, irrespective of how belated that may be. However, we must learn lessons from the mistakes. In the light of the experience of this case, can we assume that the Home Secretary will now prevail upon his right hon. Friend the Secretary of State for Northern Ireland immediately to take appropriate action to review the case of the four Ulster Defence Regiment men from Armagh who were convicted of murder on the evidence of a witness who has now retracted that evidence?

Mr. Hurd: I have no detailed knowledge of that case and therefore I have no right to comment on it and no intention of commenting on it. However, I will make sure that the hon. Gentleman's comments are passed on to my right hon. Friend the Secretary of State for Northern Ireland.

Mr. Michael Shersby (Uxbridge): Is my right hon. Friend aware that this case will cause the police grave concern because they recognise that it will damage the reputation of which they heve been justly proud for many years? Does he also agree that the officers concerned must not be prejudged by premature conclusions of guilt? Is he aware that the Police Federation very much welcomes the full judicial inquiry that he has announced, but it wants the inquiry to cover all concerned and not just the police officers to whom my right hon. Friend has referred?

Mr. Hurd: It is a matter of grave concern to the police as indeed it is for us all. I am grateful for my hon. Friend's support. The terms of reference of the inquiry are deliberately wide to enable Sir John May to range widely. My hon. Friend would agree that the integrity of the individual police officer must be the foundation of policing, and all other things are secondary to that.

Mr. Peter Archer (Warley, West): Does the Home Secretary agree with my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) that public emotions run highest in the most serious cases and those are the cases in which the police are most tempted to falsify

confessions and juries are most likely to believe them? Does he accept that no procedural safeguards can preclude that? Whatever the outcome of Sir John May's inquiry, would it not be wise to invite the Law Commission to consider whether a conviction should be sustained on an uncorroborated confession which is subsequently withdrawn?

Mr. Hurd: Speaking from memory—the right hon. and learned Gentleman may be more aware of this than I—I believe that the Criminal Law Revision Committee considered that specific point before we placed the present provisions on the statute book in the Police and Criminal Evidence Act 1984. I will study the right hon. and learned Gentleman's suggestion, because he speaks from experience of these matters.

In response to my hon. Friend the Member for Uxbridge (Mr. Shersby), I should have confirmed that it is crucial that the criminal investigation that the Director of Public Prosecutions is undertaking to discover whether there is evidence for charges against the police officer, should be conducted in an atmosphere without prejudice. That is very important and I hope that everything that I have said and all the comments made in the House will bear that point in mind.

Mr. Ivor Stanbrook (Orpington): While I share the general relief that justice has at last triumphed in this case and the general dismay that it has taken so long, will my right hon. Friend confirm that the action was taken purely on legal grounds and that there was no question and is no question of the verdict of any British court being set aside as a result of political pressure? If we were to allow the due process of law to be diverted at the behest of cardinals and archbishops, British justice would be no better than that of the Ayatollah Khomeini.

Mr. Hurd: My hon. Friend should look again at the statement that I made in January in which I explained why I was referring this case to the Court of Appeal. I covered the ground fully then. I distinguished between the perfectly genuine and sincere efforts of people to persuade me that the original court had got it wrong and my looking for any fresh evidence or substantial material which the original court could not possibly have considered. After I made that reference in January, the matter was out of the hands of Ministers and the Government. It was in the hands of the Avon and Somerset police, then the Crown prosecution service and then the Director of Public Prosecutions. On Tuesday, the director announced in summary that the Crown would today be placing before the Court of Appeal its conclusion that the convictions were not safe.

Mr. Eddie McGrady (South Down): Like other hon. Members, I very much welcome the Home Secretary's statement which arises not so much as a result of the legal and judicial process, but from the unshakeable faith of the families concerned in the innocence of those convicted so many years ago and the people who sustained the campaign to have their innocence vindicated.

Will the Secretary of State accept the comments made by hon. Members that convictions on confessions alone are very suspect? When he translates that into the Northern Ireland judicial system where there are no juries, such convictions are even more suspect. Will he ask his right hon. Friend the Secretary of State for Northern Ireland to review the Diplock court procedures in Northern Ireland?

The case of Paul Hill has been referred back to Belfast and the Northern Ireland judiciary. Hon. Members may be aware that Paul Hill, in his innocence, sustained 1,641 days of solitary confinement. Would it not be a generous gesture to release him immediately with the other three Guildford people?

In view of the revelations, will the Home Secretary undertake to ensure that the judicial inquiry that he has put into train could be applied to similar cases, particularly that of the Birmingham Six? Is the Home Secretary aware that in many instances there is considerable anti-Irish bias in certain police forces and that three of my constituents arrested a week ago today were branded in the press as "Thatcher Bomb Gang Arrested"? I will not defend the tabloids. However, that headline occurred as a result of information from the Cheltenham police and that has put the lives of those men in danger in Northern Ireland.

Mr. Hurd: The hon. Gentleman has ranged very widely and this case has nothing to do with the Diplock courts. I have covered the point about Mr. Hill and his future is not a matter for the criminal justice system in this part of the United Kingdom.

The hon. Member for South Down (Mr. McGrady) seems to be the first hon. Gentleman to raise the Birmingham case and I will not deal with it at length now —*[Interruption.]* I apologise if I missed other points.

In January 1987 I referred the Birmingham case to the Court of Appeal. The Devon and Cornwall police carried out a full police inquiry into the relevant actions of the West Midlands police which was comparable to the investigations which have now been carried out by the Avon and Somerset police. As a result of that, the case was fully reviewed by the Court of Appeal, which found that the convictions were safe. The court hearing lasted more than a month and it spent five days considering the crucial point about the validity of the confessions. In those circumstances, I do not believe that it would be useful to refer the case again.

Mr. Tony Baldry (Banbury): Will my right hon. Friend confirm that the Crown court or Court of Appeal can act only on the basis of admissible evidence before it? If the evidence that has subsequently come to light in this case had been available to the original hearing or before the Court of Appeal subsequently, matters would have been different. However, the House has heard nothing to cause us to impugn the conduct of the Crown court in the first instance or the Court of Appeal subsequently or in any way to impugn the integrity of the judiciary involved.

Mr. Hurd: Of course it is perfectly right that a court has to act and take the best decisions it can in the matter on the evidence available to it.

Several Hon. Members *rose*——

Mr. Speaker: Order. I repeat that I must have regard to the subsequent business. In any event, I regret that I shall have to——

Mr. Chris Mullin (Sunderland, South) *rose*——

Mr. Speaker: Order. I regret that I shall have to impose a limit of 10 minutes on speeches this evening. I will call

[Mr. Speaker]

four more Opposition Members and then I will call the Opposition Front-Bench spokesman. Now we will have Mr. Chris Mullin.

Mr. Mullin: Does the Home Secretary agree that today's decision entirely vindicates those who for the past 10 or 15 years have been attempting to draw his attention to the miscarriage of justice in this case? In future will he listen with more respect to those who have been telling him, also for the past 10 years or so, that the persons convicted of the Birmingham pub bombings are also entirely innocent and were convicted on the basis of confessions which were fabricated in a similar way to those of the persons convicted at Guildford?

Does the right hon. Gentleman agree that it is not credible to pretend that what has happened today is the fault of a handful of Surrey police officers? Everyone knows that after the arrest of the Balcombe street IRA unit, who were responsible for the Guildford and Woolwich pub bombings, everyone involved in that case up to the level of Director of Public Prosecutions, Sir Michael Havers the prosecutor and Commander Imbert knew that they had got the wrong people and chose not to face up to it. Will the inquiry announced today address that matter and the culpability of those people?

Finally, it is only a matter of time before the Birmingham pub bombings case will have to be reopened. Already, many of the police officers involved in that case have been caught forging confessions in other cases in a manner identical to what was alleged at the original trial and what was conceded today by the Crown. It would be better for the judicial system as a whole and for the respect with which the police wish to be regarded if that scandal is brought to an end as soon as possible.

Mr. Hurd: I listened with respect to all those who have approached me on those matters, as most of them at any rate will corroborate. I listen with respect to the hon. Gentleman so long as he keeps his remarks and arguments within reason. But when he goes on as he did just now and makes such wild personal attacks, the respect with which one listens to the rest of his arguments lessens quite quickly. I explained to my hon. Friend the Member for Banbury (Mr. Baldry), that, as the Court of Appeal has so recently gone in great detail into the Birmingham case following a police investigation which was comparable with that undertaken by the Avon and Somerset police in the Guildford case, there really is no purpose in my again referring that case to the Court of Appeal.

The hon. Gentleman referred to the investigation into the activities of the West Midlands serious crime squad, which is being supervised by the Police Complaints Authority. I have no reason at this stage to suppose that that investigation, which is into quite different cases, will touch the Birmingham case, but if anything arises from that investigation that causes doubt about the safety of any conviction, of course we would have to consider whether any further intervention would be justified.

Mr. Gerald Bermingham (St. Helens, South): Does the Home Secretary agree that one of the problems that has arisen in the past is the power of the Court of Appeal in these matters? Would it be wise for the inquiry to broaden its scope just a little to encompass the problems that arise in the Court of Appeal when looking at cases of miscarriages of justice? Of course the court cannot put itself back into the place of the jury at the original trial and then raise the question whether the new evidence would have affected the original jury. Surely the Home Secretary should agree that one of the matters that we need to look at in this inquiry is the position of the Court of Appeal.

Mr. Hurd: Lord Devlin put that point to me when he came to see me with the right hon. Member for Morley and Leeds, South (Mr. Rees) last year. I understand that point. It was later dealt with by the House of Lords in another context. I do not think that it arises directly out of the inquiry, but it is certainly relevant to the debate that we have been talking about.

Mr. Jeremy Corbyn (Islington, North): Does the Home Secretary accept that these cases got into court and the acquittal was granted today because of the steadfast campaign by the families and supporters of the Guildford Four over the past 10 years, and that influenced opinion which finally brought the matter to light and the excellent books that were written on it? Does he recognise also that any inquiries that are made through judicial inquiry must not stop at a small number of police officers but must involve those who led the prosecution and the investigation that was headed by Sir Peter Imbert? If necessary, investigations must be made right up to the highest level. Four people have wasted nearly 15 years of their lives for a crime that they did not commit.

Will the Home Secretary now recognise that the conviction of Paul Hill in Belfast in 1975 was made on confessional evidence which was taken at the same time as the confessional evidence surrounding the Guildford and Woolwich pub bombings? In those circumstances, is it not right for the Home Secretary now to refer that case also to the Court of Appeal for exactly the same treatment as in the case of the Guildford and Woolwich pub bombings?

Mr. Hurd: The last point is not one for me. The future of Mr. Hill under the Northern Ireland criminal justice system as a result of his conviction for murder in that jurisdiction is emphatically not a matter for me. This partial righting of a miscarriage of justice—this righting of a wrong conviction—came about because I referred the case to the Court of Appeal and there was a police investigation which turned up matters that no one had known of before. I pay tribute to the sincere campaigning that has gone on all this time. It is right to record exactly how these things happen.

There are two things going on, both of which I touched on today. One is a criminal investigation—that is to say by the director—into whether there is evidence that certain police officers were guilty of criminal offences in their handling of this matter. That is a criminal investigation.

Secondly, there is an inquiry which goes wider—it has wide terms of reference—which I have announced. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) raised the same question as the hon. Gentleman about what happens if the inquiry throws up suggestions that other criminal offences may have been committed. In those circumstances, prosecutions will be considered and decided on in the usual way. I should repeat that there is nothing which has been uncovered by the Avon and Somerset police which casts any doubt on the conduct of the Metropolitan police's investigation into the Woolwich bombings.

Mr. Martin Flannery (Sheffield, Hillsborough): An horrific judicial crime has been committed against those four innocent people. Those of us who have struggled for some years to try to set things right have often had opprobrium heaped on our heads as though we accept terrorism. After bombings and terrorism, vigilantism and vengeance always raise their heads, but many of us have struggled against that to our best abilities. Hon. Members have heard a lawyer, the hon. Member for Orpington (Mr. Stanbrook), say that ordinary people should not try to argue against an injustice and that they should not try to influence the state machine about such an horrific crime. It really is sad that such a man is involved in the law.

To ordinary people it is unbelievable that uncorroborated confessions exist. Many of us who are not lawyers or lawyer-like cannot believe that confessions could be accepted without some corroboration and some evidence. If that matter is not set right large numbers of people who are in gaol at this moment because of uncorroborated evidence will suffer for years to come. Surely the best thing that we can do immediately is to set ourselves to the task of setting free the Birmingham Six.

Mr. Hurd: I disagree with all the points that the hon. Gentleman has raised—certainly in respect of Birmingham and uncorroborated evidence. My hon. Friend the Member for Orpington (Mr. Stanbrook) was saying that justice should not be politicised. That is quite right. That is the difficulty which lies at the heart of getting this problem right. I do not think that the hon. Gentleman's contribution, although obviously sincerely meant, is a helpful contribution to that.

Mr. John Morris (Aberavon): We welcome the Home Secretary's response as regards the breadth of the inquiry, particularly his indication that the treatment of confession evidence, along the Scottish pattern, will be within the remit of Sir John May's inquiry.

I shall mention two points of detail about this non-statutory inquiry. First, how will the inquiry ensure the presence of witnesses? Will they be compellable? Secondly, is it contemplated that there will be immunity from prosecution, or is this phrase that the inquiry will be able to "adjust or adjourn" its work meant to cater for such an eventuality?

With regard to the Birmingham case, will the Home Secretary give further consideration to the significant developments in the police force since the Court of Appeal ruling which may affect—and I choose my words carefully—the relevant period?

Mr. Hurd: There would be no question of compellability of witnesses, and, in practice, it has been found in the past on similar occasions that that does not turn out to be a substantial problem. Immunity is a matter for the Director of Public Prosecutions, not for the Home Secretary, but certainly no kind of immunity or promise of it flow from anything that I have announced today. Regarding the right hon. and learned Member's last point, perhaps he will reflect on what I have already said about the police.

WELSH AFFAIRS

Ordered,

That the matter of the National Health Service in Wales, being a matter relating exclusively to Wales, be referred to the Welsh Grand Committee for its consideration.—*[Mr. Patnick.]*

STATUTORY INSTRUMENTS, &c.

Ordered,

That the London Docklands Development Corporation (Vesting of Land) (London Borough of Southwark) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Youth Service (Northern Ireland) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

European Community Documents

Mr. Speaker: With the leave of the House, I shall put together the three motions relating to the European Community documents.

Ordered,

That European Community Document No. 8673/88 relating to nutrition labelling be referred to a Standing Committee on European Community Documents.

That European Community Documents Nos. 7648/89 and 7654/89 relating to animal welfare be referred to a Standing Committee on European Community Documents.

That European Community Document No. 4093/1/89 relating to gas appliances be referred to a Standing Committee on European Community Documents.—*[Mr. Patnick.]*

Orders of the Day

Defence Estimates

[SECOND DAY'S DEBATE]

Order read for resuming adjourned debate on amendment to Question [18 October]:

That this House approves the Statement on the Defence Estimates 1989 contained in Cm. 675.

Which amendment was, to leave out from "House" to the end of the Question and to add instead thereof:

'believing that the Statement on the Defence Estimates 1989 has been overtaken by the superpower disarmament initiatives, and supporting those agreed at the 1989 NATO Summit, considers that Her Majesty's Government should undertake a Review to ensure that Britain is defended by properly supported Armed Forces and by the negotiation of verifiable disarmament agreements, to assess future commitments and priorities, to provide Forces and defence industries with a framework to plan future needs, and to examine the allocation of resources which could be released for social and economic purposes; recognising that negotiated disarmament is now more probable, and welcoming progress towards a world-wide treaty banning the possession or production of chemical and biological weapons, calls upon Her Majesty's Government to support NATO in seeking to reduce short-range nuclear forces before complete implementation of any conventional force agreement and to delay a decision on the Lance replacement; urges Her Majesty's Government to seek NATO's abandonment of the destabilising flexible response strategy; demands that Her Majesty's Government indicates its willingness to participate in the next stage of the START process; recognising the impact of government economies and the lack of an industrial procurement strategy on the Services and on major contractors now vulnerable to foreign takeovers, calls upon the Government to establish a Conversion Agency to employ the skills and resources of the defence procurement industry in the civil sector; condemns the cowardly attacks of murderous paramilitary groups; and demands that the Government ends the sacrifice of safety at military bases and establishments by the excessive dependence on private contractors.'—*[Mr. O'Neill.]*

Question again proposed, That the amendment be made.

5.3 pm

Mr. Speaker: I remind the House—I have already said it twice—that as a great many hon. Members wish to participate in the final day of the Defence debate, I shall ask for a limit of 10 minutes between 7 o'clock and 10 o'clock—I am sorry—7 o'clock and 9 o'clock.

Mr. Michael Mates (Hampshire, East): Why not 10 o'clock.

Mr. Speaker: I hope that those right hon. and hon. Members who are called before that time will bear that limit in mind, to accommodate their colleagues.

Mr. John Marshall (Hendon, South): On a point of order, Mr. Speaker. Yesterday, in *c.* 144 of *Hansard*, you said that it is not possible for the Chair to select more than one amendment. I would never dream of questioning one of your rulings, but I fear that you have been wrongly advised, as my advice is that there is no such rule. If an amendment had been tabled by the leader of the Liberal party, it might well have been considered for a Division, yet an amendment in the name of the right hon. Member for Chesterfield (Mr. Benn), which was a fortnight ago supported by 4·2 million people in this country, is not to be considered. In view of this, would you reconsider your ruling?

Mr. Speaker: I think that the hon. Member is confused. It is possible to call two amendments in the debate on the Loyal Address, but not in a debate of this kind.

5.5 pm

The Minister of State for Defence Procurement (Mr. Alan Clark): The traditional two-day defence debate has the advantage that more hon. Members can have the opportunity to put their views and the interests of their constituents to the House and that the four Defence Ministers can submit themselves to the scrutiny of the House for their several responsibilities.

I shall speak about weapons procurement. The House knows that it is a subject of great complexity and expertise. I shall endeavour to give way to hon. Members as often as I can, but I invite them—although I do not insist—to recall the curiously tetchy remarks of the hon. Member for Clackmannan (Mr. O'Neill) yesterday, when he said:

"It is always annoying when a question is asked that has no relevance to what we are talking about."—*Official Report*, 18 October 1989; Vol. 158, c. 160.]

That was a curious remark for someone who has been in the House for 10 years, but his command of the audience is such that he does not express it very often.

I shall do my best to give way but, due to the complexity of the subject, it is possible that hon. Members may have to content themselves with a two-tier answer—I shall answer in general terms and we may have to provide hon. Members with fuller written texts later.

Seven out of the nine Select Committee reports linked to this year's debate relate directly to defence equipment procurement issues. This shows the interest that the House takes in, and the importance it attaches to, ensuring that our Armed Services are equipped with the best available equipment. I pay tribute to the skill and diligence with which the Committee has applied itself to a series of difficult topics.

In procuring equipment, we spend more than £8 billion a year of taxpayers' money. To obtain the best value for this outlay, the Ministry has adopted a commercial aproach which makes the maximum use of competition and taut contracting. I found it very odd yesterday that the hon. Member for Clackmannan said that this approach is filling him with disquiet. He related it to what he alleged was a fall-off in quality. I must tell the House that I have absolutely no evidence to suggest that this happens. The importance that we attach to this issue is shown by the recent appointment of a director of reliability to act as a focal point for reliability matters within the Procurement Executive. I am certain that competition promotes the efficient use of industrial resources, leading to greater export success, as we have witnessed during the last few years. In 1988, our exports sales amounted to more than £3·5 billion. This is one industrial sector where we are in surplus on the current account.

It seems extraordinary that Opposition Members who, on other occasions, deplore and protest most loudly at the decline in our manufacturing capability and the effect that it has on the balance of payments, should have singled out this one exceptionally successful sector for the application

of a curious mixture of doctrinaire and muddled suggestions and the almost batty concept of the arms conversion agency.

My hon. Friend the Member for Kingswood (Mr. Hayward), in a most able speech yesterday, fell into an argument about what the hon. Member for Clackmannan said at a trade union meeting. I am not interested in what he said at the meeting because I am content to settle for what he said here yesterday evening. He said that Labour "would help those firms in the defence industry . . . to move into new markets, by way of grants, training, and advice on restructuring and markets."—[*Official Report*, 18 October 1989; Vol. 158, c. 168.]

In other words, he intends to take one of the most successful industries—one that knows exactly what it is doing—and move it——

Mr. Alfred Morris (Manchester, Wythenshawe) *rose*——

Mr. Clark: I will gladly give way to the right hon. Gentleman when I have finished my critique of what the hon. Member for Clackmannan said.

He would take those industries away from what they are doing successfully and ask them to do something about which they have no knowledge or experience. How will he assist them? Who will give advice, one wonders? Will it be officials? Will it be Ministers? Will it be funded from the public purse? Will it be discriminatory? It will not be available to other industries, or so I understand.

The hon. Member for Houghton and Washington (Mr. Boyes), who wound up the debate for the Opposition yesterday, had some words of comfort for the luckless work force in these industries. He said that the scheme would involve putting people into socially acceptable jobs. Unfortunate souls that they are, they are now working in a productive and useful industry but they are to be shifted by some agency into socially acceptable jobs.

Mr. Martin O'Neill (Clackmannan): What are the Minister of State and his Department doing to try to assist his contituents in Plymouth who have been made unemployed as a result of the contraction of the Royal Navy's core programme in shipbuilding and refitting? What is he proposing to do in that part of the world about such problems because they are exactly the ones that an arms conversion agency would seek to address? At the moment the Government are doing nothing for the people of Plymouth, Devonport.

Mr. Clark: I am glad that the hon. Gentleman has been slightly wounded by my comments. He has staged a diversion which has little to do with what was being said. Although as I understand it, his measures were deliberately conceived to shift people out of the defence industries into socially acceptable jobs, if he wants to deal with the people who would be made unemployed in that industry, whole corporations would have to move to making things of which they have no experience. However, since the hon. Gentleman asks, precisely 27 people in my constituency have been made compulsorily redundant in the dockyard. I repeat that the figure is only 27, which is a very much smaller number than that for compulsory redundancies in six or seven other industries.

Mr. D. N. Campbell-Savours (Workington): But 5,500 people have lost their jobs——

Mr. Clark: They have changed their jobs.

Mr. Alfred Morris *rose*——

Mr. Andrew F. Bennett (Denton and Reddish) *rose*——

Mr. Clark: Although it seems rather early in our proceedings to get so involved, I shall give way to the right hon. Member for Manchester, Wythenshawe (Mr. Morris).

Mr. Morris: The Minister talked about job losses in his constituency. There were 700 job losses announced in my constituency by Ferranti earlier this year. There is fear now of further job losses. Is there anything more that he can say today over and above what his right hon. Friend said yesterday, about the firm? Will he accept that there is very considerable concern among the work force at Ferranti?

Mr. Clark: I am delighted to hear the Labour party adopting the position that job losses are regrettable and that in the defence industries they must be cured by a more diligent and higher level of Government expenditure in that area. I find that extremely helpful and I look forward to the assistance of Labour Members later when the question of defence spending in the aggregate comes up. However, we were not talking about job losses. There was no suggestion in the speech of the hon. Member for Clackmannan (Mr. O'Neill) that he was talking about job losses; he was talking about the compulsory redirection of industrial activity. That is what he said.

Mr. Andrew F. Bennett: Does the Minister accept that the whole point of this debate is that the Government should set out their policies, not spend their time on a knockabout in the House of Commons? Will the Minister tell us the Government's strategy for our defence industries over the next 10 years on the basis that if we get a reduction in tension between East and West and a reduction in regional conflicts, the demands for arms worldwide will decrease, and if that happens it will be difficult for British defence contractors to get as much work as they are now getting? What is the Government's strategy on finding them alternative products to sell?

Mr. Clark: I am grateful for the hon. Gentleman's counsel. It is true that we have been diverted, but plainly I had to draw the attention of the House to the curious statement by the hon. Member for Clackmannan, which was reinforced by his colleagues with all their claptrap about social acceptability. That seems an odd posture to take. When the implications of what was said are fed back to the people on the shop floor of the defence industries, I feel that we shall soon hear little more of it. The capacity of the Labour party's designer-mode Front Bench to adjust their policy in a fine-tuned response to public demand is infinite. I expect that this policy will soon sink without trace.

However, I accept the implied rebuke from the hon. Gentleman. The Government attach particular importance to the opening up of the European armaments market. Our buying "off the shelf" from each other can avoid needless development costs. All the Independent European Programme Group nations have now nominated focal points for companies from other member countries to register their interest in bidding for contract opportunities. Starting next year, all the IEPG nations will publish their own defence contracts bulletins similar to those now issued by the United Kingdom and France.

[Mr. Clark]

We are also fully committed to the principle of collaboration with our allies to reduce duplication of effort and to promote standardisation and further the cause of equipment interoperability. Collaborative projects now account for some 15 per cent. of the United Kingdom's procurement budget, while overseas purchasing alone accounts for a further 10 per cent.

However, I must emphasise that our efforts to strengthen collaboration with our allies have to be carefully considered to ensure that they provide tangible results in terms of value for money. Collaboration is not an end in itself, to be pursued purely for symbolic reasons. Rather, it is the means to an end, which is value for money.

In that connection, I turn immediately to the subject that was exercised in the House yesterday, especially by Opposition Members. I refer to the background to our withdrawal from the NFR90 programme, which was announced on 29 September.

When in January 1988 the then Secretary of State for Defence announced that the United Kingdom would be participating in the project definition stage of NFR90, he said that the United Kingdom had made it clear to its collaborative partners that our continued participation was conditional on agreement of a timetable which was both realistic in technical terms and properly matched to the timetables for the ships major weapons systems. We emphasised that the United Kingdom would decide at the first project review whether or not to continue participation in this project.

This first project review has now taken place. As a result, and also taking account of the reduced prospects for achieving a common design, the Government concluded that the timetable proposed for the remainder of the project did not meet the conditions which they sought and consequently took the decision to withdraw from the project. In informing our NATO partners, the Government have emphasised their full commitment to the principle of collaboration where this is sensible and efficient.

Where collaborative projects are successful—the Tornado aircraft is an excellent example of a highly successful collaborative project—they will receive the full backing of the Government. Our support for the European fighter aircraft project, to which my right hon. Friend referred yesterday, has also been made plain. But where collaborative projects fail to produce the results they were designed to achieve; then we should not flinch from withdrawing.

Dr. John Gilbert (Dudley, East): It is all very well for the Minister to slide off the issue of the NATO frigate merely by saying that agreed specifications could not be arrived at, but surely he must face his own responsibilities in these matters. Because the United Kingdom withdrew, agreed specifications were not agreed because the United Kingdom would not agree to the specifications. In precisely what details did the agreed specifications of other nations not meet our requirements?

Mr. Clark: It is better to withdraw from projects at an early stage—[HON. MEMBERS: "Answer."]—before considerable investment in time and money has taken place. The decision to withdraw does not affect the key element of the project, which is the development of the systems. The weapons systems will have to be mounted on hulls and there is no question but that the amount of hulls and the number of vessels will change. It is better that the hulls on which the systems are to be mounted should be built in Britain according to the staff requirements of the Royal Navy and to meet precisely—*[Interruption.]* I could not hear what the hon. Member for Dunfermline, West (Mr. Douglas) was saying. Perhaps he would like to intervene.

Mr. Dick Douglas (Dunfermline, West): The Minister is using this as obfuscation. The Government made a decision to withdraw from the project, but not for the reasons that have been given. Will the Minister tell us where we go now? Do we need a frigate which in rough terms is related to the NATO frigate for the 1990s?

Mr. Clark: The hon. Gentleman did not hear me say precisely that in my last sentence before I gave way to him. Yes, we need a successor frigate and, yes, we shall be examining the possibility of designing a British hull and building it in British yards, but it is assumed at present that there will be a certain commonality of the systems that will fit in with the NFR90 hulls. It seems extremely sensible to adopt that course at an early stage rather than to waste our time and resources developing a hull which at an early stage in the project definition—we gave notice that that was our intention—would not be appropriate.

Sir Antony Buck (Colchester, North): First, it is an enormous pleasure to see my hon. Friend at the Dispatch Box with his new responsibilities. Does he agree that the matters raised by Opposition Members are largely dealt with in paragraph 411 of the White Paper which deals with the new machinery to develop closer links so that we can take full advantage of the opportunities after September 1997?

Mr. Clark: I am grateful to my hon. and learned Friend, who, formerly, had ministerial responsibility for the Navy. Therefore he is familiar with precisely those problems. On reflection, I believe that the House will agree that the course of action we have adopted is preferable to continuing with the project, which was, beginning to look unsatisfactory for our needs to some degree.

Mr. George Galloway (Glasgow, Hillhead): I also welcome the Minister to his new position. He is an old friend of mine and I hope that we will not fall out this evening. I hope that I have not caused him any problems with that confession.

The answer that the Minister has given on the NFR90 does not seem adequate. I take the health warning that he issued earlier: he is newly in the job and he will receive letters and suchlike thereafter. *Jane's Defence Weekly* of last week, when speaking of the NFR90 withdrawal, said:

"Just how sudden the decision to exit the programme was can be gained from the fact that as late as the end of last month the MOD intended to issue a number of invitations for contracts on the NFR90. These included surface weapon and ship platform studies along with three combat system studies."

The MOD seems to have had a dramatic about face on this project.

Mr. Clark: The studies can, of course, proceed because, as I have already explained, the systems can be accommodated in whatever hull thought appropriate by the Royal Navy as best suited to meet its needs.

Mr. John Wilkinson (Ruislip-Northwood): In future will my hon. Friend bear in mind the importance of maintaining the credibility of the United Kingdom as a consistent and reliable industrial partner for collaborative programmes, particularly in view of the decision to be taken on the future of the EH101 naval helicopter? Will he also bear in mind that it is usually preferable for British industry to be able to bid in to get its systems on to a large number of vessels, which would be the case with a collaborative programme, rather than on the somewhat limited number of vessels available on a purely national basis?

Mr. Clark: The systems remain collaborative and they can be fitted in different hull designs. It is possible that the Dutch will produce a frigate design that has slight variations on the Royal Navy frigates. I accept my hon. Friend's point that systems—they are the most expensive and difficult items in our inventory—are best approached on a collaborative basis in many cases. I cannot accept the implication that one should never be able to feel free to withdraw from a project because of the damage that it might do to confidence. If one were locked into projects at as early a stage as this one would never find oneself being party to such collaborative projects.

Mr. Ian Bruce (Dorset, South): What my hon. Friend has said about system collaboration and the use of such systems will be music to the ears of many of the professionals in the Admiralty research establishment and in the Navy, to whom I have spoken recently about whole ship procurement. Has the MOD decided that the decision to go the whole ship procurement route, which we were doing with NFR90, was the wrong decision? Was it decided that we would be much better off collaborating and making systems and weapons—actually focusing on how we design and develop—rather than on whole systems? The NFR90 has demonstrated the difficulty of trying to stick everything onto a single hull.

Mr. Clark: It certainly looks as though we are moving in that direction, but I would not like to lay down a positive guideline at this stage because the project is some 10 to 15 years in the distance.

Before I turn to our specific procurement programmes —no doubt Opposition Members will want to ask questions about that—I should like to mention our civilian staff, whose contribution to the nation's overall defence is critical. Yesterday the Chairman of the Select Committee paid tribute to them in his speech. We are a major employer with some 142,000 United Kingdom-based civilian staff spanning a range of several hundred different occupations in support of our armed forces. For our civilian staff, the past few years have seen many changes, not least the reduction in overall numbers from 248,000 in 1979 to the present level. I should also like to pay tribute to all the Ministry's civilian staff for the way in which they have managed the introduction of those changes while carrying on their valuable and important work.

We face problems of shortages in some grades and locations, which were well illustrated by the recent Select Committee report on staffing levels. We are grateful for that report and welcome its useful analysis of our staffing difficulties. Our response sets out what we are doing to improve the position.

Over the past 10 years, the Government have ordered a total of 64 major vessels and current annual expenditure on procurement for the Royal Navy is running at approximately £3 billion.

Since we last debated defence, two type 22 frigates, one Trafalgar class fleet submarine, one Hunt class mine counter-measures vessel and the first of a new class of single-role minehunters have been accepted into service. Twenty-two vessels are under construction. HMS Norfolk, the first of seven type 23 frigates so far ordered, and HMS Chatham—the last of 14 type 22 frigates—are both planned for acceptance into the fleet later in the year.

In the summer we received tenders for up to four more type 23 frigates and for an aviation support ship to provide dedicated helicopter support for amphibious operations —I know that Opposition Members are extremely keen on such operations.

Sir Geoffrey Johnson-Smith (Wealden): Does the Royal Navy still want the naval version of the EH101 to enhance its anti-submarine activity? If so, what is the reason for the delay?

Mr. Clark: The reason for the delay is that the aircraft and the systems within it have not yet been accepted and they are still undergoing tests. I am sure that my hon. Friend and the House would agree that such testing must be as rigorous and as comprehensive as possible to ensure that the best items of equipment are taken into service.

Mr. Campbell-Savours: Why should we not like amphibious operations?

Mr. Clark: Irony is never a success in this place—I should have learnt that by now. An ironic aside is always a disaster. I shall pass on it.

Mr. Bob Cryer (Bradford, South): It reads very well in *Hansard* as well.

Mr. Clark: One might be caught out in *Hansard.*

Mr. Allan Rogers (Rhondda): The House has had 26 minutes of this.

Mr. Clark: Does the hon. Gentleman want me to sit down? The House appears to be interested, judging from the number of interventions that have been made.

Right hon. and hon. Members will also be aware that we are analysing the results of feasibility studies into replacing our assault ships or extending their lives. We are carrying this work forward as quickly as we can and will make an announcement as soon as possible.

We are also in negotiation with Vickers Shipbuilding and Engineering Ltd. over its tender for the third Vanguard class Trident submarine.

The first of the new class single role minehunters, HMS Sandown, was among those vessels accepted into the Royal Navy earlier this year. Four more of the class were ordered in 1987 and are proceeding to programme. I can advise the House today of our intention to seek tenders in the next few months for a further batch of those vessels —pre-eminent in the world in its class—for the Royal Navy.

Mr. Andrew F. Bennett: Is that the only reference that the Minister intends to make to the Trident submarine? Is there any point in ordering another one if the missile system will not work? If we are to go ahead with the programme surely it would be much better to go for a

[Mr. Andrew F. Bennett]

totally redesigned submarine which would take the C4s rather than the D5s which have been suggested? Surely the entire programme is in question and there is little point in going ahead with another submarine if the Americans do not have a missile system that will work.

Mr. Clark: That is not the only reference that I shall make to the Trident system. I am aware of the temporary and minor technical uncertainties attacking the efficiency of the system.

Mr. Andrew F. Bennett: That is not what Congress said.

Mr. Clark: I was in Washington last week and I do not believe that the hon. Gentleman or his somewhat skittish colleague, the hon. Member for Dunfermline, West (Mr. Douglas) were there. I spoke to the chairmen of the various congressional committees and I spoke to them about the technical difficulties. I am satisfied that they are capable of quick solution and they are confident that the system will work.

We fully expect Upholder, the first of the new class of conventional submarines, to enter operational service early next year. This class of submarine will provide a powerful upgrade in the conventional operational capability of the Royal Navy. We are also presently considering proposals for the future generation of Hunter killer nuclear submarines—the SSN 20 class—which will incorporate the same propulsion plant that is to be used in the Trident boats, together with a sensitive new sonar.

Mr. Roland Boyes (Houghton and Washington): Does the Minister recall that yesterday evening I mentioned to him the possibility of frigate orders. Tens of thousands of workers will be anticipating the Minister's announcement. Is he going to order new frigates, and if so how many and when?

Mr. Clark: We have invited tenders for up to four new type 23s at present, which will be ordered within the year.

Mr. Boyes: December 1989, was it not?

Mr. Clark: It is a matter of evaluating the tenders. Plainly, the ships have to come at the best price. It is a matter of detailed and comprehensive technical evaluation, and the orders will be placed as soon as the tenders are accepted.

Mr. Ted Garrett (Wallsend): I did not quite catch the Minister's point about the air support ships contract. Did he say that the studies had been completed? Will tenders be announced this year or next year?

Mr. Clark: Tenders will be announced next year.

Turning now to Army projects, we have made plain our determination to replace the Chieftain tank, and following my right hon. Friend's announcement in the House last December, Vickers Defence Systems was awarded a contract in January to demonstrate whether they can deliver Challenger 2 to specification, time and cost. We are approaching this purchase on a step by step basis and expect to take a decision on the next step by the end of 1990.

On the subject of small arms, Royal Ordnance plc has now delivered over 70,000 SA80 weapons and it is now in service with our front line units, and provides an improvement over its predecessor in terms of accuracy, rates of fire and compactness.

The LAW80 lightweight man-portable anti-tank weapon entered service in February 1988, and several thousand of these are now in service. As the House will be aware, the LAW80 programme has been the subject of detailed study by the Select Committee, whose report we are now considering. We will of course be responding to the various points the report makes.

We are particularly concerned to examine all options that collaboration may provide to meet the army's future needs. We are pursuing options with France and West Germany for medium and long-range third generation anti-tank guided weapon systems—TRIGAT—to replace our current MILAN, Swingfire and TOW systems. Additionally we are working with France, Germany and the USA and on the multiple-launch rocket system to help meet our depth fire requirements.

The Royal Air Force continues to reap the benefit of its major modernisation programme. Annual expenditure on air systems is running at approximately £3 billion. Since the House last debated defence, development contracts have been signed for the European fighter aircraft.

Many hon. and right hon. Members are, I know, concerned over the outstanding decision on the selection of a radar for EFA. Some have been to see me to represent the interests of their constituents. I have also seen the national officers and works representatives of the MSF. We have to ensure that the right choice of radar is made to take full account of operational, technical, risk and cost factors, although the process of reaching a decision with our collaborative partners is taking longer than we would have liked.

The Tornado programme continues to demonstrate what can be achieved through successful collaboration. Nine squadrons of Tornado GR1 strike/ground attack aircraft are now operational, as are four squadrons of the F3 air defence interceptor variant.

The first squadron of the new Harrier GR5 has been formed and declared operational with a second squadron working-up.

If I may turn now to our helicopter programme, I am pleased to inform the House that an instruction to proceed has been issued to Boeing Helicopters for the update of the RAF fleet of Chinook helicopters to the latest CH-47D standard.

The Royal Navy version of the Anglo-Italian EH101 in the anti-submarine warfare role is into full development. Five prototype aircraft have commenced flight testing and have completed more than 200 hours flying. Project definition of the utility version is continuing.

The success of British industry in meeting the demanding requirements of the British Armed Services is matched by its successes in the field of defence exports. The House will join me in congratulating British industry on another highly successful year. Aided by the Defence Export Services Organisation, we succeeded in 1988 in securing business valued at in excess of £3,500 million, thus making the United Kingdom the third largest exporter of defence equipment and services in the world.

Mr. Rogers: That does not seem to tally with the defence estimates, which show a decline in overseas sales of

defence equipment from £1·2 billion to £781 million. Does the figure which the Minister has given to the House tally with our defence estimates?

Mr. Clark: The hon. Gentleman must be referring to a different year.

The benefits that success in export market brings are considerable in terms both of employment and foreign exchange. Overall, some 100,000 jobs in this country are sustained by the defence export business and the balance of trade on defence equipment currently shows a healthy surplus of some £500 million a year even before the full impact of recent increased levels of sales is felt.

Mr. Eric S. Heffer (Liverpool, Walton): Why does the Minister refer to defence equipment? It is military equipment and can be used for aggression as well as defence. Are we honestly saying that we are one of the biggest exporters of military weapons that can be used against perhaps defenceless people? Is that the boast of the Government?

Mr. Clark: Yes, the hon. Gentleman is right: defence is a euphemism for all forms of weapons. As the hon. Gentleman knows, defence sales are strictly controlled and there are guidelines to which we defer which greatly restrict the scope that we have for selling in a number of different markets. I am sure that the House approves of that.

We continue to give our strong support to the sale of British equipment overseas wherever this is compatible with the United Kingdom's political, strategic, and security interests. The right of every nation to secure the means for its own defence is embodied in article 51 of the United Nations charter and the Government believe that there is scope within the context of our stringent scrutiny and export licensing procedures for meeting the legitimate demands of friendly countries. Indeed, a strong British influence in assisting nations to provide for their own defence, is regarded as a positive force in the search for global peace and security.

Mr. Cryer: The Minister invokes the United Nations charter as a means of defending the export of arms, so why does he defend the purchase of Trident when that is clearly in breach of clause 6 of the United Nations' non-proliferation treaty? Surely, it is incompatible to call in aid the United Nations for one section of defence expenditure, but ignore an important trade treaty which was, as he knows, signed by 133 non-nuclear nations when spending about £10,000 million on Trident nuclear weapons.

Mr. Clark: I understand why the hon. Gentleman wants to express that point on the Floor of the House. However, as he well knows, he has received a letter from my hon. Friend the Minister of State for the Armed Forces in which his query was answered at length. The House has been tolerant of the length of time which I have taken and I know that it would not want me to repeat that reply now.

Yesterday evening much was made of the divisions in the Labour party, which are self evident. I do not propose to return to them but my sympathies—like, I suspect, those of the majority of this House—are with those Opposition Members who speak from the heart, from conviction rooted deep in experience and tradition, in preference to the Labour leadership who are, at present, in their designer mode in which any policy, no matter how sacrosanct or how strongly supported by the movement, can be fine, tuned for a couple of points in the opinion polls.

Yesterday, I listened with great attention to the speech of the right hon. Member for Chesterfield (Mr. Benn). I always come into the Chamber to hear his speeches. I recall his brilliant address on that somewhat self-satisfied occasion when the House was celebrating the tercentenary of the Bill of Rights. One's enjoyment of the right hon. Gentleman's contribution has to be tempered by the fact that he is always wrong. His whole record shows that in his judgment, performance and prediction he is always wrong.

Yesterday, he committed a further error which I must correct. He said that the Trident system was not independent and could not be operated without the consent of the President of the United States. I must tell him that that was the very first question to which I addressed myself in my first hours in this Department, and I put it to the senior officials in my Department. I was entirely satisfied by their answers and I am glad that the right hon. Gentleman has given me the occasion to assert my complete confidence in the independence of our strategic deterrent.

Mr. Tony Benn (Chesterfield): The hon. Gentleman has just told us that he has been told by civil servants that I am wrong, which is of great interest to the House, but I want to ask him one clear question: has he, or, for that matter, has the Secretary of State, even seen the agreements between the President of the United States and the Prime Minister of the United Kingdom governing the use of nuclear weapons in Britain by the Americans, or the use by Britain of nuclear weapons supplied by the United States? Unless he has, his comments are merely secondhand tittle-tattle from officials in his Department.

Mr. Clark: I interrogated my officials on the technical question. Of course I have not seen the agreements, but technical obstructions are more difficult to get over in times of crisis than pieces of paper. I doubt whether the right hon. Gentleman has seen the agreement either——

Dr. John Reid (Motherwell, North): During the Minister's cosy chat with his officials in the first hours of his important new appointment, did the officials tell him in what circumstances the Government might be prepared to use Britain's nuclear weapons independently in an assault by or with the Soviet Union? If he described such circumstances to give some practical effect to his theoretical assertion, will he be good enough to share with us the views of his civil servants?

Mr. Clark: Certainly not, but I assure the hon. Gentleman that I postulated a series of circumstances—not necesarily in relation to the Soviet Union—to them.

Of course, there is a realisation, perhaps more firmly grounded among Conservative Members than among Opposition Members, that much is or may be changing. Of course, we welcome events in eastern Europe—the spread of democracy, the lowering of super-power tensions—and we realise that over the medium term, and if sustained, they will invite the consideration of new initiatives in policy, in force structure and in procurement. But my right hon. Friend has warned the House that empires can be at their most dangerous as they disintegrate, and although there have been many declarations of intent, force levels are little changed. Those charged with the defence of the

[Mr. Clark]

United Kingdom must concern themselves with the facts as they are rather than as they may be at some future time, if all optimistic assumptions are fulfilled. I am entirely confident that the weapons procurement programme set out in these estimates is appropriate to our present needs, and I commend them to the House.

5.44 pm

Mr. Allan Rogers (Rhondda): We have listened to the Minister for 42 minutes and I am sure that most Opposition Members, at least, are more confused than we were when he started. To bring him up to date with his own business, I must point out that the year that was referred to earlier—he seems a little confused about it—was 1989. The hon. Gentleman has his figures hopelessly wrong; he should read his own "Statement on the Defence Estimates".

Yesterday, Conservative Members spent all their time criticising the Labour party's defence policy. We quite understand—as I hope to demonstrate before I conclude—the reasons why they want to concentrate on our policies and not their estimates. The hon. Member for Kingswood (Mr. Hayward), who is not here this evening, spent much time bleating about the job losses that would ensue if the Labour party were elected. That is fairly ripe coming from a party and a Government who use unemployment as an economic tool, regardless of the human misery it causes. Over the past 10 years, the Government have presided over an economy in which more than 4 million people have been unemployed—and they bleat about job losses.

That is even more ripe coming from a Ministry of Defence which has reduced service personnel by 4 per cent. since 1984 and has reduced the civilian labour force in the MOD by 21,000 since 1987—these figures are given in the estimates. The Government have reduced employment in defence-related industries by 115,000 in seven years, yet the hon. Member for Kingswood had the cheek to bleat about the possible loss of 10,000 jobs——

Mr. Cecil Franks (Barrow and Furness) *rose*——

Mr. Rogers: I have only just started.

The Government have cut, delayed and reduced so much that Westland, which was mentioned by the hon. Member for Kingswood, despairs of getting an order for the EH101. While we are on the subject of Westland, perhaps the Minister of State for the Armed Forces will tell us when he winds up whether the Ministry of Defence will place orders for the Royal Navy variant of the EH101. When will there be a firm order for the troop-carrying variant for the Army, and when will the future of Westland be assured by the Department giving it some orders?

Mr. Julian Brazier (Canterbury): Will the hon. Gentleman give way?

Mr. Rogers: Not now. Others gave way to the hon. Gentleman too much yesterday and many of my hon. Friends want to participate in the debate. I shall give way only at certain times so that we can make progress.

I am sorry that the Secretary of State is not here. I was rather surprised that he said that he had to go to an urgent meeting. The dates for this debate were set by the Government, but I have told the right hon. Gentleman that I am going to refer to him on more than one occasion—

The Minister of State for the Armed Forces (Mr. Archie Hamilton): The Secretary of State has made it clear that had it not been for the Home Secretary's statement today he would have been here to hear the hon. Gentleman's speech. As it is, everything was delayed, and that is why he has had to leave.

Mr. Rogers: I am sorry that the Secretary of State cannot be here for the full two days of debate, because I want to refer to his shabby speech yesterday. In an attempt to smear the Labour party and my right hon. Friend the Member for Chesterfield (Mr. Benn) he referred, in relation to the rise of Hitler and his Nazi thugs, to

"the sort of dangerous, easy solution that led us to abandon our defences at a crucial time with the consequent disasters of the 1930s."[*Official Report*, 18 October 1989; Vol. 158, c. 149.]

The Secretary of State was trying to link what happened in the 1930s, and appeasement, with Labour party policy and the Soviet Union. That was the thrust of his argument, but he did not have the grace to apologise to my right hon. Friend the Member for Chesterfield when he was corrected. He should take the trouble to examine the history of the 1930s.

I want to place on record a few comments made by Conservative Members at the time. The then right hon. Member for Saffron Walden, speaking at Bridgwater, the constituency of the present Secretary of State for Defence, said:

"Why can we not make friends with Italy and Germany? There are people saying Herr Hitler has broken his word. I tell you there is one bargain he has made—that is, that the German Navy should only be one-third of the British Navy—which he has kept, and kept loyally".

That was the view of R. A. Butler. Mr. L. C. M. S. Amery, the right hon. Member for Sparkbrook, said:

"We cannot afford to pursue any policy which would bring us into conflict with Germany, Italy and Japan."

C. T. Culverwell, the hon. Member for Bristol, West said:

"I ask those who hate Hitler . . . what has Hitler done of which we can reasonably complain?"

In 1936 the Prime Minister told the House:

"Supposing I had gone to the country and said that Germany was rearming and that we must rearm, . . . I cannot think of anything that would have made the loss of the election from my point of view more certain."—[*Official Report*, 12 November 1936; Vol. 317, c. 1144.]

I repeat such remarks for one purpose. They make Conservative Members uncomfortable. They attempt to smear the Labour party and, as my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) said yesterday, it greatly offends us when Conservatives try to relate our party to the Communist Government in Russia. It was the Conservative party that consorted with the Nazis and their thugs in the 1930s. The Secretary of State's remarks yesterday about the Labour party were appalling. The present Government give succour and credence to Fascist regimes throughout the world.

Mr. Timothy Wood (Stevenage): It should be made clear that in his speech yesterday the Secretary of State spoke about "us"—the British Government and people in the 1930s. In his speech he did not refer to the Labour party. The only hon. Member who made a specific reference to people at that time was the right hon. Member for Chesterfield (Mr. Benn), who spoke about the Prime Minister of the day. The difference now between the

Conservative party and the Labour party is that we have learned from experiences then and the Labour party has not.

Mr. Rogers: That is absolute rubbish. If the hon. Gentleman refers to column 149 of yesterday's *Hansard*, he will see that what he has just said is complete tripe.

When he was speaking about the NATO commitment yesterday, the Secretary of State said:

"We should make a proper contribution to the defence of the West. I am proud not only of the cost but of the quality of the contribution that we make to NATO.—[*Official Report*, 18 October 1989; Vol. 158, c. 151.]

Perhaps the Minister of State for the Armed Forces will tell us why the Government have cut their commitment to NATO. Why have they given up the 3 per cent. increase on annual expenditure? Perhaps he can instruct the Secretary of State for Defence to get his facts right. Last year the Select Committee on Defence drew the Government's attention to the matter in the first paragraph of the second part of its comments on the defence estimates.

The trouble with the Government is that they think that strategic choices can be avoided simply by saying that they are seeking better value for money. In last year's debate the Under-Secretary of State for Defence Procurement made heavy weather of that dictum. Things would be all right if the Government knew the meaning of value, but they understand only the cost and that inability is the fundamental cause of the rottenness of all their policies, whether in health, social services or defence. In the same way as the Health Service is not safe in their hands, neither is defence. If it means anything, Thatcherism means looking at public spending, in the light not of what is desirable but of what is affordable and the Government ask themselves how can they get it as cheaply as possible. That is the underlying basis of the Procurement Executive and the Ministry of Defence. The Government spend as little as they can and pay no attention to the quality or whether an item can be delivered on time or even if it works. We have seen that with the Foxhunter radar.

The Government have never matched the ends of their defence policy to their means, or vice versa. Their defence and procurement policies are in shreds. In yesterday's debate, one of my hon. Friends drew attention to the cuts in the budget over the last few years. That is why our amendment asks for a review of Britain's defence roles. John Nott was the last Minister to face the problem in 1981, and he made the wrong choices. So bad was his judgment that hon. Members know that if the Falklands invasion had happened a year or so later we would have been incapable of striking back. However, today we are almost down to the 42-frigate Navy that John Nott proposed. As we said yesterday, the number of frigates in operation is in the low 30s.

The defence review in the last 10 years was carried out by stealth and incompetence. Conservative Members criticise the Labour party about cuts, but consistent cuts have been happening for the last six years, and between now and 1991 we will see the cuts proposed in the estimates. They will mean that our front-line service men will have planes that cannot fly to their full efficiency. The Minister mentioned the Tornado aircraft but not all those aircraft have radar in the nose to enable them to be properly used. There are 29 Tornados in storage because they do not have the radar that is necessary for operation. Those are the sort of planes that our Air Force has to use, yet the Minister says that he is proud of his procurement policy. Any analysis of the Defence Estimates shows a gloomy picture of cuts.

The previous Secretary of State for Defence, the right hon. Member for Ayr (Mr. Younger), acknowledged in his evidence to the Select Committee on Defence that he would have difficulty in funding desirable parts of his programme. The report of that Committee says:

"We would have liked to have ordered 8 AWACS aircraft, we have accepted that we can do the job acceptedly with 7".

That is typical of the present process. Eight AWACS are required for the defence of the country, but the Government say that they do not have enough money for that and will have only seven. However, they say that it does not matter and that the job can be done with seven.

Mr. Alan Clark: May we assume that all the cuts will be restored by a Labour Government if they ever take office? Is the hon. Gentleman preparing us for greatly increased defence expenditure?

Mr. Rogers: At the moment we are discussing the Government's estimates. *[Interruption.]* I wish that the Government Whip would not murmur. If he wants to speak, he has only to stand up, if he can. I want to concentrate on the estimates before us because Ministers did not do that yesterday. I shall later come to other matters.

I know that it hurts Conservative Members to look at the estimates, but if they do they will see that inflation is calculated at 2 per cent. The relative price effect was discussed at great length last year in the Select Committee. In view of the way that inflation is running, there is no way, even with the extra notional cash in the estimates, that we will be able to meet our defence requirements. Increases in service pay and pensions are running at 7 per cent. and there are likely to be further increases in view of the problems of manpower retention and recruitment.

The Secretary of State, who is not here, had the effrontery to criticise the Labour party on this issue. At the Conservative party conference last week he said:

"Two great companies (Harland and Wolff) and (Shorts), no longer enfeebled by endless dependence on taxpayer support, but now proudly under new ownership in the private sector".

Then he stopped for his two-minute clap.

I would tell the Secretary of State, if he were here, that Shorts was "enfeebled" by the public purse—"enfeebled" to the tune of £1,000 million of taxpayers' money, which went to fatten it up so that it could be handed over to friends of the Tory party. Enfeebled, indeed. One of the main proponents of that was the Secretary of State, when he was Secretary of State for Northern Ireland. The same man ensured that the Tucano contract was granted to Shorts—I shall say more about that later. The specification was changed, at great cost to the taxpayer and, potentially, to the nation's security. What hypocrisy on the part of the Secretary of State, who has the cheek to come to the Chamber and criticise the Labour party after what he has done to our defence budget.

At the Conservative party conference, the Secretary of State saw fit to demean himself by referring to the action of a few people in the Labour party who organised a fringe meeting with Sinn Fein in Brighton. In his speech, he attempted to smear the whole Labour party. I do not want to descend to the gutter politics of the Secretary of State, but let me ask a question which, perhaps, his friends will pass on to him.

[Mr. Rogers]

Did the Secretary of State, along with his friends from the Conservative party—I cannot believe that he did—attend the meeting with the neo-Nazi Mr. Blot of the French National Front, who was invited to address the party at Blackpool? [HON. MEMBERS: "He did not come."] Did the Secretary of State visit Mr. Derby-Lewis, of the Fascist South African Conservative party, in Blackpool? Again, I cannot believe that he did. If he did not meet them —whether they came or not—*[Interruption.]* They were invited, and when the Secretary of State returns to the House he may wish to distance himself from many of his colleagues who would have gone to the meetings in Blackpool, and did go to one of them. Those members of his party were happy to consort with the Fascists of Europe and the world. And the Secretary of State has the cheek to criticise the fringe meeting that was organised in Brighton.

After his "Communism and Socialism" tripe of yesterday, to which of the wings of the Tory party are we to understand that the Secretary of State belongs? Does he belong to the wing that consorted with the Nazi thugs in the 1930s? I am not sure about the Minister of State for Defence Procurement; would he care to say whether he belongs to that wing of the party?

At the Conservative party conference, the Secretary of State referred to Tiananmen square:

"When old men get frightened of losing control, it can get very nasty".

That, of course, can apply to aging women as well.

If the Secretary of State's criticism is correct, can the Minister tell me why he authorised the sale of arms to Red China a few weeks ago? If the Government condemn the "old men" and the regime, why do they give them succour, credence and the ability to dominate their people? Why are they giving them the weapons for internal repression? This was equipment that could be fitted to fighter planes, not strike bombers. If the Secretary of State wishes to criticise China, perhaps he should consider that aspect of his job.

The Secretary of State said that he was proud of the reception that the Prime Minister is given in Warsaw, Gdansk, Moscow and Budapest. But why does she not receive it in Glasgow, Newcastle, Birmingham and Wales —areas where the present Government's policies have made the Prime Minister loathed, not loved, and where she never walks the streets? Yesterday the Secretary of State strutted around talking about having consorted with the Hungarian and German regimes, but members of the Government do not have the courage to visit parts of their own country.

The acid test of defence procurement policy is whether our soldiers, airmen and sailors have the equipment that they need to carry out their duties, on time, in place and in working order. The Government fail that test in every contract. There are delays, slippages and cuts, with the result that our service men do not obtain their equipment as and when they should.

The policy of competitive bidding might have some credibility if the Procurement Executive and the Ministry of Defence knew what they were doing, and fulfilled their side of the bargain. The background, however, is one of changing requirements and specifications. Companies have complained to us that the Government are not giving them proper specifications, sufficient data or proper drawings, and, at the last moment, change everything round again. We know the technique, as do the members of the Select Committee: it is all because the Government are cutting back. It is a simple technique to move things off the shelf so that there can be delays.

As a result of all the pressure, companies are underbidding to obtain contracts. There is the classic instance of United Scientific Holdings, the company of which Sir Peter Levene was chairman before the became chairman of the Procurement Executive. It fell hopelessly behind, and was unable to complete a contract for a thermal optical guidance system for tanks. Tanks are now operating in Germany that can fight only by day. The men are praying that the Russians will not dare to arrive at night, because the tanks cannot operate then. And this is the Minister of State who is proud of his procurement record. The first thing that he should do is talk to the workers out there who are producing the equipment. He should listen to their complaints, and then go to see our service men and ask them about their problems.

Mr. Kenneth Hind (Lancashire, West): Will the hon. Gentleman give way?

Mr. Rogers: The hon. Gentleman has just come into the Chamber, so I shall not give way to him.

Mr. Franks: Will the hon. Gentleman give way?

Mr. Rogers: I will give way to the hon. Member for Barrow and Furness (Mr. Franks), because he has been in the Chamber for some time.

Mr. Franks: I am grateful to the hon. Gentleman.

One of the companies that have spoken to the Labour party is Vickers Shipbuilding and Engineering Ltd. Not only management but shop stewards went specially to the Labour party conference to ask the Labour defence team what its proposals were for the work force of 14,000 if Trident 4 was cancelled. Let me ask the hon. Gentleman specifically what the Labour party expects those 14,000 ment in the shipyards in Barrow to do on a Monday morning if a Labour Government had cancelled Trident 4 on the Saturday.

Mr. Rogers: VSEL is not one of the companies that I talked to.

Criticism is both explicit and implicit in the Select Committee report on procurement, but business and industry have expressed criticism as well. It has come from, for instance, Peter Sachs, director of the Electronics and Business Equipment Association. The Minister of State said that, when my hon. Friend the Member for Clackmannan (Mr. O'Neill) criticised his policy yesterday, he did not know what he was talking about. I suggest that the Minister does not know what he is talking about.

Peter Sachs and others are saying that our present bidding policy is ridiculous—and it is ridiculous. Companies are being forced to bid when they know that they cannot produce: the thermal optical guidance system is an obvious example. The Government are sitting back and letting the United Kingdom defence electronics base be run down, and the relationship between British and other European contractors is a subject which the Government rarely mention, except in vague terms of collaboration. Even yesterday, it took interventions from my right hon. and hon. Friends to get anything from the Secretary of State on the crisis presently facing Ferranti.

In the past year, the Government have made mistake after mistake. German and French companies are moving into our defence industry, but always ensuring that the research and development base remains in their own countries. We have ended up without the industrial capability to maintain our military forces. Our industrial base is being destroyed.

Mr. Michael Jack (Fylde): In pursuit of his desire to make sure that we have our defence equipment on time, does the hon. Gentleman support and condone the attempt being made by members of the engineering union to go for a 35-hour week? Does he support their call for strike action, which would undoubtedly delay the delivery of our defence equipment?

Mr. Rogers: Yes. Quite honestly, I support our engineers in going for exactly what our competitors in Germany and other countries have. If they have a 35-hour week in Germany, I would support it here. The problem and the difference is that the management of our industry may well be at fault. I am not going to give a simplistic answer to an extraordinarily complicated question, except to say that it is no good the Government claiming credit for something that is not happening. No one can deny that there are delays, cuts and slippages.

The Government's record on procurement is appalling. That does not surprise me because they do not have any real experience. They like to pretend that they have experience. When the right hon. Member for Henley (Mr. Heseltine) became Secretary of State for Defence, he was applauded and Conservative Members were glad to have a business man in charge of defence, but quite frankly, I see no evidence of any great business or entrepreneurial skills among the present team. They try to portray themselves as a "business" Government, wise in the ways and the alleys of the markets. They pretend that they know their way about, but they do not. Their only real contact with big business is when they lose their jobs in Government, when they are booted out by the headmistress and a company takes them on as a business toy boy. They take them on for their contacts, hoping to acquire a few contracts here and there. The Conservative Benches are filled with those toy boys who are the playthings of the City of London and big business simply because of the contacts they have. We know how much they are into big business.

Mr. Hind: Will the hon. Gentleman give way?

Mr. Rogers: Not at the moment.

I shall say a few words about exports, as the Secretary of State referred to them. It is a great pity that the Minister did not know anything about his own estimates, but I assure him that there has been a decline in overseas sales in defence equipment from £1·2 billion to £781 million —a 37 per cent. fall in the past year. The past year has also seen the revelations surrounding the Saudi-Jordanian deal and the Malaysian deal. It was hilarious to see the Prime Minister running away from any responsibility for the deals, especially after her pronouncement last week:

"We are not that sort of party."

The Prime Minister was totally involved in the arms deals with the Malaysians and with the Saudis. Originally, she was quite proud to take the accolades, but when the dirtiness and corruption of those deals came out, she wanted to distance herself from them as much as possible.

The morality of arms trading is not at issue here and I shall not discuss that. What are at issue are the ways and methods used to obtain contracts and the linking of defence contracts to overseas aid. If the Government are to be believed about their role in those contracts—and quite frankly, I do not believe them—they stand accused of mismanagement and allowing the tail to wag the dog.

My hon. Friend the Member for Workington (Mr. Campbell-Savours), who is not in his place at the moment, scoffed a little at the Minister of State when he talked about the Defence Export Services Organisation. I asked the Minister of State to look at the organisation urgently. It really does require it. There has been a huge expansion of top management at a time of cuts in the operational armed services.

Mr. John Reed of the *Defence Industry Digest* set out the facts and figures. He wrote that in London alone, there are one four-star and four three-star ranks of their civilian equivalents and 35 principals of colonel equivalent, very few of them being serving officers. It is probably the most top-heavy Department.

British service advisers and attachés overseas are used by some defence contractors on a free basis. If the DESO's primary task is to pass on information to industry, does it really require some 50 red-hat equivalents? No wonder jobs in the organisation are highly prized.

Mr. Alan Clark: I am entirely satisfied with the composition, the organisation and the work of the DESO. It has performed very creditably in expanding our export sales. Let me clear the air about the dispute over the two figures. The hon. Gentleman will find those which I quoted in my speech on page 33 of the defence estimates at paragraph 416:

"New contracts signed in 1988 are expected to be worth some £3,500 million, and the United Kingdom is now the world's third largest defence exporter."

That was the phrase that I used. The payments received in that year were £781 million, but the total will lead forward into 1989-90. The total contracts signed in that year were £3·5 billion.

Mr. Rogers: I am sorry, but I think that the Minister of State should do a little more homework on his own estimates. As I understand paragraph 416—and the Minister should read it again——

Mr. Clark: You read it.

Mr. Rogers: No, you read it. You obviously do not understand it.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I am not required to.

Mr. Rogers: The Minister of State obviously does not understand it, because that paragraph refers only to the Saudi deal. It mentions the £3·5 billion on that contract which is to be fulfilled over some years, and not the total export sales. The Minister got the figure wrong yet again.

Before I conclude I wish to refer to a couple of specific issues. One is the Tucano, which has come into partial operation. It is a classic example of the Government's lack of business skills. The changing of the performance requirement meant that in late April only 15 out of the 59 aircraft had been delivered. It was years behind schedule. In his statement on 4 July 1989, Sir Peter Levene boasted about a £60 million saving on the first of his new deals, but it just so happened that he had to give £1 billion to Shorts,

[Mr. Rogers]

the contractors, in order to bail them out. That had nothing to do with Shorts; it resulted from the Department's incompetence.

I could say a great deal more about the Tucano. May I say how sad I am that the Air Force and the Ministry of Defence do not realise that it has come into service? They have been waiting so long for the plane, yet they do not know that it is in service, and that is very sad. May I hand the Minister of State a copy of the RAF advertisement in *The Observer* on 6 August 1989? It said:

"Sits. Vac: No previous experience required."

It says that all one has to do if one wants to fly a fast jet is join the Air Force and be trained. The advertisement sets out step-by-step training. Pilots begin on the Chipmunk "Your first trainer". Then they go to Jet Provost, "Your first jet", then to the Hawk for "Fast-jet experience", and then to the Tornado so that they can zoom along at 250 ft at 500 mph. I hand the advertisement over to the Minister of State. Will he tell them that at last we have the Tucano and they can put it in their adverts for step-by-step training for RAF officers?

Mr. Deputy Speaker: Order. I am hesitant to interrupt the hon. Gentleman in mid-flow, but I remind him that he must address his remarks to the Chair, not to individual hon. Members or Ministers.

Mr. Rogers: Indeed. May I ask the Minister of State through you, Mr. Deputy Speaker, if he would look at that advertisement?

There are many other examples of Government incompetence and mismanagement of the defence economy, such as the Marconi scandal, the Foxhunter radar delays—Foxhunter is four years behind schedule—ALARM, which is a classified number of years behind schedule—the Government will not let us know how many—and £260 million over cost, the Tornado, of which there are 29 in storage at a minimum cost of £20 million each, the Rapier field standard, which is still not in service and is £77 million over cost and Sea Wolf, which is a classified number of years behind schedule and £50 million over cost. This week's scandal is the light anti-armour weapon. I pay tribute to the Select Committee for the tremendous work it has done in exposing such examples of Government incompetence.

Mr. Alan Clark: Will the hon. Gentleman give way?

Mr. Rogers: No, I will not—sorry, I will.

Mr. Clark: I intervene only to inform the hon. Gentleman that, although he has given way to few hon. Members, he has been speaking for as long as I did.

Mr. Rogers: That is the Minister's problem, not mine.

Yesterday, the Secretary of State spoke derisively of our amendment and said it was "a pathetic cobbling together" of Labour party aspirations. Perhaps he should have read the amendment. It condemns:

"the cowardly attacks of murderous paramilitary groups."

Is that what the Secretary of State calls "pathetic"? Our amendment calls for the spending of money to secure our military bases and save lives. Is that what the Secretary of State calls "pathetic"? It asks the Government to examine the allocation of taxpayers' resources to see—just to see—whether they can be released for helping people who are sick, elderly or mentally infirm. Is that what the Secretary of State calls "pathetic"?

I suggest that it is not we who are pathetic—or our amendment—but the Secretary of State. In a few short weeks, he has reduced himself—and thus the dignity of his office—to a pathetic public school sneak and a pathetic sycophant of a Prime Minister who has outlived her time.

6.22 pm

Mr. Julian Amery (Brighton, Pavilion): The hon. Member for Rhondda (Mr. Rogers) evoked the ghost of Neville Chamberlain. He did not do so as elegantly as his right hon. Friend the Member for Chesterfield (Mr. Benn), who put the story better. They were both right to do so, although not for the reasons they had in mind.

The case against Neville Chamberlain is fairly simple. He hoped that he could do business with Hitler and he let his hopes determine the order of battle of our British forces. He did not spend enough on defence because he was a strong social reformer. My right hon. Friend the Prime Minister thinks that she can do business with Mr. Gorbachev and has said so, but the last thing she has in mind is to let her hopes of doing business with the Soviet Union determine our defences.

We have to keep up our guard. The Labour party should realise clearly that perestroika and glasnost are the children not only of Mr. Gorbachev but of President Reagan's rearmament and his determination to confront the Soviet Union against its regional imperialist aggressions of the past few years. It is strength which is producing detente, so let us not lower our guard in any way until we can harvest the fruits of what is happening now.

The hon. Member for Rhondda called for a review of defence policy. I urge my right hon. and hon. Friends not to undertake a review now because the situation in Europe and the world generally is in flux. However, it may be acceptable for someone in an independent position such as mine to speculate a little on the implications for defence of the changes taking place.

In western Europe, we are putting together vast economic and, in due course, financial assets in the European Community on a scale that has never been seen before. The European Community will be a larger economic and financial area than Japan or the United States. If one puts such interests together, one has the responsibility to promote those interests. Therefore, one must have a foreign policy, because foreign policy is wholly concerned with the promotion of interests, and one must have a policy to protect those interests. There must be some concept of a European defence. I do not want to go into detail today about what that should be, but we must face up to the reality.

After two world wars and the experience of the cold war, the United States recognises that it has an abiding interest in the security of Europe. However, we should recognise that it is under great economic pressure resulting from its budget deficit and its trading deficit, which are not unconnected with the events of last Friday. The United States also has great interests in the Pacific. It would be only wise to recognise that we may face a diminution of the contribution of the United States to European defence and

perhaps a diminution of the responsibility for leadership which it has hitherto accepted. That means that an increased burden will be put on us Europeans.

What shall we do about that? I see little prospect of greatly increasing European defence expenditure. However, the Labour party, as a Socialist party, should perhaps talk a little more about nuclear policy with the French Government, who are Socialists in office. France, whichever Government have been in power, has always been sound on the importance of maintaining a deterrent. If the French Socialists think that that is right, the Labour party should consider carefully whether there is not some logic in the French position.

The great weakness of the European pillar of the Atlantic Alliance is that it has a gaping hole. France does not take part in NATO. France is geographically central and, with Spain and Portugal now in the Alliance, it is perhaps the most important country in the Alliance. We cannot defend Europe without France.

The other weakness of the Atlantic Alliance is that it makes no provision for out-of-area co-operation, yet we did a remarkable job—I congratulate the former Secretary of State on this—through the Western European Union in the Gulf when there was a war there. His determined but discreet handling of the matter has done much to restore the prestige we lost when we withdrew—incontinently, in my judgment—from the Gulf some years ago.

If one transfers one's glasses to eastern Europe, one sees that enormous changes are taking place which also have great implications for defence. My right hon. Friend the Secretary of State spoke about the need not to destabilise the Warsaw pact. He used the phrase "in the short term", and I think that he is right in the short term. We do not want to destabilise the pact; but will it hold together? If press reports are correct, yesterday the Hungarian Parliament in Budapest appeared to adopt a constitution that is incompatible with Hungary's membership of the Warsaw pact.

Changes in Germany will have some bearing on the position. If East Germany reforms, the reunification of East and West Germany will be inevitable. There will be no justification for that not happening if the command Socialist economy is removed. Will it be removed? It seems to me that it is happening and that nothing will stop it. People on the streets of Leipzig and Dresden are demonstrating. Others are walking away and emigrating. There will be an informal reunion of Germany, and East Germany may become simply another "land" or province of the Federal Republic, perhaps with a Soviet garrison in place for some time. Taken together with what is happening in Poland, Hungary and with what may happen in other east European countries, there is an earthquake in eastern Europe.

What is to be our attitude to that, and what are its defence implications? Two important statements have been made by important continental statesmen. In his speech in Bruges yesterday, Mr. Delors said that we must hasten to make Europe more federal and make the constitution tighter to bring it closer together. I understand his argument; it is the same argument that the French have been advancing since the beginning of the European movement. The argument is to lock the Germans into European union so that they cannot get out because a united Germany outside Europe would be too strong for Europe and the peace of the world.

I understand that argument, but I wonder whether it still makes sense. I do not think that the German horse has bolted yet, but I do not think that anyone will be able to shut the stable door. The reunion of Germany is taking place in front of our eyes.

The other view that has been put forward by the German Foreign Minister, Mr. Genscher, is outward-looking towards eastern Europe, in favour of German reunion and of giving massive aid to Poland and Hungary to associate eastern Europe with the European Community. There is an important contradiction between those views. If the European Community is made tighter and closer, it will be more difficult to associate it with the European Free Trade Association countries or, eventually with east European countries. If we want to associate the other countries—we have always hoped to see Europe united—it must not be made too strict and stringent.

In a curious way, that offers an important opportunity to Britain, and I think that defence may be the key. European union was created not by the treaty of Rome but by the agreements reached in 1955 at the Western European Union, at which this House undertook indefinitely to station in Germany an army corps and a tactical air force. If we had not done so, there would be no European union or treaty of Rome today. Western European Union was the condition on which the French accepted the rearmament of Germany and on which the Germans agreed to rearm.

That is a solid foundation. Defence is the foundation of any structure. Economics and social policies are essential and important, but defence determines the structure. I remember talking many years ago during the war to a war lord in the Balkans. I said, "What is more important, lead or gold—bullets or bullion?" He thought for a bit and said, "Lead can command gold. Gold can only try to buy lead." We now have a defence foundation for any lasting structure. That is what Churchill and Eden, in the early days of the European movement, understood very well. Churchill was the first to call for a European army and Eden produced the agreement under which the French agreed to German rearmament, and the Germans agreed to rearm.

Our forces are in Germany because of the Western European Union. Our troops are assigned to NATO, but they are not there because of it. If NATO were to dissolve tomorrow, our obligation to keep our troops there would remain. That is the foundation of the modern European union to which, in different ways and whatever we think about its final structure, all of us are committed.

The concept of Western European Union, quite rightly, has been in limbo. The cold war is not over yet, but while it lasted NATO took charge of defending our interests. As the world relaxes, if it does, the Western European Union can be the key to the future development of Europe. It was a British initiative, and it is time that my right hon. and hon. Friends gave it new impetus and organised its revival.

6.35 pm

Mr. Menzies Campbell (Fife, North-East): This is the second occasion on which I have had the privilege to follow the right hon. Member for Brighton, Pavilion (Mr. Amery). He brings to defence matters a great depth of knowledge and a clear understanding of them, which I very much envy. He makes an important and effective contribution to debates such as this.

[Mr. Menzies Campbell]

I feel a certain sense of precociousness in attempting to follow the right hon. Gentleman, but I should like to raise a matter of constituency interest to me but also of a more general application before I deal with some of the more general matters that the debate has thrown up.

My constituency interest is a matter with which Ministers will be familiar—search and rescue operations based at RAF Leuchars in my constituency. Ministers will be aware that, to some extent, such operations have been curtailed and are now carried out only in daylight hours. It is believed that the original proposal may have been to remove them altogether, but I suspect that the Ministry of Defence may have been rather surprised by the quality and intensity of the opposition that that suggestion provoked. Much community concern was expressed at the prospect, and there was much community relief when it appeared that facilities were not to be withdrawn entirely from RAF Leuchars.

The new arrangements are that, while operations will be flown in daylight hours, none will be begun after darkess sets in. Operations that have begun during daylight hours, which necessarily must be continued into the hours of darkness, will continue. For that purpose, training in darkness is necessary. It seems to many of my constituents singularly illogical to have training for darkness hours operations going on as a matter of necessity while being unwilling to allow 24-hour operations. I shall continue to attempt to persuade the Secretary of State and Ministers to change their minds about that matter, but for this evening's purpose I seek from the Secretary of State or a junior Minister an undertaking that the position at RAF Leuchars will be carefully monitored, and that, if there is any suggestion that the cover being provided under the revised arrangements is inadequate or insufficient, steps will be taken to try to remedy it.

I do not suppose that I am the only person to have seen the representations made by the General Council of British Shipping. The merchant fleet plays an essential role in the strategy of NATO, and the council has made representations to prevent the merchant fleet from continuing to dwindle. In the past six months, 20 vessels, with a combined deadweight of 755,000 tonnes, have been lost from British-owned shipping. It is the council's opinion that we are now several hundred ships too short to meet our NATO requirements, and in the past six months some 260 officers and 800 ratings have been lost from the merchant service. That raises substantial questions in the minds of many of us about our capacity to fulfil our NATO responsibilities. Those of us, including the Under-Secretary, who attended the Sealink conference at the United States naval academy earlier this year will remember that this matter stimulated considerable discussion and concern.

In time of emergency, it would be an unacceptable risk if the United Kingdom had to rely on fl[illegible] of convenience or neutral ships to fulfil its NATO re[illegible]ilities. I shall be interested to hear what steps the [illegible]overnment are proposing to take in the light of the concrete criticisms made by the council

A wider issue is the continuing relations between East and West. It is clear that the changes in eastern Europe are not uniform., Hungary and Romania still remain a part, theoretically at least, of the Soviet bloc. They are still members of the Warsaw pact, although, as the right hon. Member for Pavilion pointed out, the continuance of Hungary in that may be in doubt, to be resolved at some later stage in the light of the decisions that were apparently taken yesterday.

Not only are these changes rapid; they are accelerating. Assumptions that were valid only a matter of months ago are rapidly becoming invalid. I can offer two anecdotal examples. At the North Atlantic Assembly a week or so ago, General Lobov, the commander-in-chief of the Warsaw pact, shared a platform with General Galvin, the Supreme Allied Commander—that was an extraordinary thing—and they did so under the benign chairmanship of the leader of our delegation to the assembly, who, with characteristic modesty, and no doubt with an eye to posterity, ensured that he was photographed standing between them.

The interesting feature of that was that the only other contact that the two commanders might reasonably have expected to have would have been if an emergency had been called and they had been sitting in bunkers 500 or 1,500 miles apart deciding whether they should recommend their respective political masters to take the ultimate step. That was a remarkable occasion.

My other anecdote might not be of such significance. My right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) and I recently visited Bulgaria as the guests of the Bulgarian Agrarian party. The Bulgarians have a deep and abiding affection for the old Liberal party because Mr. Gladstone was one of the first to make a speech, an effective and telling speech, against the atrocities committed by the Ottoman empire against the Bulgarian nation. For that reason, in Bulgaria there is a warm welcome for members of the old Liberal party.

That warm welcome took an interesting turn because my right hon. Friend and I were given an interview within the Ministry of Defence. Afterwards we were told that we were the first western politicians who had ever been invited to cross the threshold of the Ministry of Defence. These are straws in the wind and are indicative of the fact that things are changing, sometimes rapidly and in a way that is difficult to comprehend. Responsible individuals must ask themselves whether these changes are irreversible. In an absolute sense they are not, for this reason. If one has the political will and the resources and is prepared to abandon any pretence at democratic institutions, dictatorship is always possible. But the changes that we have seen elsewhere have, for the foreseeable future, radically changed the terms of reference on relations between East and West.

Mr. Gorbachev walks a tightrope of expectation. In his country, there are those who wish him to fail because he is going too fast, and others who wish him to fail because he is going too slowly. Our interest is that he should succeed in his economic and political reforms. A reformed Soviet Union would be a much safer neighbour. However, a reformed Soviet Union would remain a considerable force in Europe. With such a force of power and potential influence, continuing United States influence in Europe will be necessary. Decoupling the United States from Europe will be in the interests of no one but the Soviet Union.

It now appears to be generally accepted that NATO will continue to be the cornerstone of our defence for the foreseeable future, just as, at least as far as we can tell, the Warsaw pact will continue to be the basis of security for

the countries of the Soviet bloc. It is notable that almost the first thing that Mr. Lech Walesa said after the extraordinary changes in Poland that catapulted Solidarity into a remarkable position of influence was that there was no intention to leave the Warsaw pact.

In a period of change, there must be confidence not only between East and West but within the two alliances. Within NATO, that necessarily involves a recognition of the internal political realities, particularly in Federal Germany. The best way to allay legitimate fears about Germany is to ensure that federal Germany feels no discomfort in membership or acceptance of the obligations of NATO.

The decision on the modernisation of short-term nuclear weapons has been deferred until 1992. When that decision is made, it will perforce take account of prevailing political circumstances. If there have been, as there may be, three years of glasnost and perestroika from Herr Honecker's successor, that could have a profound effect on the mood in federal Germany in 1992.

The defence of the United Kingdom will be nuclear-based for a long time to come. One would have an optimism bordering on naivete to believe that nuclear weapons could be, in any foreseeable future, negotiated away in their entirety. That applies as much to British defence policy as it does to the policy of NATO. What is clear is that substantial reductions can be achieved and that we can move to a state of minimum deterrence.

If the START I talks are successful, there is no reason why there should not be a second round in which the United Kingdom is invited to seek further reductions. That would be consistent with the Harmel report of 1967, which I can sum up, I hope not unfairly, as being to the effect that we should modernise and deploy, but be willing to negotiate reductions. That would be consistent with the success of the INF treaty, a success that was gained not just because of the presence of cruise and Pershing missiles in Europe but because of the willingness to negotiate.

Government speeches—I suspect that those made today will show this on analysis—have concentrated on the need to deploy and modernise. I do not recall the Secretary of State saying much about the willingness to negotiate. The Prime Minister makes speeches that are not noted for their commitment to arms reduction. We know that in his previous ministerial existence the Secretary of State's qualities of tact and candour stood him in good stead in Northern Ireland. The House and the country look to him to use these qualities in an attempt to persuade the Prime Minister to mend her ways.

6.49 pm

Sir Geoffrey Johnson Smith (Wealden): It is a great pleasure to follow the hon. and learned Member for Fife, North-East (Mr. Campbell) who is a welcome newcomer to our deliberations at the North Atlantic Assembly where he has already, with his sagacity, eloquence and precocious wit—which sometimes escapes the comprehension of the translators—made a most valuable contribution to our affairs. I am glad that he referred to the historic meeting which passed unnoticed in the western press. Thanks to the manner in which it was arranged and the conduct of the two principal protagonists, I had to separate them because the press was getting them into that eyeball-to-eyeball position that boxers adopt when they get into the ring. It was modesty. Moreover, I felt that we had to get into more relaxed circumstances. That was why I separated them with my arms around their shoulders.

I agree with what the hon. and learned Gentleman said, although he was most unfair about my right hon. Friends the Prime Minister and the Secretary of State. The Prime Minister was the first to recognise, well ahead of any other leader, that we could do business with Mr. Gorbachev. The manner in which she conducted business with the leader of the Soviet Union earned his respect and helped increase his confidence in dealing with arms control which is a most difficult and sensitive issue in the Soviet Union. If we get that wrong, we shall simply revive the old paranoid fears of the Soviet Union. So far it is going well. That is why I congratulate my right hon. Friend on his appearance at the Dispatch Box yesterday, making his debut as Secretary of State for Defence. Were the sketchwriters to have taken note of it, we should have read that he had made a confident and impressive start to his new administrative responsibilities. It is important at this juncture that we should have a Secretary of State who brings a wealth of experience to those responsibilities.

The Secretary of State was right to refer to the feelings of optimism and hope that prevail in East-West relations. In that context, he made clear the importance that he attaches to the arms control talks that are taking place. Only two weeks ago in Rome we experienced that mood of optimism, to which the two generals referred.

Earlier in the year, under the leadership of the hon. Member for Sheffield, Attercliffe (Mr. Duffy) I was part of an NAA delegation to Moscow. We met with the utmost courtesy and had candid talks with the Soviet Prime Minister, members of the Politburo, newly elected members of the Supreme Soviet and the chief of defence staff with his senior military commanders. It was the first time that we had ever been recognised by the Soviet Union. We could not have had a more productive meeting. That mood of optimism and hope has been reflected subsequently in further talks.

The meetings show a willingness to continue talks on the immensely complicated arms control problems. No one could have come from them without a strong feeling that there was a real chance of ending the cold war and that eastern European countries have a fresh opportunity to build a relationship with us through which democratic values can take root and flourish. More meetings are planned. We are interested not only in ending the cold war, but in human values and freedom, and that is behind the thinking of our Secretary of State.

The Secretary of State was right not only to mention this constructive attitude, but to inject a note of caution. I am glad that he plans to make several visits to the Soviet Union. As he said, despite the changes that we have witnessed, a whole new set of problems has been created as we move into this new and promising era. Paradoxically, those changes may induce a period of instability. It would be foolish not to recognise and understand sympathetically the internal problems that the new Soviet leaders face. After four years of perestroika, the Soviet people find themselves not better off but worse off, and their quality of life is far too low. The military can and does express its anxieties about where all this is leading. Glasnost is difficult for a Soviet general of the old school to understand, as we discovered in our talks.

As my right hon. Friend emphasised, the political and economic structure of the Soviet Union is changing. We

[Sir Geoffrey Johnson Smith]

want it to change, but we do not want the whole fabric of Soviet society to crumble. It is vital to recognise that it is not our business to interfere in Soviet internal affairs or to seek the destruction of the Warsaw pact. We seek to promote more peaceful ways and to reduce what we believe to be a military threat to our security.

In many areas, Soviet intentions have yet to be translated into action. It is not wrong to point out that there has been an impressive modernisation of Soviet forces during the Gorbachev regime. Perhaps that is part of his trade-off with elements in the Soviet Union. It is encouraging that progress is being made in the talks on conventional forces in Vienna. Unless they are properly handled and well thought out, these agreements may contribute to existing destabilising influences in western Europe.

Western Europe continues to face the most powerful concentration of aggressively configured conventional forces in the world. The Soviet bloc has more tanks and armoured vehicles than we have and concentrates on troops capable of surprise attack behind the western defence lines—its operational mobile groups. To achieve a build-down of armaments in both East and West without adding to instability or weakening security is technically, let alone politically, a gigantic and complicated exercise.

Hon. Members who follow such matters know that one reason why it is difficult to reach agreement and across-the-board solutions is that Soviet forces are configured asymmetrically. The Soviets say that we should bring our naval forces into the discussions on conventional forces. We disagree, because we regard our naval forces as defensive and at a time of crisis essential to safeguard our lines of supply with our NATO allies and between the United States and the continent of Europe. It would be equivalent to asking the Soviet Union to bring its road and rail communications into the discussions and to include for debate the concentration of logistic support between it and East Germany. Its lifeline is its road and rail networks, whereas ours is our Navy.

We have also been criticised for not including sufficient aircraft in the conventional forces talks. We know that, although defensively configured, we at least retain within the forces stationed in Germany an offensive tactical Air Force capable of striking deep into eastern Europe, particularly into East Germany. That is because in an overwhelming conventional attack it is essential for us to have a nuclear-capable Air Force which can strike at the choke points. It also has a conventional capability with which low flying aircraft can cut off the Soviet Union's vast reserves. Those asymmetrical differences cause misunderstanding and difficulties when we are trying to negotiate a decent arms agreement.

Gestures such as one-sided disarmament or severe reductions in our defence budget cut no ice with Russian military leaders. They would not give anything away and they do not expect us to. They expect hard bargains and trade-offs. If we give anything away voluntarily, we can expect to get nothing back in return.

It is important to remember—this is on all fours with the comments by my right hon. Friend the Secretary of State—that the Soviets need an orderly build-down. They will interpret by how much that will occur in the light of their interests. They expect us to do likewise. That is the right way to proceed.

Opposition Members will understand why I hold no brief for the vote taken at the Labour party conference which was overwhelmingly in favour of one-sided disarmament and called for a big cut in our defence budget. I was very glad to hear the assurance from the Opposition Front-Bench spokesman, the hon. Member for Rhondda (Mr. Rogers), that that would form no part of the Labour party's defence policy. The Government will not mock that and we know that the hon. Member for Rhondda has difficulties. However, it is essential that we keep in step because we have entered a very difficult phase in arms control. The responsible approach espoused by the hon. Member for Rhondda is more useful than the political capital used by some of his hon. Friends who claim that the Conservatives are the war-minded party and that we are not interested in arms control or peace, but only in the build-up of arms. That is a complete distortion of the Conservative party view.

Some Opposition Members believe that by appealing over the heads of the negotiators and calling for an across-the-board reduction in our defence budget, they will make a sympathetic appeal to the British public. It is important that the Government should take the initiative and begin to explain the problems and opportunities for an orderly and balanced reduction in arms between the NATO Alliance and Warsaw pact countries. The Government must explain what is needed if we are to cut down the ability to wage war.

In that respect, I welcome the decision of my right hon. Friend the Secretary of State to set up a centre for defence studies. I am sure that that decision is right because we are not as well educated as we might be and we need another independent group. A few years ago the Ministry of Defence introduced essays into the defence White Paper about different aspects of defence. There was a brilliant essay on the role of philosophy behind the theory of deterrents, particularly nuclear deterrents. The essays explained the objectives of our defence and the alternatives for meeting some of the problems. The essays examined the philosophy and underlying principles of our defence policies.

Next year's defence White Paper should turn its attention to some of the options open to us if we succeed in agreeing with the Warsaw pact on a number of outstanding issues. Certain hypotheses are already being kicked around in Vienna. There is nothing top secret about them. We would like to know the military and financial implications of potential agreements.

It is important that we understand what kind of forces will remain. We will not get rid of all armed forces. Given certain hypotheses, we need to know the implications for our equipment and strategy. We need to know more about the way in which we are approaching a reduction in military confrontation. There is no paucity of ideas, which include buffer zones, defensive defence concepts and the different types of equipment that we can order in greater profusion to promote deployment of early warning. Other equipment will introduce intrusive verification techniques. None of that equipment is cheap. While some people may believe that a publicised analysis of such forward thinking is premature and may excite hopes which may be

unfulfilled, others might think that it could give away too much of our negotiating position. I disagree with those views.

The essays that I have described could help to carry our people with us including those who serve in our armed forces. The conventional imbalance has long been at the heart of our security problem and is the primary reason for our reliance on nuclear weapons. Achieving a more stable conventional balance will have many beneficial effects. Frankly, I do not believe that it will save a great deal of money, but it may, among other things, permit a less demanding attitude towards our nuclear requirements and have a significant bearing on German sensitivities. It will certainly provide a test of Mr. Gorbachev's intentions concerning European security.

The Government should take a lead in outlining in greater clarity and detail their thoughts on the implications of arms control in which our country plays such a constructive role.

Several Hon. Members *rose——*

Madam Deputy Speaker (Miss Betty Boothroyd): Order. Before I call the next hon. Member, I remind the House that Mr. Speaker has determined that speeches should be limited to 10 minutes between 7pm and 9pm.

7.5 pm

Dr. John Gilbert (Dudley, East): It is a great pleasure, as always, to follow my old friend the hon. Member for Wealden (Sir G. Johnson Smith), who is extremely knowledgeable about defence matters and about many other matters on which he and I will not have time to touch today.

I also congratulate the Secretary of State on his accession to what I consider to be one of the most important offices of state. I remember that many years ago, when I held a junior position in the Ministry of Defence, the present Secretary of State came to see me about a matter concerning an ordnance factory in his constituency and argued the case for his constituents with great courtesy and vigour. I was grateful to him then.

I also congratulate the hon. Member for Plymouth, Sutton (Mr. Clark) on becoming Minister of State for Defence Procurement. He will at least ensure that our defence debates in future will be rather more entertaining, if not more enlightening.

I want to begin by congratulating without qualification the Ministry of Defence on its progress in defence personnel matters since the last defence debate by its concession that there is a role for women pilots in the Royal Air Force. I fought for that unsuccessfully more than 10 years ago. I believe that the objections of the RAF were based largely on bigotry. I am glad that that has now been overcome and I look forward to women pilots performing a more and more valuable role in the MOD.

I hope that the new Secretary of State will consider closely a decision taken by his predecessor with regard to the monitoring of careers of recruits from ethnic communities.

The Secretary of State for Defence (Mr. Tom King) *indicated assent.*

Dr. Gilbert: I am grateful for the Secretary of State's acknowledgment of that.

I do not want to consider the merits of the argument tonight. There was a point of contention between the Secretary of State's predecessor and me and I know that the right hon. Gentleman's predecessor went as far as he felt that he could with respect to monitoring the recruitment of recruits from ethnic communities, but there was no provision for monitoring their subsequent career progress.

Some serious matters about procurement that have not been raised so far in this debate should be mentioned. The first issue relates to the procurement of the command and control system for the United Kingdom air defence project which is the subject of an editorial in the *Computer Weekly* magazine of 7 September. On the basis of that article, it would appear that ICL was basing its bid on a programming language different from that of the other competitors, or there must be an extraordinary explanation for the fact that ICL's bid of £37 million was at least £20 million less than that of any of its rivals.

Computer Weekly, which is a reputable magazine, states that there is a "whiff of scandal" around this contract. I hope that, if the Minister is not able to reply to that point tonight, I will get a detailed response in writing before long.

The NATO frigate decision is yet another deplorable illustration of this country's record in collaboration on defence projects. I am not making any party point. It goes back to the time of the tank gun. We agreed a NATO standard and then walked away from the agreed calibre of a gun. It goes back to the 180 degree turn that the Ministry of Defence has recently made in Air Force requirements for the European fighter. When I was at the Department it was to be optimised in the ground attack role, and it is now to be optimised in the air superiority role. It completely reversed our relations with the French and the Germans. Not surprisingly, the French took considerable umbrage at that.

I will not argue the merits of either set of requirements, but we have a growing reputation of being thoroughly unreliable in collaborative projects. We were taking the lead with the NATO frigate, but we walked away from it and others have subsequently walked away.

I asked the Minister a perfectly straightforward question today. I recognise that he is new in his job, but he utterly failed to answer my question. I asked what reasons led the United Kingdom to walk away from that project. It is all very well to say that we did not get agreed requirements. What was it in the requirements that the other nations agreed but was not satisfactory to the British Ministry of Defence?

We obviously have difficulties with the Trident programme. As the House will know, I support the United Kingdom procuring that system. I have great confidence that, before long, the Americans will sort out the technical difficulties that they have encountered in the sea-borne version of the missile. I understand that the land-based firings were perfectly successful. Both Ministers were recently in Washington. I do not know what they both found to do over there, but I have no doubt that they were congenially greeted.

I suspect that the Minister of State for Defence Procurement had a rather less congenial welcome than his colleagues received, because the atmosphere in Washington that I have sensed in the past few weeks is that the present United States Secretary of State for Defence is wholly and understandably obsessed with budgetary

[Dr. Gilbert]

matters. I am sorry to say that the idea that the moratorium on appropriations for the Trident programme by the Senate Appropriations Committee—I am not quite sure how far it has developed in the past few days; there have been further considerations of the matter—is unlikely to be affected by considerations of embarrassment to Her Majesty's Government or inconvenience to our Trident programme. These things need to be said forcefully and unambiguously.

I am as strong a supporter of the North Atlantic Alliance as any other hon. Member, but, from time to time, it needs to be said forcefully to our American friends that our requirements and impetatives need to be taken into account. That must be said to responsible leaders of Congress and not just to members of the Administration.

I have said that I was quite confident that problems with the Trident system will be solved. Regretfully, I am not nearly as confident that the problems with the LAW system will be solved. It will be extremely difficult to upgrade that system to counter the extremely impressive Soviet explosive reactive tank armour. British troops will have no hand-held weapon to deal with an oncoming tank. They will be able to deal with a tank only when it is level with them or has gone past them. That is a matter of the utmost seriousness.

What adds to the seriousness of the matter is that LAW is a relatively young weapons system. It was intended to have a future of many years as a principal infantry anti-armour weapon. We are in serious difficulties. I hope that the Ministry of Defence will come clean with the House as much as it can within the constraints of security policy and tell us what proposals it has for dealing with this serious problem.

I am unused to this 10-minute rule. I do not know how many minutes I have left.

Madam Deputy Speaker: One more minute.

Dr. Gilbert: I am delighted with my party's conversion to multilateralism. I have never flinched in my support of these matters, but that conversion must have been difficult for many of my hon. Friends. I have read the Opposition amendment, and most of it seems to be fairly harmless. A conversion agency would involve a harmless waste of not much money, so that matter will not cause me any difficulties. I agree that there should be a delay on the Lance replacement. I have some difficulty with the abandonment of the destabilising flexible response strategy. I am content with the call on Her Majesty's Government to seek to reduce—that is the key word—short-range nuclear forces.

Madam Deputy Speaker: Order. At that point the right hon. Gentleman must remain content.

7.15 pm

Dame Janet Fookes (Plymouth, Drake): I wonder how many of my hon. Friends and, indeed, how many Opposition Members recall the childhood game of lucky dip, in which a bran tub contained a gift for every child. Some of the gifts were good, some were indifferent, and others were downright rubbish. When I looked through Labour's amendment tonight, I was reminded of a lucky dip. There is something for everyone, but the quality is varied in the extreme. For example, one portentous announcement is that we should

"examine the allocation of resources which could be released for social and economic purposes".

It is lovely wrapping paper, but, when we open the present, we find that it is cuts. For a constituency such as mine and for the city of Plymouth generally, cuts of an unspecified nature could be alarming.

Mr. O'Neill: What about the cuts the Government have made?

Dame Janet Fookes: Indeed. Why make it worse?

The matter involves not only the dockyard, which was discussed earlier in the debate, but the Royal Navy, the ships and the Royal Marines who are stationed in Plymouth. Admittedly, we do not know precisely what cuts will be made, but that aspect fills me with foreboding, even if we overlook the Labour party conference figure of £5 billion and accept that that is not official Labour party policy. However, it still leaves an uneasy feeling for those of us who are concerned.

I find wholly unacceptable that part of the amendment referring to

"welcoming progress towards a world-wide treaty banning the possession or production of chemical and biological weapons".

Several years ago I visited the forces in Germany and was absolutely appalled by the actual impact of chemical weapons or even the threat of chemical weapons being used. We were shown the kind of protective clothing that it would be necessary to wear against them. It was quite clear that it enormously reduced the effectiveness of any fighting man—or fighting woman, come to that. It was immensely tiring. There would have been a devastating impact even to threaten to use such weapons and therefore to require that clobber to be donned.

One of the most chilling aspects of the defence estimates is the section dealing with the Soviet Union's chemical weapons potential. It is instructive that, although we have discontinued an offensive capacity and the United States has not produced chemical weapons for some years, it absolutely failed to have any effect on the Soviet Union, which continued and, as far as I can judge from the document, still continues to produce chemical weapons. If ever there was an argument against unilateral disarmament, I think that this provides the final cornerstone. [An HON. MEMBER: "That is a lot of crap."] The hon. Gentleman calls it a lot of crap. I suggest that he does not know what he is talking about.

It is quite clear from the defence estimates that an enormous stockpile of chemical weapons is available for use in the Soviet Union, yet it was not until 1987 that President Gorbachev was prepared to admit even the existence of these horrible weapons. When we visited Soviet facilities—as they visited our facilities at Porton Down—it was a disappointment because they failed to show us half of what was clearly there. There is obviously a long way to go.

I warmly welcome and applaud every effort made towards a global ban of those weapons, but it seems that it is a difficult sphere to verify. It is not easy to disguise a tank, but as far as I can tell chemical agents of this kind, which can be produced from pretty common or garden ingredients, are more difficult to verify. I regard it as a test of the Soviet Union's intentions to consider how they are

prepared to allow chemical weapons to be verified. I hope that we shall see the end of them but, until that time, we should be most careful and on our guard.

Of the utmost concern is the recruitment and retention of suitable men and women to serve in the armed forces now and in the future. It is all too clear that we are reaching a time when the supply of the right type of young man and woman will be extremely difficult due to changes in population. The armed forces will be in competition with a host of other professions and occupations, so it is vital that we ensure reasonable pay and good conditions of service.

In discussions with members of the armed services, I have found that what gets their goat is not so much their pay, because we have done so much to improve it, as niggling, pettifogging restrictions on their conditions of service.

I refer, as did my hon. Friend the Member for Canterbury (Mr. Brazier) yesterday, to housing. I make no apology for raising this subject again. The Armed Services Review Body has made it clear that, for the Army and the Royal Air Force, if not for the Navy, this is the No. 1 reason for dissatisfaction. It is essential that we deal with the issue of house purchase at the end of one's service. It is not always appropriate, for a wide variety of reasons, for a man to buy a house during his service in the RAF or the Army. It is essential for the Treasury to face this problem. It would be penny wise, pound foolish not to give service men the opportunity to put them on all fours with other people when saving for a mortgage. I hope that my right hon. and hon. Friends on the Front Bench will have very strong words to say to the Treasury, as I am sure that that is where the problem lies, not in the Ministry of Defence.

Dr. Reid: Yesterday I was on Salisbury plain with other right hon. and hon. Members to see the Territorial Army on manoeuvres. It is a matter of great irritation to many people in the TA that they give up their time and, if they are unemployed, they have their benefit docked, or if they are employed they may find that their jobs are under threat. I hope that the hon. Lady will join me and encourage the Government to review recruitment to the TA and the conditions of those who voluntarily give up their time to serve their country.

Dame Janet Fookes: I am grateful to the hon. Member for making that point. I was not aware of it, but it is a perfect example of what I call pettifogging restrictions. I hope that that will be taken on board by my right hon. and hon. Friends on the Front Bench.

The figures for premature release from the Army between 1983 and 1989 are most alarming. They have risen by no less than 140 per cent. We cannot afford to sustain that figure if we are to have the right calibre of person for a highly professional force. I fear that the same thing may happen in the other branches of the armed forces. However good and however impressive the hardware, we still rely on the calibre of our men and women. Like the right hon. Member for Dudley, East (Dr. Gilbert), I welcome the fact that women are playing a much greater part, but, even with that development, we still have to beware of losing highly professional men and women.

7.26 pm

Mr. Ken Maginnis (Fermanagh and South Tyrone): Having listened to more than five and a half hours of this debate, I cannot help but be impressed by hon. Members' vast knowledge of weapons systems, of finance, and of the international implications of what we are debating today.

The hon. Member for Canterbury (Mr. Brazier) struck the loudest chord with me when he acknowledged that our greatest asset is, of course, our manpower. He spoke at some length about recruitment and the need to retain our serving soldiers, and he said that this could best be done by trying to cater for the reasonable expectations of our service men and, most importantly, their families. I felt that he was talking about morale and the need to understand the pressures on our serving soldiers, not just because of their service, but because of their families.

There are thousands of soldiers in our standing Army, and there are about 18,000 service men who represent what I believe will come to be more and more the fighting arm of our military personnel—the peace-keeping forces in divided communities. I regret that I have only 10 minutes in which to speak about this important matter; I doubt whether any other hon. Member will refer to it this evening other than in passing. I refer to the 18,000 soldiers who are presently serving in Northern Ireland.

Three years ago, before we signed the Anglo-Irish Agreement, I would have been talking about 16,000 soldiers. As a result of that agreement as much as anything else, we now have to deploy a further two battalions full-time in the Province. Those troops have to face the propaganda of the terrorists. It is constantly suggested that our security forces are operating against a community, but, as every hon. Member here understands, that is not the case. They are deployed, act and want to act exclusively against those factions from both communities who resort to terrorism.

The regiment that bears the greatest brunt of that criticism—although it does not bear it exclusively—is the Ulster Defence Regiment. I fear that some people tend to forget that it is a regiment of the British Army; but it is more than that. The existence of the UDR is a realisation of the right of any community to defend itself against a small minority that would use the Armalite to try to destroy our democracy instead of turning to the ballot box. However, I speak with some feeling and experience when I say that it is more than that. It is also a manifestation of the willingness of law-abiding people within the community to act within the law and to subject themselves, in their fight against terrorism, to the discipline that is imposed by belonging to a military regiment.

When people think of the UDR, I wish that they would think also of the men in Great Britain who serve in the Territorial Army—schoolteachers, lorry drivers, bus drivers, business men, labourers and tradesmen, because they are exactly the sort of people one finds in the Ulster Defence Regiment. One does not find, as those who oppose the regiment would have us believe, a great coming together of a bigoted mass who are interested only in opposing the other section of their community. If people would take time to examine the UDR's record, they would find that the regiment serves the entire community. Its record against Protestant or Loyalist paramilitaries is excellent. I am pleased that the Secretary of State acknowledges that point.

[Mr. Ken Maginnis]

However, the cost to the regiment has been enormous. As well as having lost 180 men—155 while they were off duty and going about their ordinary business—467 ex-members were murdered because they had served in the regiment. However, there is something else that I must draw to the attention of the House because that is not the only price that we ask the men who have placed themselves between the law-abiding community and terrorists to pay. They pay a price 24 hours a day, seven days a week, and have done so for the past 20 years. We have placed on those men a stress which manifests itself in both unusual and understandable ways. Some of those men find difficulty in their domestic lives, yet they are forgotten. There are also those who, when the absolute extreme of their tolerance has been breached, have taken their personal protection weapon and committed suicide. Forty-three such men did that, and those men are forgotten.

I would ask those who criticise the UDR and who say that 16 of its members have been convicted of murder—there are grave doubts in four of those cases—and who talk loosely about "bad apples" to remember that there is a strong likelihood that many of those who are now deemed to be bad apples were not bad apples when they entered the regiment with the best motives, to carry out their duty to the community in which they live. Many of those men were driven beyond their level of tolerance, and that caused them to decide to take the law into their own hands.

We should balance the 16 men who are dead, allegedly at the hands of the UDR, against the UDR's 43 suicides. We must balance and consider the stresses. I should like to believe that the Secretary of State for Defence will consider a propaganda counter-campaign to counter the campaign shown on our television screens day in and day out, which denigrates those brave men and women. I have spoken at some length about this to the Minister of State for the Armed Forces, and I hope that he will be able to give me some reassurances about new thinking on that.

There may also be a need for counselling for those men who, for so long, have had to face up to the stress of IRA terrorism. I hope that the House will be tolerant with me while I briefly explore this important issue. Since the Anglo-Irish Agreement was signed—I do not pick on that for any reason except to have a cut-off date—there have been 275 murders by terrorists in Northern Ireland, of which 207, more than 75 per cent., have been carried out by the IRA; 64 have been carried out by Loyalist terrorists and four by persons unknown. If we look again at the Roman Catholic victims of those terrorists, we find that of 95——

Madam Deputy Speaker: I must call the hon. Gentleman to order. We have our Standing Orders to follow.

7.36 pm

Mr. Michael Colvin (Romsey and Waterside): I am sure that the House has been impressed by what the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) has been saying about the Ulster Defence Regiment. His remarks will be taken on board by my right hon. Friend the Secretary of State who, of course, with his experience of Northern Ireland, where he saw both the UDR and the British Army in the front line, is well qualified for his new position.

My speech will be of particular interest to my right hon. Friend because it concerns many of his Bridgwater constituents who work at the Westland factory, constructing helicopters. When the House last debated the Royal Air Force on 9 March, I asked several questions about helicopters in battlefield and support operations, which were far from satisfactorily answered by the Minister replying to that debate. Later, on 8 June, when the Army was debated, questions about helicopters were once again raised and again the House was denied a proper reply. Today I hope that it will be third time lucky because I shall once more raise the question of the importance of the helicopter in today's land battle.

Clearly, early decisions on helicopters are required in relation to both their support and attack roles. When, on 9 April 1987, the former Secretary of State for Defence announced that an initial batch of 25 utility EH101s would be ordered for the support role, he stated:

"A comprehensive review of the requirement for support helicopters in all roles well into the next century was therefore set in hand."—[*Official Report*, 9 April 1987; Vol. 114, c. 470.]

He said that that showed the need for additional large helicopters in the central region.

His announcement that 25 EH101s were being ordered was extremely welcome, but a firm decision to go ahead with further utility EH101s is also required. I hope that the decision on that will not be deferred until late 1990, as has been suggested in some quarters. My hon. Friend the Member for Plymouth, Sutton (Mr. Clark) said that there were delays in reaching a decision on the Navy version of the EH101. That is understandable because further trials must be conducted on that aircraft. The utility version, however, needs no further trials and there is no reason why additional orders could not be placed.

I want to press this matter because there is a frightening imbalance in helicopter numbers between NATO and Warsaw pact countries. We need those helicopters much more than the Warsaw pact because of the multiplier effect of mobility on our troop numbers. On pages 46 and 47 of the defence estimates there are diagrams showing the comparative strength of helicopter forces—attack and support helicopters—in the central region and in the entire European area from the Atlantic to the Urals. According to the figures, things in the central region are fairly balanced between NATO and the Warsaw pact, but a study of the entire area shows that there is considerable imbalance. It is also important to remember that the Warsaw pact countries could call up their reserves much more quickly than we could. That is why we must bring our forces up to proper strength.

The Minister said that the Chinook update was agreed and that is welcome. That aircraft is flown by the RAF and, at present, they move troops around Europe. Come hostilities, however, the RAF would require all its Chinooks to move its own personnel and those aircraft would be unavailable to move British troops.

In the current East-West political climate, conventional arms reductions will undoubtedly be negotiated. There is a danger that the Government may use that fact as a reason for deferring decisions on all helicopters. My right hon. Friend should bear in mind the mounting pressure on the President of the United States to reduce the twin deficits of budget and balance of trade. There is a good

chance that he will call upon his NATO European partners to bear more of the burden of defence in Europe. I do not believe that that is a reason for us to reduce our own conventional forces, rather we should build them up. It would be especially serious if the Americans were to pull out some of their forces because most of the helicopter operations within the European theatre now are conducted by the United States and it has by far the largest proportion of helicopters available.

We need more helicopters and there is no doubt that Westland is ready to supply them. That view is held not only by my colleagues and me, but by defence correspondents. They reported on the first performance of our revolutionary new 24 Airmobile Brigade in Exercise Key Flight in September. They identified the shortage of helicopters as a real worry. A headline in *The Daily Telegraph* read:

"Army of the air let down by copters"

Mark Urban, the defence correspondent of *The Independent*, summed up his article by stating:

"The lines are drawn for 24 Airmobile Brigade's most serious engagement: not against a Red tank thrust but against the armour lobby and those in the RAF who have traditionally preferred to commit their money to fast jets than to helicopters."

That says it all.

It is all very well asking for new helicopters, but how many more are required? I do not believe that the MOD has yet worked out the best balance between armour, infantry, artillery and helicopters in the army. Has my right hon. Friend received the advice he is expecting on the best mix in the army and the conceptual use of helicopters on the battlefield? If he has not received that advice, what is the hold-up? If he has received it, what is the delay in ordering additional helicopters?

Hitherto I have spoken about support helicopters, but it is also important to consider attack helicopters. I remind my right hon. Friend that an urgent decision about them is also required. In the short term the Apache—a United States aircraft manufactured by McDonnell-Douglas with whom Westland has a memorandum of understanding so that it can make that aircraft jointly—is obviously the preferred solution. In the longer term there is the prospect of the PAH2—a Franco-German aircraft—for which there would almost certainly be a trade-off for Westland and the improved Agusta 129, for which Britain is already in partnership with Italy, Netherlands and Spain. The selection of the short-term option, the Apache, would provide a neat answer to the problem because the introduction of dedicated attack helicopters would have the effect of replacing the Lynxes currently used for anti-armour, which have their weapons strapped on to them. The Lynxes could then revert to the role for which they were originally designed, light utility, thus providing some of the troop lift needed for air mobility.

Decisions must be made, and I have suggested some solutions to my right hon. Friend. Although I do not necessarily expect detailed replies this evening, I hope that we shall be given an undertaking that the role of the helicopter in Army operations is being reviewed urgently.

As I have about two minutes remaining to me may I endorse what has already been said by my hon. Friends the Members for Canterbury (Mr. Brazier) and for Plymouth, Drake (Dame J. Fookes) about house purchase problems for members of the armed forces, especially the Army and the RAF. I endorse the campaign undertaken by my hon. Friend the Member for Canterbury for more assistance to Army personnel towards house purchase undertaken during their service. That is also the policy of SSAFA—the Soldiers, Sailors and Airmen's Families Association.

7.46 pm

Mr. Dick Douglas (Dunfermline, West): Time is extremely short and obviously I shall try to maintain the constraints that have been imposed without in any way objecting to them. First, I should like to add my respects to the Clerk of the Select Committee, Robert Rogers.

I thought that this part of the debate dealt with procurement. I submit that we are facing a dilemma in that respect between our domestic and international philosophy. I shall ask the Secretary of State succinct questions about both sectors. Domestically we seem to be in a process of upheaval. I have some faith in Sir Peter Levene, but he seems to be causing great disruption throughout the procurement industry by a slavish adherence to value for money and the competition philosophy.

It goes without saying that defence manufacturers are moving out of the industry because of the way in which they have been treated. We need a new approach and we should avoid the peculiar situation in which the Treasury lays down restrictions and we cannot make advances because of them. One defence manufacturer has suggested that we undertake some project analysis. That would enable us to see in physical terms what is required by the armed forces without necessarily entering the competition stage subsequent to that. The competition should be based on who comes nearest to providing what the armed forces want and it should proceed on that basis.

Sir Peter Levene made a speech to the Independent European Programme Group that overturned the philosophy underpinning the European fighter aircraft and the Tornado programme. It seemed that we were embarking on a new policy regarding international collaboration. I do not know what that speech meant. What consultations took place with the United Kingdom domestic industry before Sir Peter made those proposals? We must have answers because we have given the impression that we think that Tornado is a great success and that we are proceeding with the EFA consortium. He seems to be rejecting these concepts as paper companies. He may be right, but before we go any further—we seem to be moving apace— we need to have a clearer indication of what is meant. Reference has been made to our backsliding on the NATO frigate for the nineties. Time does not permit me to deal with that, but what is the current status of the EFA? That is important not just to Ferranti but to other manufacturers. We need to make it clear whether the Government are proceeding with that type of set-up or whether—I hope that this is not the case —they are going to overturn it.

We have a distinct problem with the surface fleet. Certain people, including my right hon. Friend the Member for Chesterfield (Mr. Benn) could argue that we are against defence expenditure generally, but tend to be in favour of defence expenditure in particular instances. I am not sure whether I correctly understood much of the Minister's speech but I was appalled to gain the impression that we were not going to order type 23s this year, because that would be in direct contradiction——

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. Michael Neubert): We hope to place the order for the type 23 frigates by the end of the year.

Mr. Douglas: I am not going to say whether there are one or four, but there will certainly be between one and four, which is certainly heartening because that was not the impression given earlier in the debate. We have got into particular difficulties with regard to the surface fleet.

In the time available I want to zero in on the Trident programme. What is its status? Will it meet the in-service date of 1994? Exactly what has Anthony Attlee been up to in writing to the ranking republican member of the Senate Armed Services Committee? Are we so concerned about tests that we have to twist the arms of members of the legislature in Congress? What was the text of the letter? Can we have it? Will the Government publish the text of the letter to show the nature of our concern?

I am very critical and I am obviously not a great adherer to conference decisions, but I was heartened to know that my hon. Friend the Member for Clackmannan (Mr. O'Neill), who is not here at present, can wave aside, just like that, a conference decision made by nearly two to one.

Mr. Tom King: More than two to one.

Mr. Douglas: Thank you. I welcome that intervention.

The Labour party's problem with regard to Trident presents it with a practical and moral dilemma. The practical dilemma is that if the Labour party comes to power in 1991 or 1992 the actuality will be nothing like the policy as described in the Labour party policy document. There will not be three Trident boats in a state of completion. The in-service date for the first boat is 1994 so we have the prospect of our sailing a boat to Kings Bay and asking, if the missiles are ready, "Please may we have our 16 D5 missiles?"

I suppose that my hon. Friends who are still members of the Campaign for Nuclear Disarmament will be going over with their CND badges saying, "Can we have D5s because we need them to negotiate them away with the Soviet Union?" With the best will in the world, I do not see the American administration, whoever is in power, after having START negotiations to reduce their strategic ballistic missiles by 50 per cent., saying, "Thank you very much. We are having difficulty meeting our own targets and the missiles are scarce. We have not completed the test programme, but you, the Labour Government, can have them to negotiate away." That is not a moral but a practical issue. What would the Select Committee on Defence do when they examined this, whoever their chairperson might be?

Turning to the proposed cancellation of the fourth boat, no business man or woman in his or her senses would not go ahead with the fourth boat. If we needed only three —I do not accept that—we could say that the charge that is sunk, metaphorically and practically, is the charge which the other Government have to bear. We would say that we would take one of the boats and drag it away and then complete the fourth boat because the completion of that fourth boat will be charged to us. Any business man taking five minutes or less to analyse this would say, "Let's go ahead. If we need only three we can put one aside and use if for another project." I have explained that very briefly to try to try to brush it away in the minutes available.

Here is the Labour party trying to claim the high moral ground of politics. Here is the nation talking about the greening of politics, but one thing that has not been mentioned by Gorbachev's allies is Chernobyl. He saw what tragedy a man-made nuclear accident would cause to his own nation. That was one reason—so he said—why he wanted to try to get rid of nuclear weapons completely. I do not know what will happen in the arms negotiations, but my party, which claims the high moral ground of politics, is trying to get a mish-mash of a policy to convince the British people that they should vote for it. That strikes me as strange.

I am not necessarily a unilateralist because I think that the terms unilateralist and multilateralist are meaningless. However, if the Labour party is going to praise the reports of the Select Committee on Defence, for God's sake it should read them in relation to the Trident programme and recognise that what it says in its policy document is, in practical terms, not on. Therefore, it should reject it on practical grounds and, more pertinently, it should certainly do so on moral grounds.

7.56 pm

Mr. Timothy Wood (Stevenage): I am delighted to have the opportunity to follow the hon. Member for Dunfermline, West (Mr. Douglas) and to pursue some of the points which he raised. They were raised at the Labour party conference and in the opening of this debate yesterday. One factor which struck me greatly when we began this debate yesterday afternoon is that we had one intervention after another from Opposition Members who basically argued for a massive reduction on defence spending. However, from the Opposition Front Bench, the hon. Member for Clackmannan (Mr. O'Neill), for whom I have every sympathy, spoke with a deathly hush behind him and a distinct lack of sympathy from those sitting on the Benches behind him. He argued that what many of his hon. Friends wanted was not what they were going to get. What would happen in the unfortunate event of a Labour Government being elected? I shall certainly point out to my constituents in Stevenage some of the inconsistencies within the Labour party which this debate has produced.

One of the most fascinating elements of the contribution of the hon. Member for Clackmannan to this debate is contained in today's *Hansard* at column 163. He argued with considerable effectiveness for the various facts which justify Britain's present level of defence spending. He pointed out that others have said that the cheapness of a conscript army could reduce costs. He said that this country's naval responsibilities were much greater than those of other European countries. Another fact which he did not mention in that part of his speech but did in another, was the battle against terrorism, which costs our defence forces a considerable amount.

In one respect, I thought that the hon. Member for Clackmannan went over the top. He said:

> "The Government now spend more on health and education than on defence. This is reflected in, for example, the numbers directly employed by the Ministry of Defence civilian labour force. There were reductions of 21,000 in 1987 alone . . . The figures for employment in defence-related industries show an even more alarming fall."—[*Official Report*, 18 October 1989; Vol. 158, c. 163.]

So Labour Front Bench spokesmen believe that, if anything, we are spending too little, yet Opposition Back Benchers remain silent, grimacing behind their backs.

I have some anxieties about procurement. Defence contractors have a significant problem when they see a steady rightward move in the schedules of many development and manufacturing projects. I hope that the Ministry of Defence realises that, if defence contractors have to lay off design, development and manufacturing teams, their costs are great and the cost-effectiveness of defence procurement is, in the end, greatly damaged. This must be taken seriously into account. It is surely to our advantage to have a greater degree of realism in our procurement plans so that defence contractors can be more confident and so that teams, when assembled, can carry technically satisfactory projects through.

I want briefly to mention Ferranti, a company with which I have much sympathy, having been first employed by it after I left university. Although the rescue of that company is a matter for it and its investors, I hope that, when asked for its advice and when appropriate, the Ministry of Defence will bear in mind the importance of maintaining the various project teams in that company. I know for a fact that fine defence project teams work there now and it would be a tragedy if some of them were broken up. The adverse effects on our defence procurement would be significant.

Lastly, I turn to disarmament negotiations. Western policies, combined with the arrival of President Gorbachev in the Soviet Union, have led to disarmament moves that we can all welcome. We all hope that the various disarmament negotiations succeed. The portents are good, but I can only agree with my right hon. Friend the Secretary of State and other Conservative Members that we must proceed with optimism blended with caution. It is all very well to say that the present leadership of the Soviet Union presents a much more favourable image—indeed it does. At the same time we must remember that there have been false dawns before. We thought that some liberty might be coming to Hungary in 1956 and to Czechoslovakia in 1968. A few years later we thought that some liberty was coming to Poland. Again and again fears developed within the Soviet Union and turned the clock back, and once more we were faced with a frightened menace.

I hope that these events will not be repeated in the future but it would be foolish indeed if we chose to reduce our defences without first satisfactorily negotiating the appropriate arrangements with the Soviet Union to ensure proper and mutually agreed disarmament.

As my hon. Friend the Member for Wealden (Sir G. Johnson Smith) said, we have had four years of perestroika and the Soviet people are now worse off. That means that we cannot be sure that Gorbachev, perestroika and so on will be with us in future. I desperately hope that they will, but let us be wary of assuming that they will.

We must also remember that when a category of weapon is destroyed or reduced in number the type of weapon that is removed is often the most obsolete and ineffective—the numbers may fall but the effectiveness of what is still in place may not. So even with disarmament, initially at least, we must retain our design teams to develop new and effective weapons in case they have to be manufactured. I hope that disarmament negotiations will eventually progress in such a way that the various development projects can be properly controlled and matched; until such time as they do, we must maintain the design and development work that is now going on. It would be no use if we found that, while numbers had been reduced, we had allowed the quality of our weaponry to deteriorate when others were developing theirs.

In all these matters we have the opportunity and the scope to negotiate for further disarmament, but let us not go the way of Opposition Back Benchers or of Opposition Front Benchers—either by producing a policy for disaster, or by pretending that we have a policy which can succeed but which would also be doomed.

8.6 pm

Mr. Ted Garrett (Wallsend): I should like to thank the Minister of State for Defence Procurement for his statement on the future procurement of, and orders for, surface ships. I should like to assure him and his colleagues that Swan Hunter Group in my constituency will be bidding keenly and competitively. I should like an assurance that there will be no political interference in the placement of the orders, because on Tyneside there is always the suspicion that a certain contract once went to Scotland and another to Northern Ireland—to Harland and Wolff. I sincerely hope there will be no repetition of the events that lay behind our well-founded suspicions.

Yesterday, together with some of my parliamentary colleagues, I went to see a demonstration by the 15th infantry brigade on Salisbury plain. Hon. Members who have experienced Salisbury plain will know what it is like. The 15th is a north country brigade, recruiting from the Humber right through to the border at Berwick. The 6th battalion the Royal Regiment of Fusiliers, the 7th battalion the Light Infantry at Durham and the 8th battalion the Light Infantry based at Pontefract all participated. I mention their names because in yesterday's debate the hon. Member for Shrewsbury and Atcham (Mr. Conway) mentioned the need to maintain the county traditions. Had we had county traditions, the 6th Royal Regiment of Fusiliers would have been the 6th Royal Northumberland Fusiliers, the 7th would have been the Durham Light Infantry, and the 8th, the King's Own Yorkshire Light Infantry.

In the course of the day's activities, some members of the all-party group expressed a tremendous ignorance of the role of the Territorial Army. The brigade that we were visiting is a mix of regulars and territorials. We asked the soldiers many and various questions and I remember asking a young officer about the strength of a particular battalion. Its full strength should have been 650 but it is about 140 short. That is not peculiar to the Territorial Army: it is also a fact of life in the regular infantry battalions. The officer also poured ridicule on the vast and expensive advertising policy directed at attracting recruits. It has always been my view that people join the forces as a result of word of mouth, and that is especially true of the northern areas. If we had kept the original county titles or the original names of the regiments we would now be able to attract more recruits.

I should like the Minister in his new role to consider restoring, even at battalion level, the traditional names of regiments. It is a long time since 1968 but it is never too late to consider such a matter. After the American civil war, the American Government numbered their regiments and abolished the state titles. They are now moving back to the names of the state regiments and that has given people in those regiments a sense of identity. Not only will a fusilier, a rifleman, a lieutenant or a brigadier have not

[Mr. Ted Garrett]

only a sense of pride about belonging to such a regiment, but people in the area will recognise regiments if there is a county link. Even today, when the Royal Regiment of Fusiliers parades through Newcastle it is still called the Royal Northumberland Fusiliers and that is because of tradition.

I pay tribute to the soldiers that we saw yesterday. They had ended a fairly arduous 14-day exercise and had gone two nights without sleep. Those of us who have done that know what it means. It certainly leads to disorientation. Those soldiers were tired and dirty. In such circumstances, morale should sink but it did not. Those young soldiers were standing up well because they had the enthusiasm and the will. I talked to six gunners on a gun from a Royal Artillery battery based in Sunderland. Four of the six were unemployed and committed to the principle of service to their country through the Territorial Army. The snag was that they were out of pocket even though they were unemployed. My hon. Friend the Member for Motherwell, North (Dr. Reid) was with me and will confirm that. They received £15 for 24 hours' active service. If they exceed the amount of money that they receive in unemployment benefit or supplementary benefit, it is deducted.

I raised this matter three years ago, and nothing has happened to end the anomaly. Is it any wonder that when these men get the chance of a job they dare not mention to their prospective employer that they are in the Territorial Army because they might not get the job? Even if they get the job they dare not mention their TA involvement. In the top echelons of the big companies, people say that they support the principle of service to the country through the TA. Some of the top men in our multinationals have said that, but down the line the commitment is watered down to nil. Some men join the TA because they are unemployed, but when they get a job they have to sever their links with the TA in order to keep it. That is wrong and the Government should look at the financial aspects of the matter. They should give employers tax concessions for employees who volunteer for the TA, or give some additional assurance to the people who carry out this service.

The brigadier that I spoke to is the headmaster of a comprehensive school in Yorkshire and he gave three weeks of his holiday to participate in the exercise. Time is given by local authorities and by other public bodies which are exempt from my criticism. However, the private sector is not meeting its commitment. Ministers should see what effort they can make so that employers will be able to release people for this important sector of our armed forces. The total cost to the taxpayer of the Territorial Army is only 5 per cent. of the Ministry of Defence budget. We cannot say that we are not getting value for money. One of the senior men responsible for yesterday's exercise told me that he was full of admiration for the enthusiasm of soldiers of all ranks. That confirmed my view.

Last week I was in Barbados at a Commonwealth conference. We were led by the Under-Secretary of State for Foreign and Commonwealth Affairs. He went to Montserrat and when he came back he praised the Royal Navy for its help on that island which was devastated by Hurricane Hugo. He also praised the Royal Engineers from Belize and other units and the Barbados Regiment for the way in which they came to the aid of people in the islands struck by that awful hurricane. The West Indies is politically stable. There should be a British initiative to put together a task force which would blend the Jamaican, the Trinidad and the Barbados regiments with units of our forces in those areas so that we can get an instant response force in cases of not only military but civil necessity.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I must call the hon. Gentleman to order.

Mr. Garrett: Thank you, Madam Deputy Speaker, for allowing me half a minute extra.

8.17 pm

Sir Jim Spicer (Dorset, West): It is a great privilege to follow the hon. Member for Wallsend (Mr. Garrett) because he has spoken about a subject that is very dear to my heart. I hope that Ministers will take note of what he has said and will take to heart the old adage, "The difficult we do at once, but the impossible may take a little longer." I suggest that in this case the Government should attempt the impossible.

I am a little naive, but I have been heartened by the attitude of speakers on the Opposition Front Bench. They have taken a positive view of affairs. Yesterday we heard an Opposition Front-Bench spokesman ruling out of court any following of the line of that wretched resolution passed at the Labour party conference. That has been reinforced today by other spokesmen who throughout the debate have called for more expenditure because, they say, we are letting the side down. That is a great step forward, and it is worth while listening to the debate and taking part in it just to hear that view being expressed.

In opening the debate yesterday, my right hon. Friend the Secretary of State for Defence quite rightly laid great stress on the rapidly changing political face of both eastern Europe and the Soviet Union. These changes give us and the oppressed peoples of the Russian empire hope for a better and more balanced future. However, the changes are not yet set in concrete, and freedom may once again fall prey to oppression as it did in East Germany in 1953, in Hungary in 1956 and, sadly, in Czechoslovakia in 1968.

We all watched with horror the recent events in Peking when students and workers were massacred by troops. The fact that we saw that was very much the fault of the Chinese Government who, by mistake compounded by stupidity, allowed the Western media to occupy the hotel from which they had a full view of the whole operation from start to finish. We all expressed our horror about the events in Peking. No such coverage was available to show the brutal and savage attack by Soviet security forces on a peaceful demonstration by Soviet citizens in the town of Tiflis, in Georgia. That attack should serve as a blunt reminder to all of us that, although this is a time of hope, it is also a time of great danger, and that elements still exist within the Soviet Union that would not hesitate to move back to the worst excesses of previous times.

Of course, siren voices are always heard hard at work, trying to destroy both our armed forces and our nuclear capability on the pretext that peace has now broken out and we can look forward with great confidence to a happy future. Let me say—with great deference to them—that Labour's defence spokesmen carry little weight with many of their colleagues on this issue. Personally, I think that it must be right for the British people to demand that the Labour leader himself speaks out strongly and makes it

clear that he utterly repudiates the party conference vote at Brighton, which, if ever implemented, would hamstring our armed forces.

Obviously we cannot afford to gamble on "peace in our time", but it might just be possible to use present events to influence decision-making in the Ministry of Defence. We simply cannot afford to proceed with both the total modernisation of our tank forces and the equipping of even our single air mobile brigade with the right balance and quantity of attack and support helicopters. In my view —which I believe is shared by many of my colleagues—it is high time that our defence team accepted that a force of attack helicopters is now a necessity rather than an option.

My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) spoke with great knowledge and sincerity about the changes that may take place in Europe. How I agree with him. Ten years from now, the map of Europe may look quite different. No one should be in any doubt that in next year's elections in the Federal Republic of Germany reunification will be at the top of the agenda for all parties: every party will be forced to put it there, even if it does not wish to, and reunification will eventually follow. Ten years on, both Hungary and Poland may well be members of the European Community. Let me say here and now that I sincerely hope that that will happen.

If all this transpires, and if force reductions also take place in West Germany, the value of fully equipped air mobile brigades for quick reinforcement of either the central front or the southern or northern flank—or for any unforeseen out-of-area operation—will be enormous. We all know about the debate now taking place within the MOD. Let me ask the entire Ministry team for a firm time limit for that debate, and that thereafter decisions be made in favour of a greatly enhanced role for helicopters.

8.22 pm

Mr. Bruce George (Walsall, South): This debate should have taken place in June or July, but—although the Select Committee on Defence rushed in June to produce its response to the "Statement on the Defence Estimates"—we are now in October, approaching November. I suppose, however, that the Government's ineptitude has given us a good opportunity to evaluate the momentous events that have taken place, not only in the Soviet Union and the rest of eastern Europe but within our own Alliance —remarkable developments in arms control such as START and CFE, and confidence-building measures. Few of us could have predicted this a few months ago, and even fewer could have predicted the great changes that have taken place in the whole range of Labour's policies. I do not wish to advertise the opportunities that I have had to travel, but I have been to the Soviet Union, Bulgaria, Hungary, Czechoslovakia and Poland, meeting members of the military and Defence Ministers, and that experience will underpin some of the points that I intend to make.

This is an era of transition. When Churchill made his famous "iron curtain" speech, Europe was divided into two major blocs. I am not entirely convinced that the position has changed. Perhaps, as some have said, it is irrevocable, but we must nevertheless take advantage of the opportunities presented to us. If we do not, we shall live to regret it, for the consequences will be severe. We should not be euphoric and assume that swords are about to be beaten into ploughshares; nor should we be churlish and hostile and say that we should not deal with the Soviet Union because within weeks or months there will be a Chinese-style conversion, and the reforms will slow down or even cease.

Is there a role for NATO in this environment? Some would say no, and I certainly believe that it will be some years before we are in a position to decide whether alliances will wither away. One thing is certain, however: as Manfred Wörner said a couple of months ago, NATO must do away with

"its fixation with weapons, strategy and disarmament and turn it towards the decisive questions of the political reshaping of Europe."

Many tasks still await NATO's concern and action. Clearly it must maintain itself as a military alliance, but it has many political dimensions as well. Whatever happens in East-West relations, the out-of-area threat to us and to the Warsaw pact will persist. The new military challenges to both alliances are considerable. There is ballistic missile proliferation, for instance: 16 countries outside NATO and the Warsaw pact have, or are developing, such missiles, with ranges of up to 500 km. That trend is very worrying, and it is even more worrying that some of those countries are developing ballistic missiles with longer and longer ranges: they are developing the warheads themselves as well as the means of delivery.

Whatever action we take, the Alliances may face a threat from a country that is no longer simply a recipient of our weapons, given or sold. If the growth in rocket technology is allied to the increase in chemical weapons, the prospects appear horrendous. That lethal combination presents an ominous future for the West—that of longer-range ballistic missiles in the hands of some Third-world nation with a chemical weapon capability. The challenges are not just military; they are also economic—the less developed countries pose enormous problems with budget deficits and protectionism—and if economic matters are to be involved, security must take the environmental challenges into account.

Papers produced by the Western European Union or the North Atlantic Alliance appear to be lectures in environmentalism and "green" politics, but those issues cannot be confined to the debating chamber, or indeed to discussion of the environment. The environmental problems facing the globe have a security dimension: the consequences of a potential crisis for defence and foreign policy would be very severe. I therefore believe that there is clearly a continuing role for NATO.

Worrying changes have taken place within the Government, although attention has often been focused on the weaknesses of my party's defence policy. Let us look at the Order Paper. The Defence Committee reports tagged to the motion show the Government in a very bad light. The Committee consists of 11 Members of Parliament and meets only twice a week, yet, in the limited time available, we have produced a seemingly endless succession of reports exposing weaknesses in the procurement process. I make no apology for going through them briefly.

The second report is entitled "Staffing Levels in the Procurement Executive". Even the Ministry witnesses talk of

"'a catastrophic haemorrhaging' of the 'very ablest young engineers, scientists and administrators'".

We pointed out the enormous increase in costs of procurement when resources are scarce, of ineffective decision-making and of inadequate recruiting.

[Mr. Bruce George]

The third report, entitled "The Working of the AWACS Offset Agreement", describes the benefits that have resulted so far from making the right decision—to go for Boeing, AWACS after a disastrous earlier decision. The benefits to the country of offsets are difficult to see. The report on the progress of the Trident programme describes problems at Aldermaston, industrial disputes at Vickers Shipbuilding and Engineering Ltd. and problems involving the procurement of the missile in the United States. The Government do not emerge particularly well.

The Government's policy on the Royal Navy surface fleet has been disastrous. They talk about aiming at having about 50 frigates and destroyers at their disposal. This afternoon they told us how many frigates and destroyers are being built. Unless the Government build three frigates per year, they will never reach the target of about 50. The only way in which the Government can maintain a fleet approaching 50 is by running on ancient Leanders, most of which were built in the 1960s and should be destined for the scrap heap.

The seventh report relates to the decommissioning of nuclear submarines, on which the Government have no policy at all. The procurement of the Tucano trainer aircraft is another indictment. The availability of merchant shipping for defence purposes reveals yet another disaster, and even the Government themselves admit it. We said in our report that in a recent exercise

"33 out of 34 vessels chartered for British exercises in 1988-89 were not British; manpower continues to fall, and, were ships to be required in time of tension or war, substantial numbers of their officers and men would not be British; cadet entry to the Merchant Navy is"

also a disaster.

The worst disaster of all was the procurement of a light anti-tank weapon, LAW80. The idea first emerged in 1971, development began in 1978, and in 1988 the Army had its first delivery of a weapons system that would pose an enormous threat only to a Bulgarian tank driver driving a T34, but anything else appears to be invulnerable to a weapons system that has cost hundreds of millions of pounds and so much physical and mental effort and is a duff system. Who will buy it? Only people who are threatened by tanks which do not have the reactive armour that the Soviet army has. Reactive armour was patented in Britain in 1982, so why did it take the MOD so long to realise that we did not have anti-tank weapons that would do more than dent a Soviet tank?

The reports that we have produced—and there will be more—are an indictment of the way in which the Government are procuring weapons systems with scarce resources.

My final point relates to security. During the past 12 years I have become almost obsessed with trying without success to get a licensing system for the private security industry. Now the Government refuse to do anything, relying upon self-regulation of that imperfect industry. Regrettably, at Deal, we saw those imperfections manifest. In an industry upon which the MOD is increasingly relying, the men are badly trained or not trained at all, they are badly paid, having to work 60, 70 or 80 hours a week to take home a living wage, and they are badly supervised, yet they are guarding our property and our soldiers. The Government should introduce a licensing system. Unless the Home Secretary does he will pay a price.

Madam Deputy Speaker: Order. I call Mr. John Wilkinson.

8.32 pm

Mr. John Wilkinson (Ruislip-Northwood): It is a privilege finally to speak in a debate that has come so late in our parliamentary year. It has been long expected, and it has lived up to expectations. It is noteworthy that the House has listened so well to those who have spoken, including my hon. Friend the Member for Dorset, West (Sir J. Spicer), the hon. Member for Wallsend (Mr. Garrett) both of whom have "got some in", my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes), who spoke with such sincerity about the manpower problems in the services, and the great international performer himself, the hon. Member for Walsall, South (Mr. George).

Throughout the debate, we have been seeking a solution to the great conundrum. What could that great conundrum be? It could be how the hon. Member for Clackmannan (Mr. O'Neill), whose intellectual credentials improve with every speech he makes, could have put his name to such a rambling, ramshackle motion. If he can make sense of it, he is a better man than I, and he may well be, but I doubt whether the electorate will make much sense of it. Certainly that was the feeling of his hon. Friend the Member for Dunfermline, West (Mr. Douglas).

Alternatively, the great conundrum might be how the hon. Member for Dunfermline, West could ask for a defence review. Has he not been in the House long enough to realise that any Government policy or programme, and certainly one of the Ministry of Defence, is under review? There is nothing new in that. Of course the Government are quite rightly keeping everything under review, not least, as my right hon. Friend the Secretary of State so correctly reminded us, at a time of such uncertainty and potential danger in international affairs—a point highlighted by my hon. Friend the Member for Dorset, West.

One has only to recognise the depths of emotion of the crowds on the march in East Berlin and to see the banners in Leipzig and Dresden proclaiming, "Keine Gewalt", or "No force", "Für Freiheit", or "For freedom" and "Für Demokratie", or "For democracy", to realise the depths of emotion in the German people. We are obsessed with arms control, but to achieve peace we need to change the nature of the regimes that potentially threaten us. Only then will there be a chance of peace.

To return to my theme, what is the great conundrum? It is how, at a time of inflation, to produce good value for money from the limited resources that are available to us for defence. Of course, with service men's pay having to be high to keep them in the armed forces, and with the relative price effect of new equipment exceeding the cost of living, it really is a great conundrum.

Let me make two humble suggestions to my right hon. and hon. Friends on the Front Bench. First, the House must get a grip of the procurement process. As the hon. Member for Walsall, South pointed out, the way in which the procurement of defence equipment is mismanaged is a thumping disgrace. Our Select Committee tries to grapple with the problem, but only after the worst cost overrruns and the biggest delays have already occurred. It is by then ancient history. No one bats an eyelid when hundreds of millions of pounds of taxpayers' money are wasted on

projects that are not up to specification, or are late. We need an appropriation function in the House, a sub-committee of the House of Commons Defence Committee specialising in procurement.

Secondly, as the hon. Member for Wallsend so eloquently pointed out, our reserve forces have immense potential, but we should not try to attract more through puerile advertisements in the national press showing muscle and grunt individuals with packs on their backs who are apparently much better men for the load they carry, nor idiotic little jokes about executives dressed up as Napoleon.

We need to resurrect unit loyalties, as my hon. Friend the Member for Shrewsbury and Atcham (Mr. Conway) pointed out. We should realise that the reserve forces offer great opportunities for technical instruction and self-betterment which volunteer reservists could carry into their civilian occupations. Of course there are other reserve forces than the Territorial Army. We have the Royal Auxiliary Air Force and the Royal Naval Reserve. We are an island nation, a maritime power that relies on air and sea reinforcement across the Atlantic and into continental Europe.

I beg my hon. Friends to be more imaginative. There should be flying squadrons in the Royal Auxiliary Air Force and there should be more men in the Royal Naval Reserve. These are the things that we need to do. If those two small, simple suggestions alone are borne in mind, I shall be content, and perhaps the great conundrum will be a little nearer to a solution.

8.39 pm

Mr. George Galloway (Glasgow, Hillhead): I want genuinely to welcome the Minister of State for Defence Procurement to his new position. He will certainly improve the intelligence quotient in his ministerial team, if not the dampness quotient, and will equally certainly bring some sense of humour to the deliberations of a fairly dry bunch.

I had also expected that in speaking in this first defence debate since he assumed his position to extend a welcome to the Secretary of State as well. It is true that the current Secretary of State left his last job with a large fund of good will across the political spectrum, but it must be said that his performance at the Dispatch Box yesterday and even more his Goebbels-like rant at the Tory party conference in Blackpool were utterly unworthy not only of him, but of the great office of state he holds and of this defence debate. The descent of a once fine man into a fifth-rate Joe MacCarthy is a dispiriting sight.

Yesterday and last week, the Secretary of State made two charges against the Labour party. The first is that the leadership of the Labour party, with all the democratic Socialist credentials they can muster and with all their years of democratic service in this great democratic institution, are in fact secret supporters of the IRA. It is so gigantic a lie and is now being repeated so often that it could have come from Goebbels's own shelf. It is especially hollow coming from a Government who have repeatedly—including most recently in Deal, a subject to which I shall return—left the door wide open for terrorists to walk in and blast to the heavens young service men serving this country.

My hon. Friends and I are utterly opposed to all killings connected with the political position in Ireland. Even those of us, like myself, who go much further and want to go much faster than the great majority of the Labour party towards British withdrawal from Ireland are utterly opposed to violence. It is the sight of our young soldiers being lowered into their graves in wooden boxes that confirms my view that Britain has already paid too high a price for its involvement in Ireland.

The second charge made by the Secretary of State is even more serious. It is that Labour cannot be trusted on defence and that Labour will not defend this country from any external aggressor. His charge is that we are cowards or traitors, or both. That charge, made by someone of the eminence of the Secretary of State for Defence, is a blood libel against the millions of Labour party supporters who fought in uniform, many of them giving their lives to defend this country in the last war. It is a blood libel on the millions of Labour supporters who currently support us and who will support our defence policy. It is a blood libel against the many members of the parliamentary Labour party—who are perhaps declining in numbers because of their age—who served this country well and who had as good a war as many of the new hawks among Tory Members.

When I heard the Secretary of State drawing on the experience of appeasement in the 1930s in support of his argument that we were cowards or traitors, I could scarcely conceal and restrain my anger. The Government who left 300,000 soldiers huddling under the pier and in the sand dunes on the beaches of Dunkirk were a Conservative Government. The guilty men—Baldwin, Chamberlain, Simon, Halifax and Hoare—were all true blue Tories in the leadership of the Conservative party. It was their cowardice, incompetence and treachery which left this country on the precipice of defeat. We shall take no lectures on appeasement from Conservative Members.

It is customary in these debates for all speakers to pay tribute to the members of Her Majesty's armed forces. I want to draw attention to one small section of them. It can be seen in early-day motion 1128 on the Armilla patrol last year. Last year, I was a member of a delegation to Saudi Arabia, ably led by Lord Pym. How often one gazes across the Benches and says, "Come back Francis Pym, all is forgiven." On that visit, we were often reminded of the value of the men serving in the Armilla patrol and I became convinced of their value. The Government should consider seriously the demand in early-day motion 1128 for a medal to be struck for the service men who participated in that vital piece of work.

Mr. Ian Bruce: Will the hon. Gentleman give way?

Mr. Galloway: No, because I have only 10 minutes and I want to press on.

While I have the attention of the Minister of State for Defence Procurement, I want to say that many of us are worried about the precipitate withdrawal from the NFR90 project and nothing said tonight convinces me otherwise. I hope that in days to come—for there is no time now—we shall be told what will be done on the question of needing about 50 surface ships. I represent the warship building yard of Yarrow and I hope that the Minister will find time to visit the yard. I know that his colleague was recently there. I shall be interested to know whether the Government are intending to build a super frigate based on the type 23 model as a means of substituting for the NFR90.

[Mr. Galloway]

On Ferranti and on the NFR90, I hope that Ministers are aware of the real danger to British warship building of drawing offices and teams of designers breaking up and being scattered to the four winds. We would all pay the price for that.

I want to touch on the vexed question of security at Ministry of Defence establishments. My hon. Friend the Member for Clackmannan (Mr. O'Neill) said yesterday that it must not be made a subject of political capital. Of course, the people who have been making political capital out of Deal are Conservative Members. We must hold the Government fully responsible for the safety of our personnel and buildings at Ministry of Defence establishments. It came as a shock to the British public to learn that a base housing Royal Marines, a regiment serving in Northern Ireland, turned out to be guarded by largely unarmed, third-rate security firms employing people who were often short of the calibre that would have been expected.

Many people are unaware of the amazing hotch-potch of agencies and institutions that are currently guarding our Ministry of Defence establishments. Each of the three services is responsible for its own security, quite separately from each other. I find that surprising. The Ministry of Defence police are also involved in security and there are also individuals about whom no one seems to know much —the industrial patrol men. I tried today to find out more about them. There are about 16 to 30 other private security firms that range from the disreputable to the reputable. It reminds me of that great free enterpriser, the early saga of Thatcherism, Milo Minderbinder of "Catch-22", who rented his own air force to the enemy to bomb his camp in the interests of business.

8.49 pm

Mr. David Tredinnick (Bosworth): Far from this being the least dangerous period since the war, I believe, having served in the Army some time ago, that it is the most dangerous period for Britain since the war. If the reform process in east Europe fails, we shall see a return to repression at home, aggression abroad and a highly volatile, unstable and worrying state in Europe.

I shall confine my remarks to east Europe and the Warsaw pact. As well as being the most dangerous period, this is also the period of greatest opportunity since the war. West Europe's task is to do everything possible to ensure that future historians will remember this period as a time of opportunity, hope and the achievement of peace and prosperity.

Principally, we have to two tasks for Eastern Europe. The first is to encourage the change and reforms that are taking place in many of the Warsaw pact countries. Secondly, I stress that we must do so, loosely or directly, without the super-power that controls those states, Russia, feeling threatened. If Russia is threatened, the reform process will be reversed very quickly.

The hon. Member for Walsall, South (Mr. George) spoke of his experiences travelling in eastern Europe. Two weeks ago, I returned from Poland. Solidarity MPs told me that if the West does not provide effective aid, the coalition Government will collapse not in a year's time but within three to six months and the Communists will take over. I qualify that by saying that there seems to be much determination among the Communists, Solidarity and the other minority parties to make the coalition Government work.

The new co-operation between former gaolers and prisoners has had some bizarre results. As a souvenir, a senior Solidarity official, who has twice been imprisoned for his beliefs, gave me an invitation that he had been given. It says:

"You are invited to celebrate the 45th anniversary of the secret police, to see an exhibition of memorials to secret police officers killed in action, to witness the award of medals and the presentation of certificates to newly graduated secret policemen."

That may have a humorous side, but there is a serious point. People from opposite ends of the spectrum are trying to make a success of the new Government.

Western aid packages have already been provided, which is most welcome. I congratulate my right hon. Friend the Foreign Secretary and his junior Ministers on the know how fund that has been set up. The first fruits of the fund were seen this week when a delegation of Polish MPs from different parties attended a conference in London. I was happy to be a part of that conference this week, and such conferences should be encouraged. I recommend hon. Members to follow the course of action that I have taken and to invite those MPs to stay with them in their constituencies at the weekend. There is much for them to learn. I find that they are like sponges, because they have been kept in the dark for so many years. Almost everything that we have to tell them is of interest.

We need further specific action to help the Poles. We must encourage British businesses to accept Polish managers and business men on secondment. We should establish a scheme whereby they can easily attend British business schools. We should set up a short-term crisis fund that has loose strings. With inflation in Poland running at 1,000 per cent., and the major reforms in the economy, there is a danger of food riots. The Poles may need short-term aid to help them over that.

As an oil-producing nation, we should provide Poland at least with extra fuel. Half the garages in Poland are shut, and there is not enough fuel for cars and tractors. That has the knock-on effect of farmers being unable to get the food out of the ground. I suggest that the Government should consider that carefully.

I said that there were two tasks for the West—to encourage reform, and to do so without threatening Russia. As someone who has served in the Army, I find myself in the strange position of saying that the last thing that we want to do is to destabilise the Warsaw pact. Polish Ministers and MPs say that it is essential that the Warsaw pact is maintained. We must work progressively to reduce the numbers of arms. It would not be helpful to the process of reform if the pact were to disintegrate now.

I began by saying that this is the most dangerous period since the war. If the reform process fails and the Russian bear feels threatened, we shall return to the cold war or, perhaps the worst prospect, some form of defensive-aggressive military action.

8.56 pm

Mr. John McFall (Dumbarton): I am sure that the House will forgive me if I begin with a number of local issues, not least the fact that less than two weeks ago Anthony and Sharon Outlaw lost three young children on the Churchill naval estate in my constituency. The fire

started in the middle of the night and the three children, who were all under five, died. I ask the Minister to take note of that tragic event.

The naval families have spoken to me about that matter. It is believed that an electrical fault started the fire. There are no smoke detectors in their homes and the electrical wiring is badly in need of repair. I ask the Minister to take on board those points and be in immediate contact with the Clyde submarine base and the welfare services. It is the least I can do to pay my respects to the naval families on the estate and send the House's condolences to the family.

Concern has been expressed at the Clyde submarine base about privatisation. The base has razor wire all around it, but the local peace campers can get in and out whenever they wish. If they wish to get in for Christmas, they can. A year ago, they boarded the control room of a Polaris submarine. They were on it for so long that they had to make a noise to let officers know that they were there. The captain arrived, and when the peace campers told him to take them to Cuba he nearly had a heart attack.

At the weekend, I was told that private contractors will be used to do deep cleaning on the submarines. The Minister should look carefully at such privatisation measures, given the track record on security at the Clyde submarine base and take into consideration the feelings of the workers in that area. I hope that the Minister will contact me if he intends to introduce private contractors to the base.

Yesterday the Secretary of State said:

"Mr. Gorbachev and our Prime Minister also have different philosophies, but an element of confidence and trust grew".—[*Official Report*, 18 October 1989; Vol. 158, c. 156.]

If we take that on merit, it is okay. However, paragraph 105 of the White Paper says:

"we should be under no illusion about this new sense of realism; it is designed to serve Soviet interests, not those of the West."

The Prime Minister may talk to Mr. Gorbachev, but she makes no attempt to understand the reality of defence and foreign policy for the 1990s.

One read of the White Paper underlines the fact that the Conservative party is the party of the arms race. The motto of the White Paper is that the arms race keeps the peace. That is all the Government have to offer us. There is a paucity of thinking in the White Paper. In reality we have a need for common security. We have heard many times from Conservative Members that NATO has given us 40 years of peace. However, we had peace from the Crimean war in the 1850s until 1914. Therefore, we had peace for a longer period in Victorian times. We have peace in NATO not because nuclear missiles are targeted at eastern Europe but because 12 or 13 countries are working together on a daily basis and understanding each other. We have peace in western Europe because of the social and personal aspects involved.

The White Paper has no credibility. There is no courage or imagination within it. My right hon. Friend the Member for Chesterfield (Mr. Benn) mentioned yesterday that that may be because the top 10 defence contractors receive more than £3 billion in profits each year from the Ministry of Defence. Perhaps that is why the Ministry of Defence has such a limited imagination.

As a member of the Select Committee on Defence, I am aware of the business appointments. A few months ago we interviewed Colin Chandler, the head of the Defence Export Services Organisation. Subsequently, he left that job on a Friday and on the following Monday became chief executive at Vickers. The Government said nothing about that. We hear comments about pork barrel politics in America, but the same comments could be made here. The Government's response to the business document from the Defence Committee says nothing on such issues. I warn the Government that we will return to that point.

I welcome the Secretary of State's comment about the centre for defence studies. It is a pity that it was not located in my constituency of Dumbarton. My constituency contains the largest nuclear arsenal in western Europe and I have to press upon the Ministry of Defence the need to answer to local politicians and to me as the Member of Parliament. The Government have located the centre in the university of London. If it is incumbent upon me to have the nuclear arsenal, surely the Government should have thought about placing it in Scotland. So far for any academic study, we have only the Bradford school of peace studies and sadly the hon. Member for Colne Valley (Mr. Riddick) highlighted the ignorance of Tory Back Benchers on that institution.

We heard the same comments and sentiments expressed in Blackpool last week by the Prime Minister. She took credit for the world revolution and for the torch of freedom that she said is shedding a light across the iron curtain, but she did nothing to turn her mind to the changed situation in Europe. That has not changed her thinking one bit. The Prime Minister and the Government still believe that there is a cold war and that there is a threat. The Government have never said where the threat comes from.

The Warsaw pact has changed irrevocably; its ability to mount a surprise attack, which is central to the White Paper, is no more. The question is, how do we deter a crisis? It is no use just lowering the level of NATO forces. We have to change what we are doing.

The Opposition welcome the disarmament proposals. We welcome the START proposals, but if they are implemented in full, that will still only take us back to the pre-1979 levels. We welcome the conventional armed forces in Europe talks, but if their decisions are implemented in full, there will still be 40,000 tanks in Europe—twice the number that there were when Hitler marched into Poland in the 1940s. There will still be 5,700 aircraft on each side. That is the same as in 1939, but now each one can carry several nuclear weapons and go twice the speed of sound, and they are a quantum leap on the Messerschmitts and other planes used in the second world war. There are no British initiatives. Will the new Secretary of State give them to us? His predecessor did nothing in that area.

Somebody has said that the defence budget must be halved over the next six to eight years so as to direct money to social issues, crime and drugs. That was said not by my right hon. Friend the Member for Chesterfield but by the former Secretary of Defence in America, Robert McNamara. There must be initiatives in Western Europe. The Government are thurled to the USA, not because they agree with them but because they do not have an original thought about defence in their head.

McNamara led the way and General Andrew Goodpaster, the former Supreme Allied Commander in Europe between 1969 and 1974, has recommended a 50 per cent. reduction in forces in Europe. The Government have done nothing about that. The Prime Minister has said that

[Mr. John McFall]

she has lit a beacon. She is telling young people to come across from Eastern Europe, to desert their countries, and we will probably find them work. At the same time, with increasing menace, we are directing our nuclear weapons at their families left in eastern Europe—their aunts, brothers and sisters. She has not changed her policy on eastern Europe by one whit.

It would be dangerous to leave war to the generals. I had the privilege of being in the company of a United States admiral six months ago at dinner. He asked me, "How is Ireland getting on?" One of our company had to tell him that the Republic of Ireland is a country distinct from Britain, and that it became a free state in 1922. There is Uncle Sam, patrolling the world with his finger on the button, but he does not know that Ireland is separate from Britain. We cannot leave it to the generals. Despite the opportunity of this debate, the Goverment have not come forward with new ideas on how they will deal with the changing situation in Eastern Europe.

The Government have further pressures on them, such as shrinking budgets. The Government condemn the Labour party for the resolution passed in Brighton, but in the United States Congress, the new Secretary of Defence, Mr. Carlucci, has to argue for a 20 per cent. defence cut over the next five to six years, and President Bush will have to answer to Congress personally. It would be sweet if the Secretary of State were to argue for that here, but, sad to say, that will not happen.

The Select Committee on Defence has pointed to the demographic changes which mean that the Army cannot get enough recruits. Last year, despite a target of 38,000, it had only 33,000 recruits. The population betwen the ages of 16 and 19 will fall by 1 million in the next 10 years. In the Federal Republic of Germany, one of our close neighbours, unless remedial action is taken, the armed forces will fall from 500,000 to 290,000. Our Government have said nothing about how our forces will be changed, yet changes will be forced upon them.

There is a paucity of ideas on eastern Europe and co-operation. Sadly in this Government there are no thinkers—none to match the McNamaras, Senator Nunns, William Colbys or a former director of the CIA who state that NATO's first use of nuclear weapons is redundant. There are no such voices. All that Tory voices tell our European neighbours is that we shall fight our war on their land and that that is why we need short-range nuclear weapons. The Conservative party is nothing but the party of the arms race. That is all they have to offer us and that is why the White Paper should be thoroughly condemned and rejected tonight.

9.9 pm

Mr. Bob Cryer (Bradford, South): On a point of order, Madam Deputy Speaker. The speeches in reply to the debate are about to be made and when they have been concluded we shall have had almost five hours of Front Bench speeches in a two-day debate. It would help the House if you could draw to the attention of the Select Committee on Procedure the fact that in a two-day debate it is undesirable for Front Bench spokesmen to take up almost half of the debating time. As you occupy a position of importance, they may pay more heed to you than to ordinary Back Benchers who raise the issue.

My hon. Friends the Members for Stockton, North (Mr. Cook) and for Clwyd, South-West (Mr. Jones) and I would have liked to contribute. I do not criticise you, Madam Deputy Speaker. You cannot create time. Front-Bench spokesmen should open the debate on the first day, take note of its thread, and close it on the second day. As some of the Front-Bench speeches were turgid, monotonous and lengthy, it would help the House if more Back Benchers could express their opinions.

Madam Deputy Speaker: I appreciate the hon. Member's point. I have been in the Chair for five or six hours during this important two-day debate and I know that many hon. Members have been disappointed.

9.11 pm

Mr. Sean Hughes (Knowsley, South): I hope that my closing speech for the Opposition will not live up to the description by my hon. Friend the Member for Bradford, South (Mr. Cryer) who said that Front Bench speeches were turgid, or whatever.

The problem with the defence debate in recent years, both in the House and throughout the country, has been the extrordinary claim by the Conservative party that it has a monopoly of patriotism and, in all things pertaining to defence, a monopoly of competence. The claim to a monopoly of patriotism not only absurd but, as my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) said so eloquently, deeply insulting to the many Labour party members and supporters who have sacrificed so much over the years for their country.

That is why the Prime Minister's characteristically tasteless remark last year that the Labour party has no memory, no spine, no stomach and no guts was so deeply insulting to so many ordinary people. That is why the Tory party campaign of abuse, culminating in the infamous poster at the general election depicting Labour as the party of surrender, was equally offensive. Therefore, I am mildly amused by the outrage and anguish expressed by Conservative Members when a few doctors have a go at the Secretary of State for Health. It has been a measure of schoolroom bullies throughout the ages that while they can dish it out, they howl when they have to take it themselves.

It has also been one of the characteristics of this Government that, while they resolutely refuse to take responsibility for their actions, they consistently claim the credit for the achievements of others. I thought that the height of their impertinence had been reached when they claimed the credit for the INF treaty, but at Blackpool, as my hon. Friend the Member for Dumbarton (Mr. McFall) said, the Prime Minister and the new Secretary of State for Defence seemed to claim the credit for glasnost and perestroika in the Soviet Union, the election of a non-Communist Prime Minister in Poland and the moves towards a multi-party state in Hungary. I am surprised that they have time to turn up to these debates.

The only thing that compares with the absurdity of the Tory claim to a monopoly of patriotism is its claim to a monopoly of competence. To use the words in the preface of Christopher Coker's pamphlet "Less Important than Opulence" published last year by the Right-wing think tank the Institute for European Defence and Strategic Studies:

"The Conservatives may well have concluded that the present defence debate, which still largely revolves around

multilateralist-unilateralist distinction, is so congenial in electoral terms that the customary process of analysis must not be allowed to disturb it."

Or, as the author put it more succinctly on page 8 of the pamphlet:

"on defence, as on other matters, the Conservative Party has never been noted for its systematic thinking".

We have had ample evidence of that over the past two days.

The speech made by the new Secretary of State at the Blackpool conference a week ago and some of his remarks yesterday were perfect examples of this debate by abuse. Sadly he did not take the opportunity to initiate a rational discussion of the issues. We heard the same old half-truths and smear which we have come to expect. As probably the only British Member of Parliament whose entire family lives in the Republic of Ireland—with the exception of my wife and daughter—I need no lessons from the Secretary of State to affect my detestation of all things violent.

At the base of this Defence White Paper and at the base of all Government White Papers is the Government's interpretation of deterrence. From the speeches by Conservative Members in this debate and in all defence debates, we learn that deterrence is at the heart of the argument. That has involved us in the last two defence debates with the White Paper's historical—some might say unkindly, hysterical—summary.

I note with just a hint of regret that the person responsible for this unique Conservative insight into history seems to have been redeployed this year. However, that should not be taken as proof that the official absence of what the Government delightfully term historical perspective means that the Prime Minister and the rest of the Government have given up trying to change the past.

Earlier this year, in the spring edition of the International Institute of Strategic Studies papers, the then Secretary of State wrote that he was reminded of a story about Prince Metternich at the Congress of Vienna. He wrote:

"He was awoken by his valet—

and I am talking about Prince Metternich, not the former Secretary of State—

"in the middle of the night to be told that the Russian ambassador had died in his sleep. Metternich commented, 'I wonder what his motive was for doing that'."

I thought at the time how appropriate it was that the British Secretary of State for Defence should don the mantle of Metternich, of whom a 19th century criticism was that his

"empty head remained unresponsive to the dynamic forces of history."

Any of us who have witnessed the Government's response to the rapidly changing international developments and the world's awakening to a new sense of possibility would consider those words to be a fair criticism of the Government.

The Government's lack of response to the events within the Warsaw pact has been as breathtaking as the events themselves. For a Government who have consistently equated the possession of nuclear weapons with great power status, there has been no initiative or leadership commensurate with that status just the tired old slogans which have fuelled the cold war. In speech after speech, the Prime Minister has appealed for vigilance and resolve, warning everyone that it would be folly to let down our guard before the irreversibility of change in Communist Europe is proven. And then in Moscow on 23 September, she accepted that those changes are irreversible, but the belligerent slogans continue.

At the end of last year, Professor Sir Michael Howard wrote:

"We demanded that the Soviet Union should leave Afghanistan. He has done so. We demanded that he should scrap the SS20s and their smaller adjuncts. He did it. We demanded that such scrapping should be verified by obtrusive on-site inspection. He agreed. We demanded that troop reductions in Europe should be made assymmetrical. He agreed to that as well. We demanded that the offensive deployment and training of Soviet Forces in eastern Europe should be abandoned for an overtly defensive posture. He has made the military examine their doctrine."

Since Sir Michael wrote that article, we have had Gorbachev's announcement, at the United Nations in December, of cuts in Soviet conventional forces, his announcement in Moscow in May of the withdrawal of 500 short-range nuclear weapons in Europe, and his offer in Strasbourg in July to make further cuts in their tactical missiles in Europe. To all that, the Government give the impression of resolutely refusing to take yes for an answer.

The problem really lies with the Prime Minister's understanding of the word "deterrence", and presumably the team share that misconception. She has tried to set the tone of the contemporary defence debate with her slogan that the only defence is a nuclear defence. Last year she told the Conservative women's conference that the British people recognised that

"our national safety cannot be guaranteed except by nuclear weapons."

In December 1986, she told the hon. Member for Surrey, South-West (Mrs. Bottomley):

"Money spent on nuclear weapons provides far more deterrence than the same amount spent on conventional forces."—[*Official Report*, 16 December 1986; Vol. 107, c. 1052.]

It is not surprising, therefore, to find the White Paper repeating the slogan. Paragraph 108 states that history shows that conventional weapons

"cannot by themselves prevent war. Only nuclear weapons can do that".

History shows nothing of the sort.

Mr. Wilkinson: How was it, then, that Japan had no defence against the United States' nuclear weapons in world war 2?

Mr. Hughes: I should have thought that the examples that spring to mind of non-nuclear powers refusing to be overawed by nuclear powers include Korea, Vietnam, Afghanistan and, above all, Argentina.

The Prime Minister, and thereby the White Paper, are simply wrong. Nuclear deterrence works on two criteria: first, that the power or person being deterred is also a nuclear power and, secondly, that the power or person being deterred is rational enough to be deterred. The suggestion that the possession of nuclear weapons makes this country a great power, which is at the root of Tory defence policy, is nonsense. Their obsession with nuclear weapons has got the Government into the most——

Mr. Mates: It is also the official view of the Labour party.

Several hon. Members *rose*——

Mr. Hughes: I will give way to the Chairman of the Defence Select Committee, the hon. Member for Hampshire, East (Mr. Mates). *[Interruption.]* I could be

[Mr. Hughes]

unkind and recall the words of Christopher Coker about the Chairman of the Defence Select Committee, but I shall not do that this evening.

Their obsession with nuclear weapons has got the Government into the most terrible muddle when we consider their attitude to flexible response and tactical nuclear weapons. At page 11, paragraph 5, of the White Paper we see what Ministers have been proclaiming for a decade. It states that flexible response—we have heard this over the past two days—

"is the only strategic concept that makes sense for a defensive alliance in the nuclear age."

The Government act as though flexible response were in the sermon on the mount—one of the great truths that can never be amended. They talk about flexible response as though the strategy has remained consistent for 40 years.

At Question Time on 25 April this year, the Prime Minister stated:

"The strategy that we are discussing is the strategy of NATO, which has protected peace for 40 years."—[*Official Report*, 25 April 1989; Vol. 151, c. 799.]

As we would expect, Defence Ministers have consistently repeated that statement at the Dispatch Box. However, the only consistent thing has been the consistency of the Prime Minister and her team in getting it wrong. The strategy of flexible response—we should always remember that it is a strategy and not some vague theory of deterrence—was enunciated in 1962-63 and eventually adopted in 1967. But, even in those four or five years, the strategy changed considerably. The strategy today—more than 20 years later—is fundamentally different from that first proposed to NATO. What was proposed as a strategy for raising the nuclear threshold has resulted in a strategy for lowering the nuclear threshold.

Mr. Ian Bruce: I am somewhat confused—I think that all Conservative Members are confused. The planners in the MOD must have welcomed the fact that the Labour party's official policy is now to maintain nuclear weapons while the Warsaw pact forces have nuclear weapons. The hon. Gentleman seems to contradict Labour party policy. Could we have a clear statement of what it is?

Mr. Hughes: If the hon. Member is confused now, I hope to demonstrate, if I have the time, how Conservative Members have been considerably confused for a number of years.

According to the author of the strategy, instead of the early massive use of nuclear weapons, it permitted a substantial raising of the nuclear threshold by planning for the critical initial response to Soviet aggression to be made by conventional forces alone. The strategy was based on the expectation that conventional capabilities could be improved sufficiently to make the use of nuclear weapons unnecessary. Even if that expectation turned out to be false, any use of nuclear weapons would be late and limited.

Because the essential element of the strategy—which the Government claim has been held consistently for between 20 and 40 years—has never been realised, there is a general acceptance of the fact that any attack by Soviet conventional forces would require the use of nuclear weapons, and some have argued that they would have to be used within a matter of hours. Frankly, I am astonished that neither the Prime Minister nor her team seem to understand that. It is the conscious and deliberate decision to go nuclear first, and to go nuclear early, that has caused the most concern, particularly because of its potential to cause an escalation to a strategic exchange.

The weakness in a first early use of tactical nuclear weapons in central Europe is manifest. Short-range weapons, by definition, because of their range and location, would be vulnerable to Soviet attack. Since NATO's plans are to use short-range weapons early, our command would be forced to choose between using them quickly or running the risk of their being overrun or destroyed.

The location of short-range weapons at a time of acute international tension could serve as an enormous incentive for the Warsaw pact to get in first. Operational utility creates further, major problems. Approximately 30 per cent. of West Germany's population and 25 per cent. of its industrial capacity lie within 60 miles of the inner German border. Land-based short-range nuclear missiles are limited to that NATO territory, and what possible credibility can there be in nuking ourselves?

I have always thought that the old adage still stood—that one cannot build a credible deterrent on an incredible action. I find it difficult to understand the effectiveness of a deterrent which, when used short-range hurts oneself and when used long-range hurts the enemy, but in an immediate, escalatory sense.

The Secretary of State said yesterday that we had to stand by the credibility of a flexible response. In that case, we have to ask, "What is the purpose behind the Government's refusal even to countenance an agreement to eliminate short-range nuclear weapons in Europe?" The White Paper states that NATO will aim for, in conjunction with the establishment of a conventional balance and the global elimination of chemical weapons, tangible and verifiable reductions in United States and Soviet land-based nuclear missile systems of shorter range, leading to equal ceilings. That is the rub. It is not an agreement to lead to the mutual elimination of weapons, but to equal ceiling.

According to the Prime Minister and the rest of the team, we need short-range nuclear weapons—or we did—because of the conventional superiority enjoyed by the Warsaw pact. To use the phrase of the hon. Member for Ruislip—Northwood (Mr. Wilkinson), there seems one way out of this conundrum—if we negotiated conventional parity, there would be no need for tactical nuclear weapons. Well, not exactly.

I asked the Secretary of State a simple question on 26 July 1988. I asked whether the Government believed that conventional parity was compatible with a flexible response. He replied:

"Yes, it is a very compatible aim that we should get conventional weapons on each side down to parity, while the whole question of the flexible response enables us to have a variable range of different types of major weapons".—[*Official Report*, 26 July 1988; Vol. 138, c. 247.]

The Deputy Prime Minister, in his then role as Secretary of State for Foreign and Commonwealth Affairs, was given the opportunity to clarify that position in the "On the Record" programme at the end of last year. He was asked a specific question about conventional parity and tactical nuclear possession. He replied:

"We shall have to address that part of the agenda when we get to that point, and not necessarily for the removal of all, but for the consideration of the question . . . Well, let's first of all recognise that it will take quite some time before we get

to balance, if we do. Let's then recognise that, alongside conventional weapons, a key part in our defensive capability has been the nuclear capability, and I think will remain so." I think that the word that he was looking for was yes.

Since we adhere to flexible response—because there is not conventional parity, or so we have been told—the answers from the Secretary of State in July and from the former Foreign Secretary seem somewhat strange. Therefore, I sought clarification from the Minister of State for the Armed Forces on 10 January this year. He left me in no doubt. He said, in effect, "Yes, we still need flexible response, given conventional parity"—and for good measure he threw in any new weapons systems in the future.

The only explanation for this new thinking—that we keep our tactical nuclear weapons even after the Warsaw pact has got rid of its conventional superiority—was that the basis of flexible response had changed. Once again, I returned to the Secretary of State and asked him whether that had happened. He assured me that there had been no change, but that it would be a very different situation if there was conventional parity. That is very true—although it is not what he was saying seven months before, and it certainly is not what his deputy was saying four years before. It is not what he was saying the previous July and it is certainly not what his Minister of State was saying four weeks previously.

There is nothing new about this confusion on flexible response. On 14 April 1981, Secretary of State John Nott, in reply to a question by the hon. Member for Rossendale and Darwen (Mr. Trippier) actually stated:

"The idea that we have nuclear weapons to fight a war is an absurdity. That is not a part of NATO's strategy and never has been."—[*Official Report*, 14 April 1981; Vol. 3, c. 138.]

In reply to the former hon. Member for Tottenham, Norman Atkinson, he went further, stating that a localised tactical nuclear war was absurd. That does not sound much like the "pressing the button brigade". But if the Tory Secretary of State for Defence in this Government did not know that it was part of NATO's strategy to use tactical nuclear weapons, it is no wonder there has been so much confusion on Conservative Benches.

If there has been confusion about flexible response and conventional parity, that becomes clarity itself when one asks the Government about their assessment of a short-range nuclear attack on us.

I conclude by referring to some more answers that I was given earlier this year. On 7 March I asked the Secretary of State whether the Government took seriously the threat of a short-range nuclear attack on NATO's fixed assets in Europe. He told me that we were members of the NATO Alliance. I could not disagree with that, but it was not exactly an answer to my question. I then asked the Minister of State the same question the following month and he told me that the Government took seriously the strategy of flexible response. Well I knew that as well, but it still was not the answer to my question, so, in May, I asked the Secretary of State. He told me that he took seriously all the weapons that the Warsaw pact has.

It was not until the Minister of State finally wrote to me in May of this year that he admitted that the Government take seriously the threat of a tactical nuclear attack on our assets in Germany. That begs a simple question; if that is the case, why will they not agree to the elimination of a particular weapon in which the Warsaw pact has a 16:1 advantage?

The sad reality is that there is absolutely no reason to believe that this Prime Minister, and therefore this Government, would ever agree in any circumstances, at any time, through any negotiation with any super-power, to the removal of nuclear weapons from this planet. That is why their defence policy is no such policy. It is a great power posture and it deserves to be exposed and rejected. I commend to the House the amendment in the name of my right hon. and hon. Friends.

9.35 pm

The Minister of State for the Armed Forces (Mr. Archibald Hamilton): I welcome back the hon. Member for Knowsley, South (Mr. Hughes), who has been ill recently. We are glad to see him here.

The Opposition started with a most amazing contribution from the hon. Member for Rhondda (Mr. Rogers), who gave us a rather strange history lesson and seemed to be asking Conservative Members to support the action of Mr. Chamberlain and others in the 1930s. The hon. Member for Glasgow, Hillhead (Mr. Galloway) seems to go down the same road. We were grateful that my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) was present, as he was able to put the record straight.

The hon. Members for Rhondda and for Hillhead referred to the contribution made by my right hon. Friend the Secretary of State at the Conservative party conference at Blackpool. It might help if I read an excerpt from a newspaper about this matter:

"We have regrettably too many who adopt"—

—*[Interruption.]* If the hon. Member for Rhondda listened it might help.

"We have regrettably too many who adopt an ambiguous and inherently dishonest attitude. Gerry Adams and other Sinn Féin spokespeople unapologetically proclaim support for cold-blooded murder that leaves a pathetic and all-too-often overlooked tragic multitude of widows, widowers, orphans and friends.

To admit Gerry Adams and colleagues to the public halls of civilised democratic debate is increasingly and properly perceived as deeply offensive and repugnant to Christian and humanitarian standards."

That quote came from the *Irish News*, a paper read by nationalists in Belfast.

At Blackpool my right hon. Friend the Secretary of State did not accuse all Labour Members of being supporters of Sinn Fein, but he said, "Protest all you want, Mr. Kinnock, wave as many red roses as you want, those were members of your party that did that and the country must never forget it." That meeting was organised by the hon. Member for Islington, North (Mr. Corbyn), a member of the Labour party, and it would not have taken place if he had not organised it.

Mr. Rogers: I am ashamed that the Minister should peddle the same half truths as the Secretary of State for Defence.

It so happens that the Secretary of State for Defence received a letter from the Leader of the Opposition. After the awful thing that the Minister has just said, I hope that he will allow me to quote it. It said:

"Dear Tom . . . Your Party is in great difficulty and I was not surprised that in your speech you resorted to abuse and wild distortions . . . You have every reason to know that neither I nor my colleagues who form the great majority of the Labour Party give any quarter to Sinn Fein, whatever form it takes, and that I believe"——

Mr. Tom King: Go on.

Mr. Rogers: I will—

"I believe that those who applaud Gerry Adams and his associates are profoundly wrong and that I have told them so in very direct terms . . . You are also aware that I have no power to prevent people who have committed no known offence being in Brighton or speaking to a public meeting. Neither, in a free country, have you."

In the same way, that is why the Tories invited neo-Nazis and Fascists to speak at the Conservative conference. The Secretary of State for Defence is indicting and is a smearer, a half-truther and a Goebbels.

Mr. Hamilton: No Conservative Member has invited a neo-Fascist to a Tory party conference and that man never came to the Tory party conference. Even if he had come, he is not a murderer. The fact remains that Gerry Adams is responsible for a murderous organisation and was asked by an Opposition Member—*[Interruption.]* I did not accuse the Labour party but certain Opposition Members, and the fact is that it was an Opposition Member and that fact cannot be avoided. *[Interruption.]* It would be good if we moved on to the debate.

Mr. Speaker: Let us settle down.

Mr. Cryer: Would the Minister be prepared to condemn Lord Whitelaw who, in 1973, invited the executive of the Provisional IRA to talks in this country? If it is a matter for condemnation on the one hand, surely it should be a matter for condemnation of a member of a Conservative Government.

Mr. Hamilton: My right hon. and noble Friend said that it was a mistake, and that incident canot be compared to giving a political platform to the man who runs Sinn Fein. I do not know how the hon. Member for Bradford, South (Mr. Cryer) can make the comparison.

The hon. and learned Member for Fife, North-East (Mr. Campbell) raised the question of search and rescue services at RAF Leuchars. He asked if we would continue to monitor the new arrangements which we have made there. Of course, I will give that undertaking and we shall keep a check on it and ensure that it is working through. He also referred to the decline of the Merchant Navy—which is of concern to the House and the Ministry of Defence. The decline is not as rapid as it has been in the past, and we are keeping a careful eye on it. We do not feel that the position is dangerous at the moment, but we shall clearly have to watch for the future. He also accused the Government of having a weak commitment to arms control. I do not know how he can say that, because we are heavily involved in the process of arms control and are concerned that this should move ahead at a fast pace.

The right hon. Member for Dudley, East (Dr. Gilbert) raised the question of recruits from ethnic communities, which has been concerning us for some time. We are worried that the percentage is low, although he and I know that we do not count the numbers of ethnic recruits in the services, although we have some form of monitoring those who come in. A consultant's report reached the Ministry of Defence in July which we are looking at. He also mentioned the UKADGE, and I can assure him that the results of an independent audit commissioned by the Ministry of Defence are being assessed by both the Ministry of Defence and the contractor. I know that he will understand that I cannot comment any further.

My hon. Friend the Member for Plymouth, Drake (Dame J. Fookes) raised a question which I also wanted to bring up and which is pertinent. The amendment talks of a defence review, and we all know that a defence review means cutting defence expenditure. It is not necessary for the Government to cut defence expenditure. We are extremely proud of our record and of the fact that we are spending 16 per cent. more in real terms since we came to power. Most of that money has been used on extra equipment and the procurement budget. We have a proud record and the forces are benefiting no end from the extra money that we have spent.

My hon. Friend the Member for Wealden (Sir G. Johnson Smith) suggested that next year's defence estimates should include an essay on the financial and military implications of arms control. My hon. Friend would not seriously expect me to say at this stage what the "Statement on the Defence Estimates" for 1990 will contain, but I can assure him that the Ministry of Defence is giving a great deal of thought to the implications of any arms control agreement. We shall certainly bear that in mind.

My hon. Friend the Member for Drake and the hon. Member for Wallsend (Mr. Garrett) mentioned the problem of members of the Territorial Army suffering by losing unemployment benefit when they are paid for their work in the TA. When TA members lose benefit it is as a result of receiving pay for training, which will usually be significantly more than the lost benefit. An exception to that would be the case of evening training attracting only a portion of a day's pay. To cover such contingencies we introduced a scheme allowing the issue of pay and the receipt of benefit on 16 such days in a year. I hope that the hon. Member for Wallsend will agree that that goes some way to dealing with the problem.

The hon. Member for Hillhead, in an early-day motion, suggested that it would be a good idea if the Ministry of Defence introduced a medal for the Armilla patrol. We announced before the summer recess that there would be a clasp to the General Service medal for the Armilla patrol —that might be a good reason for not leaving early-day motions on the Order Paper for too long.

The hon. Member for Dumbarton (Mr. McFall) mentioned a distressing case, and I was sorry to hear of the tragic loss in naval quarters of three small children. I shall certainly investigate whether the electric wiring was the cause of this awful disaster, and I shall come back to the hon. Gentleman.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who is not with us now, raised the issue of the UDR and I pay tribute to the role he has played in it. I know that he is a robust supporter of all that it does. As the "Statement on the Defence Estimates" explains, the task of supporting the civil power in Northern Ireland remains the services' largest peacetime commitment. The Army provides most of the personnel, but the other services provide vital assistance. As long as it proves necessary in the fight against terrorism, the armed forces will continue to support the RUC.

The fact that troops have now been deployed on these duties for 20 years is no cause for celebration, but it is a sign of our determination to afford the citizens of Northern Ireland, as part of the United Kingdom, the highest protection that the Government can provide in the face of a murderous and futile terrorist campaign. The terrorists have yet to learn that, having been rejected at the

ballot box, they can gain nothing by violence except further alienation from the community. It is vital that the Army's operations in support of the RUC be impartial and be seen to be impartial and in no way above the law. There is no place in Her Majesty's armed forces for anyone with divided loyalties. The UDR is an indispensable element of the Army's efforts in support of the RUC and it is subject to the same standards. Members of the UDR are as keen as anyone else to ensure that those standards are met and, as one would expect, are co-operating fully with the Stevens inquiry.

Further improvements are being made in the process of screening new recruits to the UDR, transferees for other Army units and in carrying out reviews as appropriate. Among these new measures is the establishment of an enhanced and dedicated screening unit. Our aim is to ensure that no one with associations with paramilitary organisations is recruited to, or serves in, the regiment.

Mr. Tam Dalyell (Linlithgow): In view of the decision in the Appeal Court today, may I expect a considered reply to my speech on Colin Wallace yesterday about the possibility of a public inquiry into what happened in the 1970s in relation to the Kincora boys' home? Do not events in relation to the law in Ireland make it desirable to clear that up one way or the other?

Mr. Hamilton: I very much took the point of the hon. Gentleman's remarks on that yesterday and I shall write to him to answer all his points.

It is regrettable that, of the 40,000 individuals who have served with the UDR since it foundation in 1970, 17 soldiers have been convicted for murder. Twelve of the 15 murdered persons were killed because they were Roman Catholics or because they were suspected of terrorist links. Other UDR soldiers have been convicted of serious offences involving, for example, passing information to loyalist paramilitaries.

The House should be in no doubt that the Government and the UDR regard these crimes as inexcusable and abhorrent. We must not, however, allow the actions of a few to tarnish the reputation of the overwhelming majority of the UDR, who carry out their duties professionally, loyally and impartially.

We must not forget the pressures on those who serve in the regiment, a point that was made by the hon. Member for Fermanagh and South Tyrone. Both on and off duty they are constantly under threat of murder by terrorists. Since its formation, 180 serving members and 46 former members of the regiment have been murdered by terrorists. They have also seen friends and relatives murdered by terrorists who in many cases are known to the security forces but have escaped justice due to the lack of admissible evidence that would be sufficient to secure a conviction in court. In addition, UDR soldiers can sometimes be subjected to direct pressure from extremist or paramilitary organisations which exist in the Loyalist community. In the circumstances, it is a tribute to the discipline and training of the majority of soldiers who have served in the UDR that they have acted with restraint and resisted the enormous pressures upon them.

My right hon. Friend the Secretary of State for Northern Ireland said yesterday that we must not make the mistake of throwing away the barrel of good apples because a few are bad. The UDR is determined to ensure that the highest possible standards are maintained. One would expect nothing less from a regiment which formed an integral part of the Army. The improvements to the screening process that I mentioned earlier should be seen in that context. Now, as much as at any time in the past 20 years, the service men in Northern Ireland deserve our praise for their professionalism and bravery in a most difficult and often thankless job.

I shall now turn to the question of security. I thank the hon. Member for Clackmannan (Mr. O'Neill) for not making party political points on the problems of security. We take security very seriously. We know the terrible price that is paid when our guard slips. It is no mere figure of speech to say that our security is kept under constant review. It is the truth, and it is appropriate to remind the House of the very sad news that another Royal Marine musician, Bandsman Christopher Nolan, who was aged 21, died on Tuesday evening from injuries sustained during the bombing at Deal on 23 September. I know that the House will join me in sending our deepest condolences to his friends and family.

Mr. Frank Cook (Stockton, North): I have it for a fact that, in the very week that the Deal bombing took place, in at least three units in West Germany the wives of serving personnel were actively and positively canvassed with a view to their engagement as security guards on the gates. Can the Minister tell the House on whose authority those surveys were conducted and whether any countermanding orders have been issued since the Deal event?

Mr. Hamilton: I have never understood the attitude of the Opposition to the question of security. A massive outrage was prevented in West Germany by a German civilian, an unarmed boilerman who surprised the IRA and was hit over the head for his pains. He stopped a major outrage. In terms of security, we need people who are observant and who notice what is going on and report it to the authorities. I see no reason whatever for women not having a role to play. The Labour party believes in equal opportunities, and it is a great slur on women for the Opposition to say that women should play no role whatever.

We introduced a programme of physical security measures over and above those already planned or in hand. The House will gain an idea of the scale of the programme when I say that about £40 million has been allocated in 1989-90. We expect this increased programme to continue on that scale for as long as necessary.

I shall now deal with the talks that have been going on in Madrid about the Falklands. I am sure that my right hon. Friend the Foreign Secretary will make an announcement in due course, but I know that the House expects me to say something about the Anglo-Argentine talks which concluded today in Madrid. The talks were held in a very constructive atmosphere and the Government regard the outcome as most positive. It would be inappropriate for me to comment in detail on the wider aspects of the talks beyond saying that agreement was reached on a formula on sovereignty which respects the position of both sides and that good progress was made in a number of areas in support of the wish of both Governments to normalise relations between the two countries.

I must say something about defence issues. First, I welcome the confirmation of the commitment of both countries to respect the obligation to settle disputes

[Mr. Hamilton]

exclusively by peaceful means, and to refrain from the threat or use of force. Secondly, I am very pleased that both Governments now regard all hostilities between our countries as having ceased. Thirdly, I welcome the agreement to establish a working group to consider views and proposals from both countries, intended to build confidence and to avoid military incidents.

To demonstrate our own commitment to the aim of strengthening mutual confidence, the United Kingdom Government have announced that they intend to dispense with the current requirement of prior agreement for Argentine merchant shipping to enter the Falkland Islands protection zone, and to align the limits of the zone with those of the fishery conservation zone. Both changes will come into effect at an early date, and we shall at the same time be extending the territorial sea around the Falklands, South Georgia and the South Sandwich Islands from three to 12 nautical miles, in line with current Argentine and United Kingdom practice.

I must make it absolutely clear that the changes do not involve any reduction in our commitment or ability to defend the Falklands, if that were ever necessary. The protection zone remains in force, and Argentine warships and aircraft will continue to be excluded.

The alignment of the protection and conservation zones is a sensible, practical measure which will permit more effective fishery conservation. Although it will involve a minor reduction in the size of one portion of the protection zone, that is of no military significance. I hope that the House will join me in welcoming today's news from Madrid and congratulating President Menem's Government on the constructive attitude to negotiations.

The House has heard much over the past two days about how the Government have maintained and are improving the country's defence. We are now constantly searching for better value for money, and trying to upgrade the quality of our equipment and trained service men. The Government have worked in the mainstream of NATO to enhance the role that we are playing in the common defence of the West, and I am proud that our NATO allies recognise the great contribution that we are making.

By contrast, the policies agreed by the Opposition at Brighton will undermine the whole basis of NATO defence strategy—a strategy that has always recognised the need for both nuclear and conventional defence. At Brighton, Labour made an enormous fuss about its change of defence policy, but there was no change. There was a change of wording, from "unilateral" to "multilateral", but, as Labour's version of multilateral disarmament contains a commitment to negotiate away our nuclear weapons as soon as possible, the result will be the same: Britain's nuclear weapons will all go, and the Soviets will be left with thousands. I cannot understand why the right hon. Member for Chesterfield (Mr. Benn) gets so agitated; unilateralism is still alive and well in the Labour party, although it now goes under a new name.

During this debate we have heard from the Opposition the constantly recurring theme that our problems are now over—that there has been a permanent change in the Soviet Union. How can they say that? The stated intentions of the Soviet Union may have changed, but its awesome capabilities remain. Even after the promised cuts in troops and equipment, Warsaw pact forces will still heavily outnumber those of NATO. Despite the talk of reduced tension, Soviet production of modern, improved tanks, aircraft, ships and submarines has continued apace.

The Opposition have talked as though conventional arms negotiation and control had been not only signed up but implemented. We may achieve agreement next year, but how long will it take the Warsaw pact to destroy more than 30,000 tanks? Not until it has done that will it come down to the present NATO levels. Meanwhile, where is the Soviet Union going? Perestroika has been much discussed, but there is not much evidence that it is working, and the effect of glasnost is that all the republics in the Soviet Union are now reasserting their nationalism, and centrifugal forces are under way.

As my hon. Friend the Member for Bosworth (Mr. Tredinnick) said, we could now be facing a very dangerous period in East-West relations. All that is guaranteed is continued uncertainty about where the Soviet Union is heading; yet, against that background of uncertainty, the Labour party advocates disarmament and recommends that our nuclear weapons should be negotiated away at the earliest possible moment, and that the proven policy of flexible response be abandoned—although that policy has served us so well. The Labour party still cannot be trusted with the defence of this country. It is prepared to see us nuclear naked. What might that mean if Libya were ever to end up with nuclear weapons?

Question put, That the amendment be made:—

The House divided: Ayes 186, Noes 319.

Division No. 330] **[10 pm**

AYES

Adams, Allen *(Paisley N)*	Cryer, Bob
Allen, Graham	Cummings, John
Archer, Rt Hon Peter	Dalyell, Tam
Armstrong, Hilary	Davies, Rt Hon Denzil *(Llanelli)*
Ashley, Rt Hon Jack	Davies, Ron *(Caerphilly)*
Ashton, Joe	Davis, Terry *(B'ham Hodge H'l)*
Barnes, Harry *(Derbyshire NE)*	Dewar, Donald
Barron, Kevin	Dixon, Don
Battle, John	Dobson, Frank
Beckett, Margaret	Doran, Frank
Bell, Stuart	Douglas, Dick
Benn, Rt Hon Tony	Dunnachie, Jimmy
Bennett, A. F. *(D'nt'n & R'dish)*	Dunwoody, Hon Mrs Gwyneth
Bermingham, Gerald	Eadie, Alexander
Bidwell, Sydney	Evans, John *(St Helens N)*
Blair, Tony	Fatchett, Derek
Boateng, Paul	Field, Frank *(Birkenhead)*
Boyes, Roland	Fields, Terry *(L'pool B G'n)*
Bray, Dr Jeremy	Fisher, Mark
Brown, Gordon *(D'mline E)*	Flannery, Martin
Brown, Nicholas *(Newcastle E)*	Flynn, Paul
Brown, Ron *(Edinburgh Leith)*	Foot, Rt Hon Michael
Buckley, George J.	Foster, Derek
Caborn, Richard	Foulkes, George
Callaghan, Jim	Fraser, John
Campbell, Ron *(Blyth Valley)*	Fyfe, Maria
Campbell-Savours, D. N.	Galloway, George
Canavan, Dennis	Garrett, John *(Norwich South)*
Clark, Dr David *(S Shields)*	Garrett, Ted *(Wallsend)*
Clarke, Tom *(Monklands W)*	George, Bruce
Clay, Bob	Gilbert, Rt Hon Dr John
Clelland, David	Godman, Dr Norman A.
Clwyd, Mrs Ann	Golding, Mrs Llin
Cohen, Harry	Gordon, Mildred
Coleman, Donald	Gould, Bryan
Cook, Frank *(Stockton N)*	Grant, Bernie *(Tottenham)*
Cook, Robin *(Livingston)*	Griffiths, Nigel *(Edinburgh S)*
Corbett, Robin	Griffiths, Win *(Bridgend)*
Corbyn, Jeremy	Grocott, Bruce
Crowther, Stan	Hardy, Peter

Harman, Ms Harriet
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Martin, Michael J. *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ken Eastham.

NOES

Adley, Robert
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Bevan, David Gilroy
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Macfarlane, Sir Neil
Maclean, David
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Maginnis, Ken
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector

Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Waldegrave, Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Rt Hon P. *(W'cester)*
Wallace, James
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. Tony Durant.

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 313, Noes 34.

Division No. 331] **[10.14 pm**

AYES

Adley, Robert
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Bevan, David Gilroy
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Macfarlane, Sir Neil
Maclean, David
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Maginnis, Ken
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael

Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Waldegrave, Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Rt Hon P. *(W'cester)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Alastair Goodlad and
Mr. Tony Durant.

NOES

Barnes, Harry *(Derbyshire NE)*
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Brown, Ron *(Edinburgh Leith)*
Canavan, Dennis
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Cryer, Bob
Ewing, Mrs Margaret *(Moray)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Heffer, Eric S.
Hinchliffe, David
Hughes, John *(Coventry NE)*
Jones, Ieuan *(Ynys Môn)*
Lambie, David
Lamond, James
Loyden, Eddie
Madden, Max
Mahon, Mrs Alice
Michie, Bill *(Sheffield Heeley)*
Mullin, Chris
Nellist, Dave
Parry, Robert
Primarolo, Dawn
Salmond, Alex
Sillars, Jim
Skinner, Dennis
Thomas, Dr Dafydd Elis
Wall, Pat
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Ken Livingstone and
Mr. Jeremy Corbyn.

Question accordingly agreed to.

Resolved,

That this House approves the Statement on the Defence Estimates 1989 contained in Cm. 675.

WELSH GRAND COMMITTEE

Ordered,

That, during the proceedings on the matter of the National Health Service in Wales, the Welsh Grand Committee have leave to sit twice on the first day on which it shall meet, and that, notwithstanding the provisions of Standing Order No. 88 (Meetings of standing committees), the second such sitting shall not commence before 4.00 p.m. nor continue after the Committee have considered the matter for two hours at the sitting.—*[Mr. Greg Knight.]*

General Practitioners (Training)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Greg Knight.]*

10.26 pm

Rev. Martin Smyth (Belfast, South) *rose*——

Mr. Ken Maginnis (Fermanagh and South Tyrone): On a point of order, Mr. Speaker. As a member of the fourth largest party in the House, a party which is constantly being asked to participate in the business of the House, especially United Kingdom business, I draw your attention to the fact that during the defence debate 20 Conservative Members were permitted to speak for an average of 16 minutes each, and 16 contributors from the official Opposition were able to speak for an average of 18 minutes each. As a member of the fourth largest party, I wished to make a meaningful contribution to the debate, but I was cut off in mid-sentence after 10 minutes, having sat in the House for almost six hours of the debate. I find it exceedingly frustrating that the fourth largest party should be confined to one 10-minute contribution.

Mr. Speaker: I think that I can help the hon. Member. This has been a two-day debate. It was my understanding that the hon. Member wished to participate yesterday, when he would not have been involved in a 10-minute limit on speeches. He well knows that today, as a result of an important statement and members of his party being called to speak, we had a rather late start. With the best will in the world, I cannot change the rules to accommodate him as a member of the fourth largest party.

Mr. Maginnis: Further to that point of order, Mr. Speaker. If I had been aware of that, I would have been willing to speak yesterday evening. I was here to speak yesterday evening, but other hon. Members wished to speak. I was prepared to wait for the second day of the debate. It was not peculiar to that debate that the Ulster Unionist party found itself with the opportunity to make but a mere 10-minute contribution. I ask that you, Mr. Speaker, give consideration——

Mr. Speaker: Order. The hon. Member should come and see me about this matter. His point of order is taking time out of the Adjournment debate led by his hon. Friend the Member for Belfast, South (Rev. Martin Smyth). The Adjournment has already been moved.

Mr. Maginnis: Thank you, Mr. Speaker.

Rev. Martin Smyth: In the previous Adjournment debate in which I participated, the Minister promised to act speedily in the settlement of claims arising out of bomb damage at the Lisburn Road Royal Ulster Constabulary station. Three years later, some constituents are still seeking just settlement. I am therefore not unduly sanguine about the response to my raising the issue of parity of treatment for general practice trainers and trainees in Northern Ireland.

The issue affects the whole Province, not just my constituency, and the medical profession. I am not sanguine about the prospect of what I believe to be an injustice to would-be general practitioners and their trainers in Northern Ireland being settled any more quickly than was the cause of my earlier escapade into an Adjournment debate.

The subject has involved me for some time with the Department of Health in Northern Ireland. Lest someone suggest that I have an interest, I should declare that I am the party spokesperson on the subject and the father of a medical person. I may therefore be accused of having an interest. I declare that interest so that there can be no sniping. The issue is serious and affects different groups of people.

In my dealings with the Department of Health, as with others, I have encountered the phenomenon of moving goalposts. When we try to maintain our good education system, which is based largely on the Scottish tradition, we are told that the pattern of England and Wales is to be followed. When we try to model our general practice provision on what happens in England and Wales, Scotland is provided as our pattern. It seems that whatever pattern reduces public expenditure is chosen as the guideline in Northern Ireland.

We are lectured that, if we work together, we will be heeded. The medical profession covers all strands of religious and political opinion. The record shows that the hon. Member for Foyle (Mr. Hume) has also probed this problem. He was informed factually earlier this year that

"trainers' remuneration and general practitioner trainees' allowance is made under the family practitioner services section of the Department's Health and Personal Social Services vote 1."

He also tried to discover

"what would be the revenue and manpower consequences"

of allowing the Great Britain pattern to be followed in Northern Ireland. It is significant that that question was not answered.

The Minister's reply confirmed that there is no parity of treatment, and that it is not proposed to introduce arrangements to allow approved trainers to act on the same basis as they do in Great Britain. The Department was prepared to follow the Fair Employment (Northern Ireland) Act 1976 and yet blatantly discriminate against Northern Ireland in regard to training would-be general practitioners. He said:

"The present arrangements are designed to limit the annual number of trainees to our manpower requirements".

I appreciate the fact that the same Minister is to respond to this debate. At that time, he said that a working party had been set up

"to review the arrangements for vocational training for general practice in Northern Ireland."—[*Official Report,* 11 May 1989; Vol. 152, c. *508-9.*]

Can the Minister give us any guidance about how far the working party has progressed?

This is an important subject. I believe that we should train and equip our young people to the highest level that they can reach. They are our raw material. Young people in Northern Ireland are due that provision. If they are qualified and able to take the education or training, they should be equipped with it. We should not, and cannot, limit them according to the number of general practitioners we can employ in Northern Ireland.

Certainly in my opinion, and that of many others, article 44 of the 1972 order which makes provision for the training of persons in or for employment in the Health Service is permissive and not mandatory. However, it does not require them not to train people for work in or for the Health Service. Historically, such training was applied to those intending to work in Northern Ireland and to those who would work in Great Britain. It could certainly—especially in the light of compulsory EEC requirements

after 1992—apply to others. I am aware that historically it has applied to others because young people from Northern Ireland have gone into medical practice to the furthest corners of the earth and have made a tremendous contribution in Third-world countries.

It is therefore wrong to conclude that there is any legal or moral restriction to train for anticipated Northern Ireland needs only. Therefore, the only reason that exists is financial. Such financial restraints should be borne by the nation rather than by one small part of it.

This problem has many facets. Not only did Parliament not provide such a financial restraint, but this practice disadvantages Northern Ireland citizens who, as trainees, could travel to Great Britain for training and deprive their own trainers of such work. With no similar restrictions on those trained in the Republic of Ireland, it also closes openings for Northern Ireland junior doctors. Therefore, some of those young people have genuine grounds for complaint.

The Minister is aware that trainers in Northern Ireland are not fully utilised. If they were limited on the Scottish model, there would be 90 of them—in other words, the Scottish model of restraint is 10 per cent. of trainers from the number of registered general practitioners. In Northern Ireland, instead of 90, which would be 10 per cent., there are only 70, of whom 50 are being used this year. In England and Wales, the number of trainers increased from 2,704 in 1985 to 2,792 in 1987 and the corresponding number of trainees decreased in that period from 1,924 to 1,876—with a steady increase in expenditure for both. That point is important when we are told that the reduction in and restraint in Northern Ireland is to limit financial expenditure. In Northern Ireland, reduction has been the policy.

Bearing in mind that the overall provision of trainers is met by contributions from the average pay of general practitioners, is that not further discrimination? Does the Minister accept that point? If so, since general practitioners in Northern Ireland are paid only the same rate of fees, is this fair? If they are paid fees that are similar to those that pertain in Great Britain, is it fair that they should be denied the same opportunity of achieving those fees?

I ask four specific questions. First, why is funding for general practitioner training in Northern Ireland in competition with all other Health Service funding when on the mainland there appears to be specific funding for GP training independent of other Health Service funding? I have been informed by the General Medical Services Committee that that is the Department's view.

Secondly, is there, and if there is, why should there be, a manpower consideration for Northern Ireland as distinct from the United Kingdom?

Thirdly, why has the Department introduced a selection process which is number-limited and not based on those competent to be trained? They can go to England, Scotland and Wales and even, interestingly, vice versa. It is difficult for the Department in Northern Ireland to stop people coming in to be trained in Northern Ireland, although they can refuse funding for training in Northern Ireland to trainees who are graduates of Queen's university, but not limit others. Surely that drives a horse and cart through such a scheme.

Fourthly, is money allocated to trainees in competition with other Health Service funding or from other training funding. If that is so in Northern Ireland why is it not the same in the rest of Great Britain? Dr. Wilson of the British Medical Association has confirmed that, since 1983, there has been

"no fixed fund of money under the Vocational Training Scheme."

The money in the family practitioner budget is used as needed.

I believe that there is a patent case of discrimination which makes the practice in Northern Ireland different from that in the rest of the United Kingdom. It is a national Health Service. The doctors qualify under the same pattern and should be treated accordingly.

10.40 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Richard Needham): The hon. Member for Belfast, South (Rev. Martin Smyth) makes a perfectly pertinent point when he says that the position in Northern Ireland is different from the rest of the United Kingdom. That is absolutely right and it is different in respects other than those he mentioned. We spend 25 per cent. more on the Health Service in Northern Ireland than we do on the NHS in the rest of the United Kingdom. I suspect that if the hon. Gentleman was making an argument for parity in spending it would be slightly different from the one that he has advanced tonight.

The limitation of access to GP vocational training in Northern Ireland has existed for many years and it is only recently that it has come under question.

Mr. Maginnis: The Minister has said that 25 per cent. more is spent on the NHS in Northern Ireland than in the rest of the United Kingdom. Surely that is reflected in the Health Service of Northern Ireland which is traditionally better and more efficient than elsewhere. Is the logical consequence of the Minister's argument that he would like the Health Service of Northern Ireland to regress to the state of the Health Service in Great Britain? Does he believe that it might be better if the NHS in Great Britain sought to achieve the standards of Northern Ireland?

Mr. Needham: I agree entirely. We have an excellent Health Service in Northern Ireland, and one reason for that is our sensible manpower planning policy. One of the effects of that is that we are sensible and realistic about the way in which we train the number of GPs for the available posts.

For a long time it was accepted that the number of GPs trained should be limited—argument about that has developed only recently. If we were to train the number of GPs required in Northern Ireland, it would be substantially less than the 50 now trained. The number of GPs required in Northern Ireland year in, year out is certainly not 50.

The hon. Member for Belfast, South made a comparison with Scotland where a 10 per cent. limitation operates. What is the point of us training a larger additional quantity of GPs than that which we can realistically use in Northern Ireland? We do it already. Should we do it to an even greater extent?

The hon. Member for Belfast, South asked the fair question, where does the money come from? If there was a pot of money which allowed us to train more general practitioners than we require with no effect on the Northern Ireland health budget, which is rightly, as the hon. Gentleman says, in excess of that for the rest of the United Kingdom, I would accept that. However, that is

[Mr. Needham]

not so. We have to train our future general practitioners out of the Northern Ireland block, and the funding which is made available to the Health Service. If we were to train more, less money could be used elsewhere in the Health Service. That is, and always has been, the reality.

I realise that that is an argument between the General Medical Services Committee, the BMA and the Department. The hon. Member for Belfast, South and I have been involved in this discussion for much of the past two or three years. I appreciate that the other parties in the discussions do not accept that to be so, but it is so. The hon. Gentleman rightly says that there are 70 vocational trainers of whom we use only 50. If we were to do as the hon. Gentleman says, took on more trainees, used the 70 trainers and paid more to the GPs who took on the trainees—who would work as supernumeraries in the system—there would be less money for other purposes.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) has recently joined a health board and I am sure will be a great success in that job. He knows clearly the pressures and problems of the Health Service in his area, and the pressures on his budget. I suspect that, even though we are spending considerably more than the rest of the kingdom, the hon. Gentleman would be the first to say that if money was to be taken away to train even more general practitioners than we require, those trainees should go elsewhere. In a perfect world I would be only too keen to find additional money for training GPs. However, we do not have that money and we must be careful and sensible, although we do what we can by training more than we need.

As for the group that is being set up to discuss the way forward, I hope that the Department and the GMSC can find a way to resolve the problem by the end of the year. I realise that the GMSC feels strongly about it and that it argues that we are out of kilter with the rest of the country. The rest of the country—whether it be England or Scotland—is wrong to continue to train large numbers of young men for whom there is no immediate or obvious practice.

The vocational training of those in the Republic of Ireland and outside Northern Ireland is a matter which will be addressed in 1992 when, I understand, vocational training for all those going into general practice will become mandatory. As in so many aspects of the Northern Ireland Health Service, we have a sensible, proper and rational way forward. We are spending as much as we reasonably can and are training not only for our own needs but for outside needs. We are using the money in the Northern Ireland Health Service as sensibly as we should.

I have listened carefully to what the hon. Member for Belfast, South has said, but it would not be possible or right for us to expand the numbers which we have beyond those required without putting an unwarranted strain on the health budget in Northern Ireland. We do an excellent job which, rightly, we do differently from the rest of the country and the rest of Europe. I suggest that we continue to do that, and if the rest of the country and Europe are sensible they will follow us——

Mr. Dennis Canavan (Falkirk, West): How much military expenditure is going to Northern Ireland?

Mr. Needham: I am talking about GPs' remuneration, and I cannot for the life of me understand what the hon. Gentleman's point has to do with the Health Service. Whatever is spent on law and order in Northern Ireland is the amount that the Government and those in Northern Ireland believe to be needed to maintain an adequate security policy.

Because of the needs of Northern Ireland, we spend considerably more than other parts of the kingdom on health care, and I hope that we shall continue to do so for as long as that need persists.

Rev. Martin Smyth: The heart of the argument concerns whether GPs' salaries throughout the kingdom are set in the same way and whether deductions are made from them to pay for trainees' salaries. I would be the last to support waste in Northern Ireland—I want accountability—but talk of 25 per cent. more does not take into account rural problems and the remoteness of some of the work.

May there not be an addition to the health care budget in the hospital sector and the GP sector because of terrorist activity? If a GP in Northern Ireland is treated like his colleagues in England, Scotland and Wales, bearing part of the burden by deductions from his salary for trainees, should not he be entitled to earn something in return?

Mr. Needham: Of course he should be entitled to earn something in relation. We are training 50 trainees whom we do not require. There is an advantage to a GP from having a trainee; he is paid a fee for having one, and he receives the trainee's assistance. I cannot tell the hon. Gentleman how the matter is evened out throughout the United Kingdom. There are anomalies in any national system of remuneration. If, as the hon. Gentleman tells me, there are 70 trainers and only 50 trainees and we should reduce the number of trainers in line with the number of trainees, the Department and the Government would be prepared to consider that.

By and large, it is right to spend the amount that we do on the Health Service in Northern Ireland. It is right to use the money that we have as effectively as we conceivably can in the interests of the Health Service.

I am not especially worried about whether we enjoy exact equality with the rest of the United Kingdom for the simple reason that we shall do what we believe to be right for the Health Service of Northern Ireland. The hon. Gentleman, the Department and the Government need to discuss how the money should be spent, and what the priorities for its use should be. The hon. Gentleman rightly pointed out that we should not waste money on training unnecessarily beyond what we can afford—that must be the criterion. That means spending the money sensibly; as a result, we can target the funds that we have directly on the needs of the patients, in acute medicine and in general practice. We need to be able to show the people of Northern Ireland that we do that regardless of the pressure that we are put under by any professional group.

Question put and agreed to.

Adjourned accordingly at six minutes to Eleven o'clock.

House of Commons

Friday 20 October 1989

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITIONS

Tuition Fees and Student Loans

9.34 am

Mr. Graham Allen (Nottingham, North): It is appropriate that on this day I should present a petition from my constituents of Nottingham, North, and from the Bilborough college, which is headed by the names of Tom Anderson and Lucy Dilheart, against the imposition of any student loans and tuition fees. This petition comes from the city that has already had to suffer a city technical college absorbing money from the education system rather than having that money put towards tuition fees and student loans.

To lie upon the Table.

Mr. Lorrain Osman

Mr. Chris Smith (Islington, South and Finsbury): I wish to present a petition relating to the circumstances and the fate of Mr. Lorrain Osman who has been held on remand without trial in Pentonville prison for nearly four years —the longest serving prisoner without trial in this country this century.

The petition is signed by 500 people, including hon. Members from both sides of the House. The signatories also include Sir Hugh Casson, Margaret Drabble, Germaine Greer, Richard Hoggart, Alan Plater, Simon Rattle, Sir Roy Shaw and Jill Tweedie. The text of the petition reads as follows:

The humble petition of residents of the United Kingdom sheweth

That Lorrain Osman has now been held . . . in Pentonville prison for
1,341 days without trial;

That the original arrest warrant against him in Hong Kong has been quashed by the Appeal Court of Hong Kong;

That the cases in Hong Kong against all his co-defendants save one have been
dropped or dismissed; that there has been widespread prejudicial publicity in Hong Kong, some of it racialist in tone; and that should he be returned to Hong Kong and convicted he would, in 1997, be handed over to the authorities of the People's Republic of China whose recent barbarous acts are known to the whole world. Article 6 of the European convention on human rights, by which the United Kingdom is bound, requires that accused persons should be brought to trial promptly. The petition states that the law of Scotland defines "prompt" as 110 days.
It then concludes:

Wherefore your petitioners pray that your Honourable House will ask the Home Secretary to comply with the treaties by which the country is bound and that he will exercise that discretion which he possesses to end Mr. Osman's inhumane and unjust incarceration.

I have great pleasure in submitting the petition to the House.

To lie upon the Table.

Tuition Fees and Student Loans

Mr. Max Madden (Bradford, West): I wish to present a petition signed by Paul Wilkinson of Pemberton drive, Bradford, president of the University of Bradford union and 700 constituents, including students. The petition reads:

The Humble Petition of citizens and students of Great Britain and Northern Ireland sheweth that any proposals to introduce the payment by students of tuition fees and student loans, whether partially or fully, will further limit access to higher education.

Wherefore your Petitioners pray that your Honourable House do reject any proposals to introduce the payment by students of tuition fees or student loans.

My constituents and the petitioners urge the Secretary of State for Education and Science, whom I am pleased to see in his place, to understand that young people, especially those from working class backgrounds, will be discouraged from going into higher education because they will fear that they will be unable to get a decent job enabling them to—*[Interruption.]*

Mr. Speaker: Order. It is not in order to make a speech when presenting a petition.

Mr. Madden: The petitioners also believe that young people will not want to incur a lifetime of debt to pay for excercising their right to enter higher education.

To lie upon the Table.

Mr. Mike Watson (Glasgow, Central): I wish to present a petition on behalf of some 600 constituents at Glasgow college, a central institution within my constituency. It has been signed by Donna MacKinnon of 51 Camphill avenue, John Watt, and by some 600 others.
The petition reads:

The Humble Petition of citizens and students of Great Britain and Northern Ireland sheweth that any proposals to introduce the payment by students of tuition fees and student loans, whether partially or fully, will further limit access to higher education.

Wherefore your Petitioners Pray that your Honourable House do reject any proposals to introduce the payment by students of tuition fees or student loans.

My constituents are particularly concerned that the White Paper does not mention that the proposals would hit students in Scottish institutions and colleges proportionately harder were they to be introduced, given that Scottish courses traditionally last four rather than three years.

To lie upon the Table.

Mr. Nigel Griffiths (Edinburgh, South): I beg to present a petition from 1,432 students studying at Napier college in Edinburgh, headed by Mr. John Barr of Fernieside gardens and Mr. Ben Kingston of Strathearn road in my constituency. The petition protests against the Government's iniquitous student loans proposals which are so damaging to Scottish education in particular and to education in the United Kingdom in general.

To lie upon the Table.

Mr. Nigel Spearing (Newham, South): I beg to present a petition from more than 590 medical students at London hospital and Newham general hospital, east London and all hospitals in the London hospital training district. Not

[Mr. Nigel Spearing]

only are many of these students presently living in east London but their presence sustains the local medical structure and many, when qualified, stay to serve the people of the east London boroughs, who are among the most deprived in Britain.

The petition shows that the introduction of loans into the grant structure will be prejudicial to all students but will have even greater effects on medical students in general and those in London in particular. The reasons for this are as follows. First, medical students have no opportunity for vacation employment during the final three years of their five-year course when they have to pay for specialist personal equipment, essential but expensive textbooks, and more travel to teaching and practice centres.

Secondly, the additional cost of living in London—likely to increase still further—will act as a further deterrent for applicants to the London medical schools and will also reduce the significant proportion of future doctors taking the optional sixth year bachelor of science degree in medical technology. The consequential effects on the quality, variety and coherence of medical education in the University of London will inevitably undermine its status and reputation in, and contribution to, worldwide medicine.

Thirdly, since loans may be more quickly repaid—*[Interruption.]*

Mr. Speaker: Order. It is in order to read out the petition.

Mr. Spearing: I am grateful, Mr. Speaker. I should say that the petition is rather longer than my description of it.

Thirdly, since loans may be more quickly repaid by medical employment in sectors other than community care, their introduction will prejudice these services, particularly where teaching links have been established with local community medicine, for example, in east London, where its services to east Londoners will be prejudiced.

Furthermore, the introduction of loans will inevitably bear more heavily on students of modest means and women, since the prospect of specific family responsibilities will reduce their capacity for repayment. For medical students of both categories the effects will be disproportionate for the reasons described. Since loans will produce additional deterrents and penalties for these and other groups of students the scheme will have discriminatory effects.

The petition concludes:

Wherefore your Petitioners pray that your honourable House will petition Her Majesty's Government to reconsider their plans for students' loans in general and to investigate their likely effects on medical students and medical education in London, and consequential effects on the quality of medical practice and provisions in our capital city.

To lie upon the Table.

Mr. Anthony Nelson (Chichester): On a point of order, Mr. Speaker. Whatever one's opinion about the merits of the Government's proposals, is it not an abuse of at least the spirit of the procedures of the House that today's debate should be pre-empted by the presentation of a series of petitions? Will there be an opportunity during the debate to draw attention to the attendance of those hon. Members who have presented the petitions to discover whether they sit through the debate on a matter about which they profess to be so concerned?

Mr. Tony Baldry (Banbury) *rose*——

Mr. Speaker: Taking a further point of order will delay the debate, but I shall hear it.

Mr. Baldry: Further to that point of order, Mr. Speaker. Will you confirm the rules in relation to the presentation of petitions? If one is entitled to read out the whole of a petition, as I am my own Member of Parliament, is it in order for me on Fridays, when I want to make speeches early, simply to present a petition on behalf of myself as my Member of Parliament, which is what Opposition Members seem to have done today? That would prevent my having to wait patiently to take part in the debate, as other hon. Members appear to do.

Mr. Dennis Skinner (Bolsover) *rose*——

Mr. Speaker: We are delaying the debate, but I shall hear another point of order. However, I hope that hon. Members who wish to take part in the debate will not feel unhappy about the delay.

Mr. Skinner: Further to that point of order, Mr. Speaker. Will you confirm that the changes in relation to petitions took place some time ago while the present Government were in power? The decision to change the nature of the presentation of petitions was done in accordance with the wishes of the Government's Chief Whip to facilitate the business of the House. Will you also confirm to Conservative Members who do not often come to the House on Fridays that petitions are presented almost every Friday morning, whatever the debate? Will you also confirm that it might well be an abuse of the House for the Government to table for debate on a Friday an important topic such as student loans when it should be scheduled on another day to allow a vote at the end of the debate?

Dame Elaine Kellett-Bowman (Lancaster) *rose*——

Mr. Speaker: I could easily answer these matters, but I shall hear the hon. Lady.

Dame Elaine Kellett-Bowman: Further to that point of order, Mr. Speaker. My students came to see me yesterday and I presented my petition yesterday precisely to save time today because I propose to be here throughout the debate and want to hear what hon. Members have to say.

Mr. Madden: Further to that point of order, Mr. Speaker. I hope that the Government and their supporters are not seeking to intimidate hon. Members in order to dissuade them from bringing petitions, as is their right. It ill becomes Government supporters to belly-ache about the presentation of petitions, the contents of which they dislike, when hon. Members are speaking on behalf of constituents who find Government policies most offensive and unpopular.

I hope that you, Mr. Speaker, will dispel any lingering suspicions that, rather than having television cameras in the Chamber to show people what goes on in this place, their arrival might limit the rights of hon. Members by stifling our right to debate or to present petitions. Therefore, will you make it abundantly clear that we have every right to present petitions? We shall continue to

present them as long as this Government continue to present offensive and unpopular policies which hit many of our constituents very hard.

Mr. Spearing: Further to that point of order, Mr. Speaker. Will you please confirm that when a petition has been passed by the Table Office as being in order, and if its contents are sufficiently accurate and are in reasonably objective language which is not too lengthy, it is the right of hon. Members to read out either it or a description of it to the House? Will you also confirm that the presentation of petitions is one of the most ancient practices of this House? They can be used to petition the House to initiate action or to bring attention to grievances which have been provoked by the Executive and to which the petitions can be a reaction. Many of this morning's petitions fall into the second category. Therefore, the reasons for the petitions lie with the Government and the initiatives which they have taken, not with any other quarter.

Mr. Tony Benn (Chesterfield): Further to that point of order, Mr. Speaker. Will you consider the fact that the right of petition is the most ancient right, not of hon. Members but of their constituents. Those who petition the House are protected from punishment outside it, as a case now before the Committee of Privileges establishes. Therefore, were any attempt to be made to limit the right of petition, it would not be hon. Members who suffered but those who seek the protection of the House when complaining about matters that concern them and their welfare.

Mr. Speaker: Let me clarify the issue. The right hon. Member for Chesterfield (Mr. Benn) is absolutely right: the presentation of petitions is time-honoured—indeed, Parliament has proceeded by petition since the earliest times—but nowadays, although it is still the absolute right of an hon. Member to present a petition on behalf of his constituents, he should do so by summarising its contents briefly or reading its prayer. It is not in order for a long speech to be made. Nevertheless, this is a time-honoured procedure, and I hope that it will continue.

Student Loans

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

9.49 am

The Secretary of State for Education and Science (Mr. John MacGregor): I am delighted that we are having this debate. Earlier this week the hon. Member for Blackburn (Mr. Straw) made some ridiculous charges, suggesting that we felt some nervousness about the student loans scheme because we were holding the debate today. That suggestion, however, is easily rebutted by the fact that we are happy to have a whole day's debate on the matter. The hon. Gentleman's charge is even more extraordinary, given that we are doing so in response to a request by the Opposition for a debate in Government time.

It is perfectly normal to have a general debate on a motion for the Adjournment, and this, of course, will not be the only occasion when the House will have the opportunity to debate this subject; there will certainly be a debate on a substantive motion when the House considers the Second Reading of the Bill. This is not the only curious and irrelevant charge made by the Opposition Front Bench on the issue: I shall deal with others later.

I welcome the debate because it allows me an opportunity to set out what I believe to be the overwhelming case for the introduction of top-up loans for students to supplement their maintenance grants. It also enables me to report progress to the House following the statement on 19 June by my right hon. Friend the Member for Mole Valley (Mr. Baker), then Secretary of State for Education and Science, and to say something about the next stages of work. I remind the House that the scheme is to apply throughout the United Kingdom.

Top-up loans will secure three pre-eminent objectives. First, they will spread the cost of student support more widely. Students themselves will join their parents and the taxpayer in bearing the cost of their support, as they do in all other comparable countries. We believe that—not least given the high taxpayer cost and comparative generosity of our system of student support—it is not unreasonable to say now that students should also make their own contribution.

Mr. Peter L. Pike (Burnley): Will the Secretary of State give way?

Mr. MacGregor: I will, although I have not yet developed my argument.

Mr. Pike: The Secretary of State has said that students should make a contribution to their education at university. Is it not the case, however, that, as university graduates tend to earn at least 30 per cent. more than other people, they will ultimately pay for their education in any event?

Mr. MacGregor: I shall come to that point in due course. Let me make it clear, however, that we are talking about students making a contribution to their maintenance while at university. Although graduates who are earning more than others may be contributing more in higher rates of tax, that also applies to many non-graduates.

It is not unreasonable to expect students to make their own contribution, because higher education benefits not only society as a whole but the individual student.

[Mr. MacGregor]

Secondly, top-up loans will provide more money for students while they are studying. That is why they will improve access to higher education. I shall return to the question of access in a few minutes.

A third and, in my view, very important point, which has tended to be overlooked in public discussions so far, is that top-up loans will secure changes in student attitudes. They will reduce students' sense of dependency on the state, and will promote a proper sense of self-reliance and responsibility. The most important point, I think, is that students are investing in their own future. Because they are doing so by using what will be, in effect, a part—if only a very small part—of their own money, they will be more inclined to insist that they obtain value for it in their courses.

Mr. Andrew F. Bennett (Denton and Reddish): Will the Secretary of State give way?

Mr. MacGregor: I will not give way at this stage.

The experience of the countries operating loans schemes brings out the relevance and importance of that last point.

Let me expand on two aspects of the general argument. Taxpayers, the great majority of whom have not received the benefit of higher education and many of whom will throughout their working lives earn less—often a good deal less—than graduates can expect to earn, should not have to shoulder a steadily increasing burden of student maintenance. We also need a fairer share in the balance of the burden between parents and children. Many parents have been bearing an increasing share of the cost of their student children's maintenance, and we know that some parents do not make the full contribution for which they are assessed. When our scheme is fully operational, the parental contribution at all levels on the scale will have fallen by nearly half.

The idea of loans for student support is not new, either as a concept or as a firm proposal. Clearly it is not new in other countries—which are already putting it into practice on a large scale—but it is not new here either. In our manifesto at the last election, we said that top-up loans supplementing grants represented a source of new finance to help students and to relieve pressure on their parents, and we set out our firm proposals in the White Paper of November 1988. It is also worth restating that the Government's plans relate to loans for maintenance—that is, for students' living costs.

Mr. Tony Benn (Chesterfield): Is the Secretary of State aware that there is a fourth aspect of student loans to which he has not referred? Last Sunday, Price Waterhouse advertised the post of managing director of a student loans company, with a salary of £55,000 plus bonus and a car, in Glasgow, to be under contract to the Government. The advertisement was drawn to my attention by students at Glasgow university, and, of course, it already anticipates the legislation.

A good deal of money will be made by financial institutions at the expense of students—many of working-class origin—who will depend on top-up loans. That is the pressure and the vested interest behind the scheme.

Mr. MacGregor: The right hon. Gentleman's last point is absolute nonsense. When I spoke of three pre-eminent objectives, I referred to the overall objectives of the scheme, not the details; and the right hon. Gentleman has related his question to a very detailed point. I shall say more about that later in my speech, when I come to report on the progress of the scheme.

Let me remind the House of some of the key facts and figures underlying our policy. First there is the question of student numbers. The present awards system was introduced in 1962, when there was no conception of the extraordinary and welcome expansion in higher education that would take place in subsequent decades. I well remember the Anderson report of 1960, as—unlike, I suspect, the hon. Member for Blackburn—I was very much involved in student politics in the years preceding it. I also remember the debate about Robbins. I was therefore also closely involved in the debate leading up to that report.

Anderson, on which the Education Act 1962 was based, envisaged that higher education student numbers might eventually reach some 175,000. This autumn there are over 1 million full-time and part-time students in higher education, and, of those, fully 400,000 are receiving mandatory awards. Their numbers have been growing year by year, and there is every sign that student numbers will be buoyant throughout the 1990s.

Secondly, there is the question of cost. Total expenditure on student maintenance has almost quadrupled in real terms since 1962, rising from £253 million to well over £800 million in constant money figures. But, while total expenditure has increased, the maintenance grant available to the individual student has fallen steadily in real terms. Let me add that that has happened under Governments of both parties. At the same time, the average value of the parental contribution has increased.

The Government's declared policy is to expand access to higher education. When I addressed the Committee of Vice-Chancellors and Principals last month, I looked to roughly a doubling of the number in higher education over the next 25 years, and we are already seeing an increased demand for higher education from those who have the intellectual competence, motivation and maturity to benefit from higher education and who wish to do so.

Mr. Martin Flannery (Sheffield, Hillsborough): Will the Secretary of State give way?

Mr. MacGregor: I will, but I hope that what the hon. Gentleman is going to say is relevant to the point that I have just made.

Mr. Flannery: The Minister claims that the aim of the Government is to expand higher education. In the Select Committee on Education, Science and Arts we have had to discuss demographic trends because we know that the professions will be competing with each other for a far lower number of 16 to 19-year-olds. That means that it will be difficult to staff the professions, and especially the teaching profession. Far from increasing, the number of young people may fall.

Mr. MacGregor: Obviously, I know about the demographic trends coming through in the early 1990s and, indeed, running through the 1990s. Equally, I know about the demands not just in the professions about which the hon. Gentleman has spoken, but in the economy as a

whole, for more skilled people. That is why I am so strongly in favour of a policy of expanding higher education. I do not think that I should give way much more, because it is clear that many hon. Members want to speak in the debate. The interjections so far have not been relevant to what I have been saying or have pre-empted what I was about to say.

I was about to say that such an expansion in higher education will be partly driven by economic considerations, and it is important for our economic competitiveness that that should happen. Of course, it will have benefits that are cultural and social as well as economic.

There is much agreement about the need to expand higher education, and it is also widely accepted—I know by some Opposition Members—that a doubling in student numbers cannot mean a doubling in public expenditure on higher education. A feature of the debate in almost all developed countries is that it is recognised that, with all the pressures on public spending, higher education cannot realistically expect to win a significantly greater share of public spending than it has now.

Student support is a major component in this country of that expenditure. We already spend far more on student maintenance than do other comparable countries. If we are to expand and adequate funds are to be available to students, parents and taxpayers cannot bear the cost alone. Part of the cost must be borne by those who will benefit—the students themselves. Moreover, there can be little doubt about the benefits that individuals receive from higher education. As an Opposition Member has said, in 1985, on average, the male graduate aged between 30 and 39 earned about 30 per cent. more than his non-graduate counterpart.

The analysis set out in the White Paper suggested that the rate of return to society as a whole on its investment in a graduate's higher education, was between 5 and 8 per cent. I have no doubts whatever about the value of that investment, but the benefits to individual graduates are even greater, and the White Paper sets out the analysis. While calculations of this sort have, I know, to be treated with some caution, economists have calculated that the rate of return on the individual graduate's investment in higher education was in the region of 25 per cent. One can argue about the figure, but the principle is clear. That reinforces the legitimacy of arguing that it is only reasonable for the beneficiary to bear part of the cost.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. MacGregor: No. Many hon. Members wish to speak in the debate and I want them to be able to do so. I have given way three or four times already.

I turn next to the international comparisons that underline the point that in Britain, society as a whole—the taxpayer and students' parents—has been generous in its support for students. The White Paper set out in annex C an impression of the nature of the support regimes in a range of countries. I recognise that international comparisons of this kind give rise to particular statistical problems. There are, for example, differences of definition, and there are problems in attaching value to various hidden subsidies, but with those caveats, I strongly commend to the House the material presented in the White Paper. It makes a powerful case.

Several points stand out. First, taken as a whole, public expenditure on higher education in the United Kingdom campares favourably with expenditure by our competitors. Secondly, based on the latest up-to-date figures we are nearly top of the league in the proportion of full-time higher education students receiving Government assistance, second only to the Netherlands. Thirdly, fully 20 per cent. of our recurrent expenditure on higher education is devoted to student support, a far higher proportion than is to be found elsewhere. We have the most generous system of support for students in the western world, yet —and this is a very important point in relation to access —in other countries with much less support, demand for admission to higher education is no less buoyant than here; rather the contrary. One reason is that demand is less constrained by the cost to the public of supporting students' living expenses.

Another fact that the international comparisons bring out is that while public funding of students is more generous here than elsewhere, the maximum amount of support available to students from public and private sources combined is in many countries higher than in the United Kingdom. In that combination I am including loan schemes which, in the first instance, are financed by Government. In Denmark, Holland, Norway and Sweden, for example, which also have fairly high proportions of students receiving support as we do here, the maximum sums available under their Government schemes are larger than in the United Kingdom. Those are Government schemes that include loan schemes as well as grants.

The figures for the latest year available show that in 1987 the amounts were about £2,300 in Denmark, £2,500 in Sweden, £2,900 in Holland and £3,600 in Norway, but with a very high emphasis on loan schemes. That compares with £2,040 in England and Wales at that time for students outside London. Yet public expenditure through grants on student support is, as I have already stressed, lower elsewhere. In these countries, students have access to more cash, but the bill for the taxpayer is lower. It is the loan that makes the difference. In addition, those countries are getting the benefit of the different attitudes that a mix of grant and loan brings about. I talked about that earlier. Therefore, we have a higher proportion of our funding going on student maintenance and we are unique in putting such a total focus on grants.

At the same time participation levels in higher education do not reflect the taxpayer's heavy investment in student support. Thus the message of international comparisons is clear. Neither the taxpayer nor the student is getting a good deal. The taxpayer does not see the participation that his investment would lead him to expect and the student does not receive the support available to his counterparts elsewhere. We must spread the load and increase the resources available to students if we are to achieve, as we must, much improved access to higher education.

Mr. Simon Hughes (Southwark and Bermondsey): The Minister has not said that the Governments of Denmark, Sweden, the Netherlands and West Germany have either implemented or are implementing moves away from loans towards a greater proportion of grants. Can the right hon. Gentleman explain the fact that there is no evidence anywhere to suggest that access is improved by loans rather than grants? The European trend is very much against the Government's proposed direction.

Mr. MacGregor: There is evidence that access is higher in many other countries. It is also the case that those countries are retaining loan schemes. We are talking about a balance. Under our schemes as set out in the White Paper, it is clear that loans would still play a much smaller part in the overall mix than in most of the other countries about which the hon. Gentleman is talking.

Our critics assert that loans will impede access to higher education. I do not think that that will be so. The question of access is important and requires careful thought, not knee-jerk reactions.

First, the way to bring into higher education more students from the groups that are under-represented there at present is to continue to persuade more of them to remain in the education system—in school or in further education—beyond the age of 16. The GCSE and the national curriculum will undoubtedly help many more young people to reach the necessary standards, and this year's A-level results are an encouraging pointer. Once that barrier has been broken for the individual pupil and his or her family, enthusiasm to go on to higher education is much more likely, and I do not think that a top-up loans scheme to support the other funding will at that stage prove to be a barrier.

I say that because, secondly, as I have already outlined, the experience of other countries is that access is not impeded by their use of loans schemes. I suggest that all those interested in this aspect should read annex C of the White Paper, which sets out information on that subject.

Thirdly, financial help can, of course, be helpful. That is why we are increasing, with the top-up loan, the total resources available to students while they are studying. That is why we have devised a loans scheme with generous terms: instead of overdrafts at commercial rates, graduates will have student loans at a real interest rate of zero. This is a much better deal for those students who are currently topping up their maintenance, including those who are not getting full funding of their parental contribution, by taking out loans at what will be full commercial rates of interest. That is why we shall arrange to defer a graduate's repayments if income is low at any time for any reason. And that is why we shall establish the access funds as an additional way to help students for whom access is particularly difficult for financial reasons.

Let me make one final point on the so-called disincentive effect of a loans scheme to those contemplating higher education. Future graduates should not be discouraged by the prospect of loan repayments. As I have already shown, most graduates can expect to earn high incomes in their future careers, but some will choose to enter less well-paid occupations, while others will work at home for long or short periods, perhaps raising a family, or will stay at home, not working. Our loans scheme will not penalise such graduates. Repayments will be deferred if a graduate's income is low at any time for any reason.

Mr. Jack Straw (Blackburn): Even though teachers are, on the Government's evidence, much more poorly paid than comparable graduates, graduates going into teaching will still be above the point of the income level that would allow them to defer payments. It is clear from that that loans will act as a further disincentive against recruitment into the teaching profession. Is the Secretary of State proposing that new teachers should be let off from their loan contributions?

Mr. MacGregor: I shall have a word to say about exactly where we intend to put the figure on incomes. Teachers will be in no different a position from others. It is worth bearing in mind that some students are topping up their income while at university or teacher training college through loans. We are proposing a loan scheme that will be much easier to repay and will not be dependent on commercial rates of interest.

Dame Elaine Kellett-Bowman (Lancaster): I have been listening with the utmost care to what my right hon. Friend is saying, and I am in favour of a top-up loan scheme. However, I am anxious about those who take up long courses, such as doctors and vets. So far, my right hon. Friend has not referred to that, but it is a matter of considerable importance and, when we are trying to raise the health of the population, we need more doctors.

Mr. MacGregor: Some of these matters will be debated when we have the Bill and we shall not be able, during my opening speech, to deal with them all. However, I do not think that it is possible to exempt any groups of students, and it has to be borne in mind that many of the groups about which we are talking will be in higher-income categories. The individual rate at which they will have to repay will be the same as for everybody else, but it may mean longer periods of repayment for those who have incurred larger loans.

In his statement on 19 June, my predecessor, my right hon. Friend the Member for Mole Valley set out the Government's view on the repayment system. He said that repayment would be deferred when a graduate's income fell below given levels in relation to the average national income. I now come to the point. We have now concluded that repayment should be deferred altogether if the borrower's income is less than 85 per cent. of the national average. This basis for deferment will be built into the arrangements now being developed. I shall later say something about alternative schemes, and show that that is a more favourable position on income than the alternative schemes that are being advocated.

Mr. Straw: The Secretary of State has said nothing new about the point at which deferral operates. That will not help new teachers. How will he help new teachers overcome the burden of loan debt?

Mr. MacGregor: I have said that people with that level of income, whether they are teachers or anybody else, will have to make repayments. We are not making exceptions for any class or profession. As I know that many others wish to speak in the debate, I shall not give way again. The hon. Gentleman can make his points in his own speech.

I shall now report on recent developments on the scheme. Over the summer, steady progress has been made in regular meetings between my officials and representatives of the committee of London and Scottish bankers. A cost-effective and practical scheme is taking shape. Management consultants have placed advertisements to recruit personnel to senior executive posts in the company. I shall come to the point raised by the right hon. Member for Chesterfield (Mr. Benn). The CLSB has decided—on the basis of advice from management consultants—that the loans administration company should be located in Glasgow. I hope that hon. Members representing Scottish constituencies will be pleased. Negotiations are under way to secure premises. Negotiations are well in hand for the

establishment of the necessary computer systems. This is good, positive progress. I should make it quite clear that Parliament has approved the costs of the preparatory through a Supplementary Estimate this summer, that no initial contracts with suppliers and prospective senior management will prejudice the rights of this House in regard to matters requiring its approval; and the full-term contracts for personnel, premises and systems will be signed only after the Royal Assent to the Act.

I believe that it was right that, as has already been announced, the administration should be handled by the financial sector and that various financial institutions should have the opportunity to play a full part in the scheme. They can provide a quicker and more personal service. They have skill in handling personal loans. They have experience in advising individuals on financial matters and they have nationwide branch networks. Students will be able to walk into high street and campus branches, discuss their loan requirements and gain ready access to the loans to which they will be entitled.

My right hon. Friend told the House in June that preparatory work had indicated that start-up costs for the loans scheme would range from £8·3 million to £11·5 million. He said that annual operating costs would range from £10·4 million to £14 million. Our opponents and those with axes to grind continue to suggest that actual costs will be far higher. Naturally I cannot comment on the figures until the Government's negotiations with the financial institutions, and the financial institutions' negotiations with suppliers of goods and services for the scheme, are concluded. At that stage I will of course report on the outcome in detail to the House.

Mr. Benn: Will the right hon. Gentleman give way?

Mr. MacGregor: I hope that the right hon. Gentleman will forgive me if I do not give way, because I have given way a lot. If he wants to make his points, he can do so in his own speech, and my hon. Friend the Under-Secretary will reply.

Mr. Benn: The right hon. Gentleman should listen to a comment on the point that he has made.

Mr. MacGregor: The right hon. Gentleman may get an opportunity to make his point, but many hon. Members wish to speak in the debate.

Mr. Andrew F. Bennett: On a point of order, Mr. Deputy Speaker. Will you draw to the attention of the Secretary of State that the idea of debates is that there should be an interchange of ideas, rather than hon. Members delivering monologues? Surely it is reasonable for the Secretary of State to give way.

Mr. Deputy Speaker (Mr. Harold Walker): The hon. Gentleman knows that that is not a point of order. I remind him and the House that a large number of right hon. and hon. Members wish to take part in the debate. I hope that we can get on.

Mr. MacGregor: I sense that some people feel that I have been generous in giving way already.

There are those, I know, who suggest that, rather than a loans scheme or this particular loans scheme, we should introduce a graduate tax as in Labour Australia—or work through national insurance contributions. Some proponents of those ideas sit on Labour Benches.

In our view, the tax on graduates is not the answer. The Government's policy is to simplify the tax system, not to complicate it. We have been in the business of reducing the number of taxes, not adding to them or inventing new ones. A graduate with a loan to repay knows that the period of repayment will last for only a defined period, and it could be quite short. If a graduate tax were to be a permanent feature of his life on top of a progressive income tax system, that prospect really would threaten to inhibit access to higher education. If it were to be for a limited period, the complications and bureaucratic burden would start to pile up.

Above all, my objections are more than just the practical ones. A graduate tax would be unfair because it would not distinguish between those who had benefited from public funds and those who had not; nor would it relate pro rata to the extent to which they had benefited. It would singularly lack that benefit of culture and attitude which a loans scheme has, of encouraging students to see their higher education as an investment that they are making in themselves for themselves.

A variation on the theme is that the loan should be paid through tax. I have two objections to that. It is using the tax system for a purpose—the recovery of debts—for which it is not intended; that is establishing a new principle and a dangerous precedent. In addition, the administrative consequences of any form of graduate tax for both employers and the Inland Revenue would be extremely burdensome.

Many of the same considerations apply to repayment through national insurance contributions. I know that such an approach is advocated by eminent experts at the London School of Economics, one of whom I know extremely well and who is a friend of mine.

Mr. Straw: Does he agree with the scheme?

Mr. MacGregor: I am entitled to say that there are some features that I think are right and which he has not taken fully into account.

The experts recognise the need to increase the resources available to students, the need to encourage those who have not traditionally benefited from higher education to gain access to it, and the need to relieve the general taxpayer of the burden of paying for these developments. They recognise all of that, but they propose to charge real interest on the loan. That would penalise graduates, who will be protected by the Government's scheme under which repayments can be deferred for those who take time off work, for example, to raise a family, or for those whose earnings are low. Moreover, repayment would begin at far lower levels of earnings under a national insurance contribution scheme and would last much longer. Those are two crucial factors for students. The advocates of such a scheme seek to give a relatively better flavour to their own proposition by attributing wholly unrealistic administrative costs to our scheme.

Nor is it right to imagine that using national insurance contributions is a simple alternative. It is not. Again, it would be inconsistent with the purposes for which the national insurance system operates. The administrative burden would be heavy and unwelcome to employers and others, especially the small and medium-sized companies. I am assured that any repayments system using NI could not be introduced before 1992 or 1993.

[Mr. MacGregor]

But I come back again to the fundamental reason why the Government's scheme is preferable to some of those put forward by our critics. We believe that students should make an investment in their higher education. They should decide, as responsible individuals, how much they want to borrow. They should know at the outset how they will repay their loan and how long it will take. They should borrow money from a clearly identified lender and repay their loan to that lender. In short, we wish to encourage self-reliance and individual responsibility among students. We believe that our scheme fully meets that important objective. They will not get any of those things from a graduate tax.

I turn to the public expenditure implications. The hon. Member for Oxford, East (Mr. Smith) tried to make great play yesterday of the cost of the scheme. Let me make our position plain, dissect his analysis and try to find out what point he was trying to make—what his position is. We have of course made no secret of the figures. There was nothing new in the facts in his press release yesterday that was reported in the newspapers. What was new and revealing about the Labour party was the interpretation that he tried to give to them. The point that he tried to headline—that the initial outlay of Treasury money, as he put it, will not be recouped until the year 2026—was based on his assumptions, and, of course, he chose all the most difficult that he could find. Based on more realistic assumptions, including an 80 per cent. take-up, the public sector borrowing requirement starts to show benefits from about the year 2002-03. And there is a net cumulative saving,—that is paying back all the earlier additional expenditure—some 10 years later: a very different outcome from the hon. Gentleman's figures.

That, however, is not the major issue. For I grant the hon. Member for Oxford, East that there is a higher cost in earlier years. It is in the nature of a loan that it takes some time for the money to come back, but in due course there will be substantial annual savings for the taxpayer, and there will have been a permanent shift in the costs to the taxpayer of our support system, and in its value for money, as well as the non-financial benefits which I have already stressed several times today.

It need not necessarily be that way. The fact that the scheme is initially costly—that the costs exceed the savings in housing and other benefits and from the freezing of the grant—is because we are increasing the total amount of money made available to students. That there is calculated to be a substantial cumulative total before significant total annual repayments are received is because we are making significant additional investment in student support. As a result, the great majority of students will be net gainers from the scheme.

On the basis of this spring's survey of student income and expenditure, which will be published shortly, we estimate that in 1990-91 students would have been able to claim on average some £175 in benefits. Not all are eligible; we estimate that the average benefit receipt of those entitled would have been about £300. The loan facility —£420 in most cases—will outweigh those benefit receipts. I hope that my hon. Friends will note that parents' contributions will stop escalating in 1990-91. That is relief for parents from that year on.

So what is the complaint of the hon. Member for Oxford, East? Is it that we have been too generous in providing the additional support to the year 2002 of some £667 million, which he so criticises? Is it that we should reduce the levels of support—that we have been too generous? Is he saying that we should tighten the conditions for deferrals and that we ought to insist on no defaults? He criticises the potential costs of these, too. If the hon. Gentleman claims that he would do it all by grants, let him reflect that that would be a bad deal for parents in the 1990s and an even worse deal for parents and taxpayers generally thereafter.

How would the Labour party finance the expansion? What are its costings? I am sure that we shall not get any answers to those questions today. If the hon. Member for Oxford, East were to proceed by grants alone he would saddle parents and taxpayers generally with unsustainable and unfair burdens for decades to come. More likely—indeed almost certainly—he would make it impossible to finance the increased demand for student places over the period with which we are concerned. That is why I ask how the Labour party would propose to finance the expansion. I wonder whether we shall get any answers to that question today. I suspect that we shall not, because it is typical of the Labour party that it does not know. It is a hallmark of its backwardness that it rejects a solution that in so many other countries is seen simply as sensible.

I have outlined the powerful reasons for introducing the loan scheme and the advantages of it. We are pressing ahead with its preparation. We have parliamentary approval for the costs of the preparatory work. We are making steady progress, working closely with the representatives of the committee of London and Scottish clearing bankers. We shall bring forward the necessary legislation at the earliest opportunity. I am keen that more resources should be available to students next autumn, 1990. Top-up loans will achieve that objective. I commend the proposals to the House.

10.27 pm

Mr. Jack Straw (Blackburn): The Government's proposals for student loans are fatally and fundamentally flawed. Loans will place a mortgage on knowledge, a debt charge on skills. The scheme will increase the burden on the taxpayer, not reduce it. At the same time, loans will not improve students' incomes. Instead they will cut them. The Government say that loans will increase participation in higher education by the least well off in our society. The scheme is, however, bound to deter such people. We know that the scheme is flawed; the country knows that it is flawed. Even the Government know that it is flawed. It is holed below the waterline even before it is launched.

We did not have one piece of new information from the Secretary of State this morning, despite the 11 months that have passed since the previous Secretary of State announced the scheme. The review of student finance on which the scheme was based was promised in 1986 to be completed in a year. Instead the review took two and a half years. The previous Secretary of State promised an early debate, but he dodged for all he was worth to avoid any debate while he was in office so as to pass the poisoned chalice to his luckless successor.

The House should have little sympathy for the new Secretary of State. Instead of using the opportunity which his accession to new office gave him of quietly abandoning

the wilder excesses of his predecessor, he has ploughed on without any proper consideration of the merits of the scheme, with that arrogant, contemptuous disregard for the opinions of the House that is the hallmark of the Government.

Why else did the Secretary of State authorise that an advertisement for the managing director of the student loans company be placed in *The Sunday Times* a week ago, before the House had had a chance to consider or to discuss the scheme? Only a Secretary of State who was determined to ensure that he was completely deaf to hon. Members' representations would have taken such a provocative step.

The Secretary of State has said that he has already announced that he will ignore what is said in the House. He told the vice-chancellors three weeks ago that he was "pressing ahead with implementation." How strangely that fits with the promise by the previous Secretary of State, who said that the review would be a

"consultation document . . . Surely that is what the House and the country would expect. Surely I am not expected to hold a review under a Government Minister and to slap the result on the table and say 'That is that'."—[*Official Report*, 18 June 1986; Vol. 99, c. 1063.]

That, however, is exactly what this Secretary of State has done.

It is a great pity that the right hon. Gentleman has not listened to some of the wiser counsel from his own Benches. The hon. Member for Leeds, North-West (Dr. Hampson) is quoted this morning in *The Times Higher Educational Supplement* as saying:

"We are potentially into another poll tax scenario in which MPs welcome the principle of loans without waking up until it is too late for the practical repercusions."

What so exposes the intellectual inconsistency, the administrative incoherence and the financial ineptitude of the scheme is not the test that we would set for the scheme, but the objectives laid down for it by the Government. The scheme fails on every count. First, there is the simple, stark, preposterous truth that a scheme originally intended to save money to reduce the burden on the taxpayer will in fact cost more money from now until well into the 21st century. The principal justification for student loans has always been that they would cost the public purse less than any system of student grants. That is why, over the years, there have been repeated references to the alleged generosity of the British system. "We have the most generous system of student support in the western world", the right hon. Member for Mole Valley (Mr. Baker) often used to say—an assertion repeated this morning by the present Secretary of State. His predecessor did not just imply that student support should be cut; he spelt it out explicitly. "We are reducing the burden of student support on the taxpayer", he said. A Conservative Central Office brief underlined that, and stated:

"There is a limit to the number of students the taxpayer can support: especially when other important demands on the Treasury, such as the care of the elderly and the disabled, are considered."

Mr. Edward Leigh (Gainsborough and Horncastle): On the point about cost, will the hon. Gentleman commit a future Labour Government to increasing student grants to a level commensurate with what students would receive under the top-up scheme? Will he explain what would be the implications for taxation and what would be the cost?

Mr. Straw: The Labour party's position on student support is made absolutely clear in our policy review document. We shall maintain the grant system. It does not lie in the mouth of any supporter of the Government's scheme to complain about Labour party policy, because, although the income to most students will be cut under the loan scheme, the cost to the taxpayer will be more than it is for the grant system. Conservative Members do not understand the scheme and have not accepted the advice of the hon. Member for Leeds, North-West to take account of those facts.

Mr. Leigh *rose*——

Mr. Straw: No, I shall not give way as I am about to deal with the hon. Gentleman's points.

It is true that the real income of most students will be cut by the introduction of the loan scheme—something to which I shall return later. Students' incomes will be hit by the scheme, especially those from lower income homes. What makes such cuts in students' incomes so gratuitous and so wilful is the fact that, far from saving the taxpayer money, the scheme will cost more than the grant system from now until at least 2015 and probably 2026. The additional expenditure will, however, produce no discernible social or economic benefits; instead it will disappear into a black hole of vast administrative expenses and enormous default and deferral costs.

Annex E to the White Paper admitted that the scheme could not start to show annual savings until 2002, nor break even until 2013. As ever with a document from the hand of the right hon. Member for Mole Valley, the annex told only half the truth. Those calculations did not include the cost of the so-called access funds of £15 million a year, nor take account of the cost of administration.

Thanks, however, to relentless and assiduous questioning by my hon. Friend the Member for Oxford, East (Mr. Smith), a clearer picture now emerges. There is no point in the Secretary of State complaining about my hon. Friend's figures, because they are the right hon. Gentleman's figures. On 80 per cent. take-up, no cumulative saving will arise until 2014——

The Parliamentary Under-Secretary of State for Education and Science (Mr. Robert Jackson): Will the hon. Gentleman explain the difference between current saving and cumulative saving and say when, under the Labour party's proposals, there would be any savings at all?

Mr. Straw: Surely the Minister knows the difference between current savings and cumulative savings. Current savings arise year by year. According to the Government, current savings will not arise until 2002, and cumulative savings will not arise until 2014.

Mr. Jackson: Deal with the issue.

Mr. Straw: I shall indeed deal with the issue of the Labour party's position. We believe that the major part of the cost of higher education needs to be borne by the taxpayer, and we do not resile from that. We are not in favour of pouring money down the drain, into the pockets of financiers or randomly into the pockets of those who default on loans——

Mr. MacGregor *rose*——

Mr. Straw: No, I am about to ask the right hon. Gentleman a question, which he can then answer. He said that higher education cannot realistically expect a greater share of public expenditure. In fact, the greatest share of

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public expenditure on higher education goes not on student maintenance but on tuition costs. Currently, more than twice the amount spent on maintenance is spent on tuition costs, and those tuition costs are met by the state. Are we to conclude from the right hon. Gentleman's statement that the whole of the future expansion of higher education, tuition costs as well as maintenance, is now to be financed not by the taxpayer but by the private individual?

Mr. MacGregor: My hon. Friend the Under-Secretary of State will deal with that point—[HON. MEMBERS: "Answer the question."] This is not Question Time—*[Interruption.]* We will deal with the point, but I do not wish to make a long intervention now. I stood up only to ask the hon. Gentleman a question—[HON. MEMBERS: Answer the question."] We will. Is the hon. Gentleman saying that the Labour party opposes the scheme's proposals for deferral for those on low incomes or not earning anything at all? Is the Labour party also opposing the scheme's proposals on defaults?

Mr. Straw: Of course I am not saying that, within the awfulness of the scheme, we are opposing deferral. The Secretary of State said that this was not Question Time, and it obviously is not answer time. I have raised a central issue and it is no good the Secretary of State dodging it or relying upon his acolyte, the Under-Secretary. It is a central question about the future course of public expenditure on higher education. It is absolutely critical.

The major cost of higher education is tuition. The right hon. Gentleman said that he is sticking to his predecessor's plans to double the number of students in higher education over the next 25 years. He also said that higher education could expect no greater share of public expenditure in future than it has now. Am I right in saying, therefore, that that must mean that the whole cost of not only maintenance but tuition will be borne by the private individual?

Mr. MacGregor: My hon. Friend the Under-Secretary will answer that point.

Mr. Straw: No, answer it now.

Mr. MacGregor: No, my hon. Friend will answer it when he replies.—[HON. MEMBERS: "Answer, answer."]

Mr. Straw: I shall abandon my speech if the Secretary of State is prepared to answer that question—[HON. MEMBERS: "Answer, answer."] What is the answer? How can the right hon. Gentleman leave the answer until the end of the debate? That cannot possibly be right. I see that he is being passed a piece of paper—[HON. MEMBERS: "Answer, answer."]

Mr. MacGregor: This matter has nothing to do with our debate today, which is why I did not deal with it in my speech. Nevertheless, I shall make it clear that we are proposing loans to top up maintenance grants. I know that currently there is a debate in the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom about the funding of higher education in the 1990s, including full cost fees. It is clear that that debate has a long way to go, and I am sure that we are all interested in it, including the hon. Gentleman.

Today we are debating the proposal for an important new means of support for students, and that is a scheme for loans to top up maintenance grants. We have no plans to introduce fees paid by students.

Mr. Straw: The right hon. Gentleman gives the House half an answer. If there are no plans to introduce tuition fees, his earlier statement that higher education cannot realistically expect a bigger share of public expenditure is completely inconsistent to the point of mendacity with his pledge to double student numbers. One cannot expand higher education, double student numbers, and claim that students will not be charged the full cost of tuition, while at the same time claiming that public expenditure on higher education will not increase. As a former Treasury Minister, the Secretary of State must recognise the impossibility of doing so.

On 80 per cent. of take-up, there will be no cumulative savings until 2014.

Mr. Jackson: The hon. Gentleman is on weak ground.

Mr. Straw: The Under-Secretary of State suggests that I am on weak ground, but it took 10 minutes and a lot of wriggling by right hon. and hon. Members on the Government Front Bench to provide half an answer from the Secretary of State as to the Government's future plans for higher education. No wonder that it was decided to dodge that topic and keep it for the Minister's winding-up speech, when no Opposition Member could possibly take it up.

The Secretary of State should have glanced behind him to see the incredulous faces of some Conservative Members when he stated that public expenditure had nothing to do with the question of tuition fees. It has everything to do with it. The Secretary of State claims that he wants to increase access to higher education, but not only sticks loans on students but also the full cost of their tuition. How the devil does he expect students, except those from the wealthiest homes, to finance their own higher education?

The lack of cumulative savings until at least 2014, and probably not until 2026, arises because of the scale of the interest rate subsidy, and administration, deferral and defaults costs. I asked the Under-Secretary of State a question about his assumptions as to the interest rate subsidy built into annex E. He replied:

> "The costings set out in annex E of Com. 520 are expressed in constant prices, and are accordingly not affected by interest rate assumptions."—[*Official Report*, 19 October 1989; Vol. 158, col. *185*.]

If that is true for the costings, it is not true of the scheme. Even if the costings are expressed in terms of constant prices, the difference between the nil real interest rate that will be charged to the student and the cost to the state of the money that the loans agency borrows will be variable, depending on the overall real interest rate in the economy. When the Under-Secretary of State replies, perhaps he can say more about the assumptions made in that respect. Is it expected that the real interest rate will remain at its present level of 8 per cent.—or that it will be, say, 5 per cent?

What is to be made of the statement on page 10 of the Price Waterhouse report that the amount borrowed should be spread over the London inter-bank rate, which suggests that the interest charged on the money brought into the books of the agency will be higher still than the

minimum lending rate? Answers must be given to those questions as they fundamentally affect the further costings omitted from the White Paper.

The anticipated administration costs are all based on the Price Waterhouse report, which was produced in just three weeks—an impossibly short time in which to give the matter serious study. Key data about take-up and repayments were not independently calculated but were provided by the Department of Education and Science. The Secretary of State received a further report from Price Waterhouse a month ago, and I regard it as an insult to the House that he refused to put that report before the House in anticipation of today's debate.

On 19 June, the former Secretary of State's immediate predecessor told the House that start-up costs would be between £8 million and £11·5 million, and the annual operating costs between £10·5 million and £14 million. Again, those figures were downright misleading. They did not include debt collection agency fees, the depreciation of start-up costs, marketing and publicity, university administration costs, and other costs to the Department of Education and Science. When just some of them are included, operating costs rise to between £14·5 million and £20 million. Although the Department denies this, those costs will rise again as the number of debtors increases.

The extent of deferrals and defaults anticipated by the Department is staggering. On 24 July, in a written answer, the Under-Secretary of State, the hon. Member for Wantage (Mr. Jackson), estimated that 41,600 people will default and that there will be 336,000 deferrals. That means that the total number of students claiming deferral or defaulting will exceed those making repayments. Half the 250 staff to be sited at the loan agency in Glasgow will be engaged in nothing but default chasing; and no doubt an outside army of debt collectors, credit agencies and bailiffs will also be employed.

The official line that the scheme is designed to save the taxpayer money was repeated four weeks ago in the Secretary of State's speech to the vice-chancellors' and principals' conference at Leeds. He stated that

"it reduces the dependence on the ability of the taxpayer as a means of finding the extra resources."

I am sorry that the right hon. Gentleman has been lured into such a trap by either his officials or the Under-Secretary of State. The right hon. Member for Mole Valley—and I am glad to see his parliamentary private secretary, the hon. Member for Bury, North (Mr. Burt) in the Chamber—may have little shame, but he recognises an impossible case when one stares him in the face. He tried to make an impossible case last November. In the space of four minutes he said of the loan scheme:

"The net cost of the scheme to the Treasury will be £850 million so there will be an increase in Government expenditure."

But, later he said:

"We are reducing the burden on taxpayers."—[*Official Report*, 9 November 1988; Vol. 140, c. 307, 309.]

One month later, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) put those two inconsistent statements to the present Secretary of State for Education and Science, and asked about the cost of the scheme to the taxpayer. The right hon. Gentleman replied:

"The proposal is not meant to cut the amount of money spent on higher education but to increase it."—[*Official Report*, 20 December 1988; Vol. 144, c. 277.]

That statement is completely at variance with the earlier comments made by the right hon. Member for Mole Valley.

On the most conservative basis, the scheme will cost the taxpayer at least £1 billion over the next 10 years. That money will be squandered on moneylenders, bureaucrats and defaulters and could be far better spent on restoring the value of student grants and on paying for the expansion of higher education to which the Government are apparently committed.

I turn to the crucial matter of access to higher education. Before the war, higher education was largely the preserve of the well-off. Hundreds of thousands of young people were denied a fair chance of higher education because their families had insufficient incomes. The present system of student grants was developed at the end of the war and finally became established in the early 1960s to ensure that the experience of pre-war days, when individuals were denied their life chances because of their family backgrounds, would never be repeated. Some millions of people today owe their education and livelihoods to the chances that the grant system offered them. I happen to be among them. Many Conservative Members are in the same position, and it is to their shame that they are now to pull up the ladder of opportunity behind them and to deny others the opportunities that they themselves enjoyed.

In 1985-86, the Conservative-controlled Select Committee on Education and Science inquired into the awards system. Paragraph 8 of the Committee's report remarked:

"Without the award system, it is unlikely that the expansion of universities and polytechnics over the past two decades could have taken place. It has provided the means for extending the educational opportunities of the nation as a whole and has widened the base from which the most skilled manpower of the nation may be drawn. In the view of the Committee an award system, analogous to the grants system introduced in 1962, will continue to be essential in the years ahead if national requirements are to be met."

The report added that the grants system had encouraged access by a wider range of social groups.

Mr. Alistair Burt (Bury, North): The hon. Gentleman, with his high moral tone, is getting into his stride, but, if his argument were valid, no other country in which there is a mixed system of grants and loans would have a higher proportion of students from lower socio-economic classes than this country, which is patently untrue. There is no evidence that such is the case. Rather, the record of such countries is better than ours. How can the hon. Gentleman possibly sustain his moral tone on access when there is support for the Government's figures?

Mr. Straw: If that claim is nonsense, it is the nonsense of those of the hon. Gentleman's right hon. and hon. Friends who were members of that Select Committee on Education and Science. I do not recall the hon. Gentleman telling them at the time that it was nonsense. I shall deal shortly with international comparisons, but one of the characteristics of British society that makes it different from those of Japan, the United States and western Europe is that it is far more class-ridden and, above all, has a far more divided system of secondary education. The blocks on working class schoolchildren achieving higher education are far greater in this country than in others. Significantly, as the hon. Member for Southwark and

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Bermondsey (Mr. Hughes) has said, other countries are moving in the direction of a grants system, not away from it.

The conclusion of the Select Committee is borne out by the facts. The White Paper reports that participation in higher education by children with fathers in manual occupations more than doubled under the operation of the present grant system, from 3·2 per cent. in 1962 to 6·9 per cent. in 1985. The House of Commons Library's statistical section looked at the same data from the last general household survey for me. Those with fathers characterised as "unskilled manual" make up 5 per cent. of those aged between 40 and 49 who received higher education 25 to 30 years ago. The comparable figure is 13 per cent. of those aged 30 to 39 and 16 per cent. of those in their twenties. Taken together, these data confirm the conclusion of the Select Committee which examined the operation of the grants system during the past 30 years, and suggest that the progress made over those three decades has fallen back in the 1980s.

Other figures show that the proportion of candidates with fathers in manual occupations accepted for university has declined from 22 per cent. in 1979 to just over 19 per cent. in 1988. In the same period, the real value of the grant was cut by 20 per cent. It is hard to avoid the conclusion that these two factors—a decline in working-class participation and a decline in the value of the grant—are linked. In other words, access is related to income. We believe that, and so does the Secretary of State.

The Secretary of State has claimed here today that, somehow, loans will lead to increased access. Let us briefly examine how that could possibly be achieved. There is one key figure about which there can be no argument: 30 per cent. of all students receive a full grant, either because they are independent of parents or because, as is the case with 27 per cent. of them, their parents' income is so low that even the Government say that those parents should not pay towards their children's maintenance. Those students will be hit immediately by the cut in housing benefit, which has already been cut once and is to be cut again. They have been hit by the decline in the real value of grants, and they will be hit by the poll tax—students in Scotland have already been hit by it. Now those students will be hit by the freeze in the real value of the grant.

Students with the greatest need and the least resources will lose the most when loans are introduced. There is no conceivable way in which this scheme can possibly encourage access to education. The only students who will benefit are those who come from wealthy homes, who will be able to swap the expensive credit that they get on their credit cards with the cheap credit that they will get under this scheme.

The scheme will restrict access and distort the labour market. Access to medical and dentistry schools will become the privilege of the well off even more than it is today, as my hon. Friend the Member for Newham, South (Mr. Spearing) has said.

Recruitment to teaching will be damaged still further. There will be a special effect in Scotland. The Secretary of State made something of the fact that 250 jobs will be created in Scotland. I have yet to meet a Scot who does not think that if there is that kind of money available it should be put into expanding the Scottish education system and not wasted on a debt collection agency, whether in Glasgow or anywhere else. It is significant that there is no Scottish Minister here today to take account of the way in which Scottish education will be disproportionately hit by this scheme.

The Secretary of State relies on international comparisons in support of loans. He could name no other country where Ministers are so incompetent as to introduce such a scheme. He knows that New Zealand tried to introduce a similar scheme but had to abandon it because the banks would not co-operate. He also said nothing about the fact that Britain's higher education is cost effective. We have lower wastage rates. We produce graduates in a much shorter time than do other countries because our students do not have to worry about where the next penny will come from. In the United States, students with loans drop out at three times the rate of those with grants or wealthy parents. Grants produce efficiency. Countries which have loans have a higher drop-out rate and longer degree courses. Countries with loans are now moving away from them because of the hardship and restricted access to education that they produce. That is what is happening in West Germany and Sweden.

Even the financial institutions are decidedly lukewarm about the scheme. University chancellors and polytechnic directors do not support the scheme, and precious few Conservative Members support it. The students and polytechnic teachers do not support it of course, and the banks do not support it.

The Secretary of State could give us no further details about arrangements between the banks, this agency and himself. I wrote to the right hon. Gentleman last week about the indemnity that banks are demanding as a price for proceeding with the loans scheme. The banks have rightly demanded—although we oppose it—an indemnity against a change in Government. There will be a change in 1991, and we will not operate this scheme. The banks have also demanded an indemnity against a change of policy by this Government. Would the Secretary of State like to say anything about that? It is a most extraordinary arrangement. The banks bear no financial risk under this scheme; they are just fronting up a disguised quango. I am grateful to my hon. Friend the Member for Fife, Central (Mr. McLeish) who has drawn my attention to page 10 of the Price Waterhouse report, which says that the financial institutions will require a return for the remaining risk.

"Essentially this is not a financial risk but a risk that their reputation could be impaired by their involvement".

Perhaps the Secretary of State, or the man who has been feeding him his lines—the Under-Secretary of State—could say a word about this embarrassment. I agree that the banks will be embarrassed and that that is why they want nothing to do with the scheme. There will be not a Midland bank, Access or Visa student loan scheme, but the London and Scottish clearing banks scheme, and no one has ever heard of that. It is not an organisation that is talked about in student unions.

It is to front up this scheme and it is so deeply embarrassed about its involvement that it wants some compensation, which it says can be obtained by putting a spread on recurring expenses or a spread over the London inter-bank rate on the funding. The Under-Secretary of State had better say a word about this.

The loans scheme is so bad that it is difficult to work out why Ministers have pursued it. The only credible

explanation is that, like the poll tax, its pursuit has been ordered from on high. Yet again it is a triumph of ego over reason.

At last week's Conservative party conference the new deputy Prime Minister said that the Conservative party should become "the listening party". A week is a long time in politics. We do not expect the Government to listen to the country or to the Opposition. We do not even expect them to listen to their own Back Benchers—they have dismissed out of hand the criticism of the hon. Members for Chichester (Mr. Nelson), for Cambridge (Mr. Rhodes James) and for Brentwood and Ongar (Mr. McCrindle) and the criticism of Lord Rayner about the impact on medical schools.

I ask the Secretary of State—as a former Heathite and wet—why he and the Cabinet do not listen to themselves. Why do they not listen to the Secretary of State for Health, the Home Secretary and the Secretary of State for Wales, who are all signed-up members of the Tory Reform Group, which has said of loans:

"All the evidence suggests that the social cost of loans would be considerable. The results of having the system would be to reduce working class access to higher education, to lower standards and to produce a new class of poor graduates. The indirect damage to society . . .may be even more serious".

The Tory Reform Group and their Cabinet colleagues and supporters are right. The Secretary of State is wrong. This scheme is rotten to the core. The Government should listen, recognise their error, and abandon the scheme before it is too late.

Several Hon. Members *rose*——

Mr. Deputy Speaker: A large number of right hon. and hon. Members wish to take part in the debate. The briefer the speeches, the fewer disappointments there will be.

10.58 am

Mr. Robert Rhodes James (Cambridge): I have received a petition, signed by more than 5,000 constituents, which is on similar lines to those presented beforehand and which I agree.

I welcome my right hon. Friend the Secretary of State to his position. I wish to emphasise one point which has always dominated me—the words of Alfred North Whitehead:

"In the conditions of modern life, the rule is absolute. The race which does not value trained intelligence is doomed."

In England—although less in Scotland—we face the problem of an undereducated work force, even though it is a problem of long standing, and it is not the particular responsibility of this Government or, indeed, of any previous Government.

My first point is a point of principle. The hon. Member for Blackburn (Mr. Straw) referred to the pre-war arrangements. I was educated in the post-war system in the pre-grant era. To go to university—and there were not many universities anyway—one either had to have rich parents, which I did not, or one had to be fortunate enough to get a scholarship, and scholarships were few and far between. I was one of those fortunate enough to get a scholarship, but when the Conservative Government of the early 1960s introduced grants, I thought that that was one of the finest things that any post-war Government had done. That Government also initiated the expansion of higher education which was continued by the Labour Government. We all know that there were disappointments and that mistakes were made, but the principle that a university education should be available to anyone with sufficient ability, regardless of his or her means, was one of the finest principles ever established.

I should have supported the proposal had we been talking about true top-up loans—loans to supplement the grant—but I am afraid that we are not. Instead, the scheme will reduce grants and make student finance dependent on loans. I listened carefully to my right hon. Friend the Secretary of State in the hope that perhaps there had been second thoughts. A substantial volume of opinion, both in the Conservative party and elsewhere, has concluded, having examined the scheme carefully, that it is wrong in principle and that the practicalities would pose immense difficulties.

Let us suppose that the Government go ahead with such a scheme, although I still hope that they will not. Why do they so casually reject the option of a graduate tax? I was not convinced by what my right hon. Friend the Secretary of State said about that. The Committee of Vice-Chancellors and Principals took the valid view that the option should be seriously considered.

If the scheme were the only development with which students were faced, it might not be the major disincentive that I believe it will be. But it is accompanied by the abolition of benefits, the introduction of the community charge—admittedly at a low level—and a number of matters which add up to a substantial disincentive to parents and people who wish to go into higher education.

I believe passionately that investment in education—not least in higher education—is the very best investment that we can make. Our higher education budget is not enormous compared with those of other countries, and I therefore ask my right hon. Friend seriously to reconsider the matter.

11.2 am

Mr. Martin Flannery (Sheffield, Hillsborough): It is always a pleasure to speak after the hon. Member for Cambridge (Mr. Rhodes James), who has an enlightened approach to most subjects.

The Minister's maiden speech in his new position sounded more like an uncorroborated confession: much of it was wrong, and he is not so innocent, either. Most of us have received a large number of briefs on this subject, and it is difficult to find among them one that agrees with the Government. Many people who vote Tory profoundly disagree with what is happening. We face a return to past attitudes which had a deadly effect and made it quite impossible to expand education.

The Minister now proposes a plan that he says will double the number of entrants to higher education. When he elucidated the plan, however, we found that it was a plan for halving, rather than doubling, the number of those entering higher education. It would push into difficulties those young people who in the past have been able, because of the grant, to enter higher education. At a time when we urgently need to expand higher education, we should find ourselves curtailing it instead.

Earlier, in an intervention, I made a serious point that all Conservative Members should consider, and, to do the Select Committee justice, it is already doing so. The report on teacher shortages shows that one fundamental factor is that the fall in the numbers in the 16 to 19 age group is so

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serious that competition among the professions will make it increasingly difficult to persuade people to become teachers or lecturers and, therefore, to expand education. That is why the Committee of Vice-Chancellors and Principals, referred to by the hon. Member for Cambridge, profoundly disagrees with the plan.

The committee asserts in its brief that the aims of any plan should be

"to ensure that students have enough to live on while they study"

and

"to ensure that the scheme does not deter increasing numbers of people from applying for higher education."

I think that the whole House would agree with those aims, but we must judge them against certain criteria and against the Government's plan.

The committee says, first, that the plan should be simple —in addition to the principles that it should provide adequate means for the student while studying and that it should not deter people from becoming students, especially people from poorer families. The White Paper fails to satisfy any of the criteria laid down by the Committee of Vice-Chancellors and Principals—a very important committee which briefs us continually on education affairs.

The committee gave some of its reasons for rejecting the Government's scheme—for example, that the scheme takes no account of the loss of social security benefits, especially housing benefit. We must all consider that. It also takes no account of the poll tax or community charge, which will affect some students—especially poorer students—far more than others. The means-tested parental contribution may mean that some students do not receive the full amount. Many of them do not receive the full amount now. We should take into account the fact that, as a result of the Government's policies, many parents are already finding themselves in a dreadfully difficult position, with higher mortgage repayments and with the other startling effects of the Government's policies.

The scheme lacks simplicity. It is most complicated, and the Government are silent on the question of the administration of the loans. People are wondering exactly how the scheme will work. As my hon. Friend the Member for Blackburn (Mr. Straw) said, the banks do not want to be identified with it because it will earn them a bad reputation. That is an interesting position for them to be in. The banks are usually the ardent supporters of the Government, but even they are sounding a warning to them. Discussions with officials reveal that students may be involved with no fewer than four separate groups—their bank, the local authority, their institution and their parents. Yet the Government boast that this is a scheme whose simplicity should commend it to all of us.

The White Paper says that the scheme will mean a grant of 50 per cent. at the most. It is a strange top-up scheme that "tops up" the remaining 50 per cent.—as much again. The catch words "topping up" have no meaning in that context. The scheme will place a further tax on students, and a deterrent tax at that. It will mean that large numbers will not be able to attend higher education institutions. It commands so little support that it is almost an embarrassment to the Government to have to present it.

Many students already borrow from their banks to try to top up their grants. I am perhaps the only hon. Member who has suffered this experience: I was a student from 1937 to 1939, when the teacher training course lasted only two years, and practically all my companions in college had no money to spend. They spent two years at college with nothing. Nearly all of them had to borrow the £40 per annum college fee from the local education authority which, in its turn, could lend that money only to a limited number of students. That lack of money stopped people entering higher education. As the hon. Member for Cambridge said, the grants were one of the greatest things to happen to the expansion of education in this country. This new scheme takes education back to the pre-war days.

After six and a half years of war I came home and still had to repay the £80 for my college fees. My wage as a teacher then was very small, indeed it was even worse than teachers' wages are today. It took me four years to repay that £80 from my pitiful wage. That kind of debt hangs over many students in other countries, particularly the United States.

This plan will most likely deter students from higher education. The doctors' representatives have briefed us that the new plan will stop students from becoming the doctors that we urgently need. Students on longer courses will be deterred. There will be a shortage of teachers if we do not reconsider the plan, and that is important because studies show that there is a shortage of teachers now. The Royal College of Nursing is opposed to the plan because it will lead to a shortage of nurses. At the moment there is keen competition among the professionals for qualified students. If the scheme goes ahead, they will be fighting for people from a much smaller group of qualified students. The Select Committee on Education, Science and Arts is well aware of the shortage of students in higher education. Conservative Members on that Select Committee will be aware that this is a cause of great concern for us all.

There is evidence that the new scheme, which is supposed to benefit the taxpayer, will actually do the reverse. As my hon. Friend the Member for Blackburn explained, the new plan will cost a great deal more and will not do what it is intended to do. The Government had the benefit of nearly £100 billion of North sea oil money and the profits from North sea gas. They had a wonderful opportunity to do something for people, yet the streets are filthy and that money has not been handled properly. That money should have been a boon for all. The Government now propose to curtail education through this nonsensical scheme.

The low-income families will once again be hit hardest. The White Paper "Top-Up Loans for Students" is 11 months old. We have been asking for a debate on this subject since last November. At last we are debating it, but we are on a motion for the Adjournment, the proposal cannot be amended and we are debating it on a Friday morning. Instead of handling the real problem, the Government are trying to shield themselves and the country from the real problems by secreting the debate in an Adjournment motion on a Friday. The Government's scheme is like their handling of the economy—it is bad, useless and will come home to roost.

As my hon. Friend the Member for Blackburn said, the Government's aim is to save money. The Government are hopeless; the scheme will cost more. They claim that it will improve education. That claim, and the claims about the so-called Education Reform Act 1988—it should be called

the Education Deform Act—are linked. They will harm education. The scheme will not work. It will cause worry, misery and penury. It should be abandoned.

11.13 am

Sir Rhodes Boyson (Brent, North): I am aware that many hon. Members want to speak and, as far as I can, I will speak in headlines. It was a pleasure to hear my right hon. Friend the Secretary of State for Education and Science this morning. I agreed with most of what he said, but not all. I have always admired him for being intelligent, full of integrity and of independent mind. I want to appeal to his independent mind. Hon. Members have said that they hope he will listen, and I have no doubt that my right hon. Friend's ears are some of the best in the House.

We all agree that more people should enter higher education. The percentage of people leaving school at the age of 16 is far too high. In Japan 92 per cent. of students stay on at school until they are 18. In Germany 64 per cent. stay on, while in this country only 32 per cent. stay on. The problem does not lie simply with higher education; schools have a role to play. I am not convinced that a watered-down grammar school curriculum for all 14 to 16-year-olds under the national curriculum will solve this problem.

Many hon Members have referred to education in other countries. Unless we introduce some form of specialisation for 14-year-olds to make them interested in their future careers, people will not come through at the age of 16 and 18 to fill places in higher education. We already have a very high truancy rate. Three schools in one London borough have a truancy rate of 50 per cent. for 15 to 16-year-old boys. The curriculum that they follow has no meaning to them. They will not go on to higher education.

Under both Labour and Conservative Governments the value of the grant has declined under the present system. The situation is not ideal; the grant has gone down while the average standard of living has risen. We have created a new poor. They are particularly the students at university who live on grants while their parents do not make up all the parental contribution. A study has shown that the value of the grant in purchasing power terms is 35 per cent. less than it was in 1962. It has dropped by 11 per cent. since 1979 while the average standard of living of people at work has risen by 27 per cent. The present system is far from ideal and is causing many families and students anguish.

People resent the parental contribution. It is particularly resented by the children of the one third of parents who do not make it up. That creates another new poor among students going off to university. Some parents make no contribution towards the grant.

We will have to decide at what age people grow up. People can have sex legally and marry at 16. They can vote at 18. However, they are dependent on a parental contribution to their grant up to the age of 24. As Margaret Mead and other anthropologists have said, a good society has a time when a child becomes an adolescent and when an adolescent becomes an adult. One of our problems with young people is that they do not have a clear cut-off age when they become an adult. For people to be dependent on their parents up to the age of 24 or 25 is not helpful in the making of a good society.

Other countries have a grant or loans system. The White Paper is not suggesting something that is unknown in other countries. So far as I know the Republic of Ireland is the only western country which does not have some form of loans system. We also hear much paternalistic talk about the percentage of the working or labouring classes going up to university—[*Interruption.*] The Labour party appeals to people in the north in an attempt to bolster their votes in election after election. I grew up in a two-up two-down house in a textile area in the 1930s not far from the area represented by the hon. Member for Blackburn. I know what I am talking about.

I believe that if a university education is worthwhile, people from all groups will attend. People compete in every way in society and they are not dependent on being trained from above. The average loan in Germany is £2,000 per student and three times as many of the so-called labouring classes attend university in Germany than in this country.

Mr. Andrew F. Bennett: Will the right hon. Gentleman give way?

Sir Rhodes Boyson: Yes, by all means I will give way to another paternalist.

Mr. Andrew F. Bennett: Is the right hon. Gentleman aware of a German survey which shows that fewer poor people are attending higher education because of the introduction of the loans system? Over the past 10 years the loans system in Germany has had the effect that we now fear here.

Sir Rhodes Boyson: I shall have to debate that with the hon. Gentleman outside the Chamber. The figures that I have are different. The Minister also has figures for Germany. The subject will make a splendid debate in Oxford or Cambridge or somewhere in the north where the allegedly deprived live, to whose conscience the Labour party will continue to appeal at election time.

The present system does not help part-timers or those coming back to education later in life. One aspect that I like about the proposed new scheme is that it will cover students up to the age of 50. Part-time education and the Open university are the cheapest ways for people to go through higher education, yet we have underfunded them from the beginning.

I shall support the Government's new scheme, but I wish to make some mild suggestions which may influence Government policy now that Ministers are listening. I was privileged to be a Minister at the Department of Education and Science before loans were as fashionable as they are now. I produced a loans scheme, but it was dismissed in seven and three quarter minutes by a Cabinet sub-committee. I spent three months travelling around the world to see different schemes in operation. I concluded that debt redemption was most difficult. Much of the money is never recovered. The only system that worked was the Swedish system where the loan was plugged into income tax. I understand why Labour Members are silent: Sweden is a Socialist country, but I will take the truth from anywhere. That system seemed to work. The loans were paid directly by the Government and there was a graduate tax until the loan was paid off. Nothing was paid if the person did not earn the average income. It seems strange to take 85 per cent. of the average income as the limit here. I would suggest that a simpler method would be to take an

[Sir Rhodes Boyson]

average income rather than employing statisticians to work out what is 85 per cent. of it. I also suggest that a wife should not be responsible for her husband's loan or vice versa. That is my preferred scheme. I know that the banks will provide the money, which will save the Government money but the Government always find money when they want to for denationalisation of water and electricity and other matters.

Mr. Straw: And the poll tax.

Sir Rhodes Boyson: I must not be drawn by the hon. Member for Blackburn (Mr. Straw) on the community charge on which my ideas have been completely uninfluential.

The simplest method would be to plug loans into taxation. At some stage we shall link national insurance and taxation so that people either gain or lose from the state. That will be when we get a proper system going.

Do we believe in the incredible Labour policy under which the numbers going on to higher education will be doubled, the Government will give students a better grant and money will be saved? I do not believe it. As always, I am trying to help the Labour party. Labour policy is improving on nuclear defence. Bit by bit, the Labour party is approaching the truth and I welcome that. I am sorry that the hon. Member for Sheffield, Hillsborough (Mr. Flannery) has left the Chamber. I always enjoy his interventions in my speeches and I tried to intervene in his speech. Apparently, Labour does not intend to unscramble the privatised industries and bring them back under national control. The Labour party's policy of wiping out parental contributions and doubling the numbers in higher education is not credible. I shall not hazard a guess about what the centre parties think. They can think what they want because nobody notices anyway.

I would prefer a system where we pay for the very able to go to university. Wherever such people come from we must get them through higher education and not discourage them from taking it up. First, I would give a third or half of pupils who got the highest results at A-level, in whatever subjects, free tuition and a more generous grant than at present. In that way, we could keep "high culture" alive, as the German universities put it. Secondly, I would test the other half to two thirds on their motivation and give them a loan linked to income tax.

Hon. Members on both sides have said this morning that students increase their earning potential by 30 per cent. by going to university. Higher education is a personal investment. Students should assess what they should do in order to repay these loans. My criteria are high culture first and motivation second. When the Government plan the numbers for the professions they never get them right. Either we have too many doctors and lawyers or too few. It is better to leave it to the students to say, "If I train for this profession, I shall be able to repay my loan." I would prefer that to the present system. I shall support the suggested system on Second Reading. I do not agree with the intentions of my Government on every matter, but generosity on my part is helpful.

No one has mentioned the problem of our last closed shop, the student unions. I look forward to a debate on that before the new Session begins. I trust that the Queen's Speech will include a Bill to deal with the problem of our last closed shop; may it end.

11.26 am

Mr. Simon Hughes (Southwark and Bermondsey): This is the first opportunity that we have had to discuss this proposal. I hoped that it would be an opportunity for the Government to reflect on the opinions expressed about it. Of the speeches made so far, only half of that of the hon. Member for Brent, North (Sir R. Boyson), could count as support. Otherwise, the Secretary of State stands on his own. That may say something about the general view of the proposals conceived by his predecessor. I hope that at the end of the debate the Secretary of State, his Ministers and officials will retire gracefully, consider carefully, and rethink properly these proposals.

In the 11 months since the White Paper was published there has been widespread opposition to it, and not only from the Opposition parties. My party passed a clear, overwhelming and unequivocal motion against student loans in March. One might expect Opposition politicians to do that, but it is noticeable that academics, vice-chancellors, principals, commentators and financiers have also expressed their opposition to all three of the objectives set out by the Secretary of State at the beginning of today's debate.

The first was to spread the cost of higher education more widely. It would be tragic if the Department of Education and Science were run on the principle that higher education should not in the future have a higher share of public expenditure.

In an editorial on 3 October, the *Financial Times* said:

"In the US, public expenditure on higher education absorbs 2·5 per cent. of gross domestic product; the figure for Britain is around 1 per cent. Such a policy"—

that of keeping down expenditure while increasing the numbers—

"will either fail or result in a big reduction in the quality of university education."

We need more expenditure on higher education, not the same or less.

The second objective enunciated by the Secretary of State was that there should be more money for more students. What the Secretary of State did not say was that this objective would be achieved only by students incurring more debts. The Secretary of State and the Prime Minister seem to favour a more indebted society; the Chancellor of the Exchequer certainly does. To encourage debt, particularly in the youngest members of society, is not a moral principle that Governments have previously supported. I hope that even this Government will see the immorality of pushing people into debt as opposed to helping them to avoid debt as they become adults and take on full working and family responsibilities.

The third objective set out by the Secretary of State was that, by this means, we should produce changes in student attitudes. Mr. Wilby said in *The Independent* of 29 September:

"Ministers argue that proper loans, borrowed from banks, are somehow good for students rather as schoolmasters used to argue that cold showers were good for pubescent boys. This is ideological twaddle."

The most worrying thing of all that the Secretary of State said and that betrayed the fundamental flaw in the Government's policy was, "We believe that students must invest in themselves, for themselves." The difference

between the Government, my party and my colleagues and, I guess, all Opposition Members is that Opposition Members and some Conservative Members such as the hon. Members for Cambridge, for Leeds, North-West (Dr. Hampson) and others believe that it is for the nation—for the people—to invest in education so that the nation and the people can benefit. We do not share the selfish attitude that the only proper investment is investment in oneself for oneself. We believe that investment in others so that the common wealth might benefit would be a far more appropriate policy.

Mr. Burt: I understand what the hon. Gentleman is saying, but does he accept that there is a sense of balance and proportion? There is no doubt that the Government already contribute a huge amount to higher education. The argument is not that the individual student will take on the full burden but that he or she will accept part of the burden for his or her own living arrangements—nothing else. Surely that is a fair spread of the burden.

Mr. Hughes: I am sure that the hon. Gentleman realises that many students already have a very impecunious existence. They decide to opt out of earning money at a young age, at substantial disadvantage compared with some of their peers, and often with no realistic chance of recovering their position. Just because they are graduates, it does not mean that they necessarily end up doing higher-paid jobs. Many non-graduates earn considerably more than graduates. One cannot rely on the benefit being much greater as a result of the sacrifice that one makes at the beginning.

It was noticeable that the Secretary of State paid no attention to the arguments put forward in 1986 by the Select Committee on Education, with a Tory majority, and already cited by the hon. Members for Blackburn (Mr. Straw) and for Sheffield, Hillsborough (Mr. Flannery). The Select Committee made it clear how vital grants were. It is disingenuous for the Secretary of State to ignore the one specific piece of recent advice by the Select Committee on this subject.

Why should the scheme be opposed? First, it will extend hardship for students. It is an extraordinary feature of the scheme that the welfare state is suddenly to be denied a particular range of people. Since 1944 the principle has been that social support would be given to people below a certain income level. These proposals mean that income support, housing benefit and unemployment pay is suddenly unavailable to students, whatever their income. That is entirely unacceptable as a matter of principle.

The Government have not said what a minimum student income should be. They have not admitted that students on full maintenance grants could lose up to, or even more than, £1,000 a year as a result of the removal of housing benefit. There has been no assurance that students will not be poorer as a result of the scheme. The removal of the right to claim unemployment benefit or income support could affect 100,000 to 200,000 students. Is that insignificant? Should that be ignored? The Government have not answered questions about why unemployment benefit, for example, should be removed from this category in our society. They have not dealt with the fact that many students will be in a particularly disadvantageous position.

If a student is doing a four-year course in Scotland, his debt is likely to be substantially greater. A medical student doing a five or six-year course at Guy's hospital in my constituency, as the hon. Member for Lancaster (Dame E. Kellett-Bowman) is aware, will probably be substantially in deficit. We are talking about thousands of pounds, and, in some cases, about tens of thousands of pounds. Postgraduate students who will lose housing benefit are not eligible to take advantage of the top-up loans scheme. All these are real people in real education, making real choices about how to organise their lives. The inadequate access funds—the Government are to put in a small amount of money but have given no detailed explanation—are no substitute.

Secondly, the scheme will clearly deter many students from applying for further and higher education. All surveys suggest that loans, as opposed to grants, are a deterrent, particularly for those who find higher education most difficult to obtain. A recent survey at Cambridge university suggested that nearly 50 per cent. of women would have been deterred had they had loans and not grants. I appreciate that one could say, "Yes, that is a survey. They would say that, wouldn't they?" However, if we are trying to encourage women and those for whom higher education is most difficult to choose, we must be conscious of the risks. Small proportions of our ethnic minority communities and black people are at university. What are we to do? Are we to say they will be all right because they are likely to be earning the highest incomes? That is twaddle. The figures show that these groups are the most economically disadvantaged. As a proportion of people in higher education, their numbers will decrease.

As an example of the risks to disabled students, the Royal National Institute for the Deaf estimates that the cost of support for a full-time student is in the region of £8,500. Will there be funds to cover the cost of an interpreter to enable someone to follow a postgraduate certificate of education? They are exactly the people for whom it is vital to encourage access, but they are exactly the people whom this scheme will discourage from the beginning. Mature students who make a decision in mid-life to go back to college normally risk incurring a substantial loss of income. If they are told that they cannot have housing benefit or unemployment pay, will their numbers increase? Logic says otherwise.

Perhaps most important of all, whereas we know that we still have significantly small numbers of people from working backgrounds—social classes 4 and 5—in our higher education system, there is not a jot of evidence that this scheme will encourage there to be more. Rather, to the contrary, it will discourage those young people from going into higher education. If one comes from a background in which it is difficult to break from peer group and family pressure to make certain choices for higher education, one will be even more deterred if the risk is also a financial one. It is completely inconsistent for the Government to argue that they believe in an increase in numbers and yet make it clear that that increase will be obtained only if students must pay.

Currently available choices will be put at risk. The strong likelihood is that students will be obliged to follow more practical and vocational courses. The idea of a liberal, balanced, general education will be something which people will not have the "luxury" of being able to afford. Just as research has moved from pure to applied research, colleges will move from courses in general education to courses that are funded specifically with a view to helping people into jobs. That is not the way to produce an educated society.

[Mr. Hughes]

I repeat the point that I made to the Secretary of State. Trends in Europe are the other way from these proposals because of evidence in countries such as Denmark, Sweden, the Netherlands and West Germany. They discovered that they were unable to recruit from as wide a range of backgrounds as they would have wished, that their loan schemes were complicated and clumsy to administer, and that there was a high level of default. What evidence is there that we will not have the same problems? It is fallacious to argue that, because there has been an increase in participation in other countries where there has always been a loans scheme in part, the change from a grant system to a loans scheme will not act as a deterrent in this country. It is an absolutely illogical fallacy. There is no evidence. That is why I hoped that, as a man of intelligence and integrity, the Secretary of State would have said, "We are taking a huge risk, but we believe that it is the only way out." If the Government had admitted that it was a big risk and that they might not achieve any increase in numbers, they would at least have been honest.

Mr. Harry Greenway (Ealing, North): Will the hon. Gentleman give way?

Mr. Hughes: I will not give way, as other hon. Members wish to speak.

The Secretary of State should notice that, even among Tory supporters as well as supporters of my party and the Labour party, support for grants has increased as opposed to decreased in recent years.

The argument that has been advanced about the short-term costs is clear. On the Government's own figures, at the best this scheme will actually cost more—extraordinary when the Government are asking for Tory support—at least for the next 13 years, possibly for the next 23 years, and, without any stretching of the imagination, potentially for many years beyond that. It is an extraordinary proposal. The Government have put forward a scheme which, in the short and medium term —in the political lifetimes of every hon. Member—will cost the Exchequer more. I had thought that the Chancellor of the Exchequer was against the public purse spending more. It is all very well saying that eventually, on the best projections, the figures will balance some time early in the next century, when the reality is that the best projections 10 years ago of how the economy would work did not foresee us in the dire straits that we are in now. Even on the Government's figures we cannot assume that the scheme is a justifiable use of public expenditure when it will cost the country so much more and risk so much more as well——

Mr. Harry Greenway *rose*——

Mr. Jackson *rose*——

Mr. Hughes: I shall give way to the Minister.

Mr. Jackson: In such debates, it helps if hon. Members listen to each other's speeches. The hon. Gentleman should have listened to my exchange with the hon. Member for Blackburn. The fact is that there will be savings under this scheme at the turn of the century.

Mr. Hughes: The fact is that, on the figures given by the Under-Secretary and the Government, the first date by which it is conceivable that the scheme will have broken even is 2002, which is 13 years away. The Government concede—all the experts who have commented on the scheme apparently believe—that the break-even point could well be well into the following decade, if not well after that. The Minister knows that.

Mr. Harry Greenway *rose*——

Mr. Hughes: No, I shall not give way.

The Government argue that it is important to make young people less dependent, but they will be more dependent when paying back loans over years if not decades. Many may, paradoxically, become more dependent on their parents than they are now.

The Secretary of State has come to the House to defend an ill-conceived and ill-thought out White Paper. Sadly, he has argued unconvincingly when he should have been able to find arguments—if they existed—to win the discussion today. The Secretary of State has tried to defend, but has not defended the indefensible. There has been enormous opposition to this scheme, including from Conservative Members.

The costs to the country outweigh the benefits, and the costs to the Exchequer will outweigh the benefits for decades. Students and their livelihoods and incomes and their families' incomes are at risk. There is nothing to suggest that access to higher and further education will be improved.

In the weeks that remain before the Queen's Speech —I am sure that there will be other competitors for legislation—I ask the Secretary of State to drop the baton that was passed to him by his predecessor; to realise, as a former Treasury Minister, that he is now the custodian of a proposal that will be unworkable and that will do himself and his Government no favours, not least with their own supporters, and to rethink so that we can have a scheme with which we can expand education and do what we need to do to survive and prosper in the future as a nation. It is no good having a scheme that currently does not work too badly replaced by education on the never-never because then we may never never see the expansion of our higher education that this country so badly needs.

11.43 am

Dr. Keith Hampson (Leeds, North-West): In 1976 I first wrote an article in favour of loans. Before that I had been against them. Indeed, in the 1960s I helped to draft a ringing denial that loans were good for British higher education for the then leader of the Conservative party when he was the first party leader to address the National Union of Students' annual conference, which that year was held in Leicester. However, I changed by view and I shall later give the House some of the reasons why I came out in favour of the loans scheme.

Four years ago my hon. Friend the Member for Buckingham (Mr. Walden) and I persuaded the then Secretary of State for Education and Science, now Lord Joseph, to withdraw some proposals affecting parental contributions and urged him to review all student support, including consideration of loans. Frankly, like most of my colleagues, I find it disappointing that after four years the net result of the Department's efforts is an excellently researched comparative document about what has happened elsewhere in the world, with a good statistical base, but which is short of effective details on what the

proposals that it is recommending will mean. It is especially disappointing that after all this time the details have still not been finalised with the banks.

However, I must advise the hon. Member for Blackburn (Mr. Straw) that this debate goes back much further than that. Indeed, it goes back to the 13 points of Mrs. Shirley Williams in the 1960s when the Labour Government first raised student loans——

Mr. Straw *indicated dissent.*

Dr. Hampson: The hon. Gentleman should not shake his head because that issue was one of the 13 points. We have had 20 years since then of "Shirley-shallying" by Government after Government, Labour as well as Conservative. When Lord Preston was political adviser to the Department of Education and Science, at the time that the hon. Gentleman was an adviser to the Government, he advocated loans. It is extremely disappointing that, as in every other aspect of policy of the Labour Front Bench's policy review, here too, it is grubbing around for votes, student votes.

As my right hon. Friend the Member for Brent, North (Sir R. Boyson) has pointed out, everybody knows that the present system is far from perfect. We should not be debating the principle of whether we have loans, but the nature, scale and detail of the best loans scheme.

Mr. Harry Greenway: Is it not a fact that the average student borrows about £400 a year at present?

Dr. Hampson: It is, in part, the reason why there should no longer be a debate about the principle. As my right hon. Friend the Secretary of State pointed out, a student should invest against his or her future earnings. Obviously, we should like students over 18 not to be so dependent on their parents. I am sure that Opposition Members would advocate that, as has the National Union of Students many times.

The figures on what has been happening are damning. About 300,000 students in higher education are not getting their full whack of parental contribution or are getting no contribution. We have seen the value of the grant fall steadily under all Governments, but it fell most during the financial crisis of 1976, under the last Labour Government. That Government were the only Government since the war to reduce the rate of student participation in higher education. However, Opposition Members want to forget their track record.

We must produce a scheme that does more than produce only a modest financial gain to the system. We need a scheme that genuinely opens up access. That is the key reason why I changed my mind. Critics of the Government, such as the team from the London School of Economics, have been critical of the scheme, but all have said that the present extraordinarily generous grants system is an incubus on the growth of higher education. The high extra unit costs it causes deny us the ability to open up access. We have the only university system in the western world to have put hard limits on the numbers of students that universities and polytechnics can take. They could take more students—and they must—but we have said no, because that has been the edict from the Treasury. If it is at all possible, it must make sense to recycle money in the system so that more people can be put through it for the given available resources.

I wish to reiterate what my hon. Friend the Member for Cambridge (Mr. Rhodes James) said to my right hon. Friend. The context cannot be ignored. My right hon. Friend has already made a strong statement, but I urge him to acknowledge the vital importance of distinguishing between the cost of education and the cost of maintenance. At this stage we should not be talking—or encouraging the universities and polytechnics to think—in terms of full-cost fees being paid by students through loans. We should certainly be encouraging a more open-market system of providing courses and drawing people into education.

However, we should be realistic about it. If 80-odd per cent. of medical students are already from social groups 1 and 2, where will we suddenly find a great new surge of students who are willing to pay the huge fees that medical courses would involve? If we are to open up the market, it must be with automatic funding of fees as now, so that students can shop around and we can have a more competitive system between institutions as students carry the money with them. Indeed, that is the trend we have begun by reducing the amount of direct funding and providing it more through students.

For heaven's sake, however, the impression should not be given that students will have to take loans to cover full-cost fees. That is what some vice-chancellors have said, and possibly they have done so to try to blackmail the Government to put more resources into higher education.

I must enter one caveat. If we are to have a more competitive and open system I urge my right hon. Friend to allow polytechnics, if they so wish, to change their names to incorporate the word "university". My right hon. Friend's predecessor did not allow that when we were discussing the Education Reform Bill. If we are to have an open market we should have level playing fields for all parts of the system. The polytechnic part of that system is regarded by most people as the second division, and that is unfair.

It is already true that the university system is not monolithic. There is diversification of standards and provision within that system, and it is not fair that polytechnics are regarded as second best by so many parents, students and teachers. We should be able to refer to the university, or institute of science and technology, in Leeds or wherever. If the universities and the polytechnics were all considered universities, as in the United States, that could have a profound effect on achieving the open and competitive system that my right hon. Friend wants. I cannot understand why we so rigidly deny polytechnics their freedom in this respect. We gave them the power to change their names, but then we tell them that the Minister will veto any use of the term "university".

Some of my hon. Friends raised their voices at the comment of the hon. Member for Blackburn that I had likened what we are getting into with student loans to the community charge. I did that with an eye on my right hon. Friend the Member for Brent, North. Many of my colleagues welcomed the principle of abolishing the rates, but they did not look too closely at the details of the community charge until it was well down the line. That is my principal objection to the Government's current proposals.

My hon. Friends—one of them is not present at the moment—may have been critical of my remarks, but I believe that it would be better if we were talking about private money issued by the banks and collected by them.

[Dr. Hampson]

To the extent that that money is an unsecured loan, it needs Treasury guarantees. That is exactly where we started in 1979-80. We are now, however, talking about public money which the Government are paying the private sector, through a quango, to disperse. They will then pay the private sector to collect that money back. It will not be additional private money, but public money and considerable administration costs will be attached to it.

Time and again we start by trying to make things simpler, but end with more confusion. Students will be involved with at least four basic bodies. They will still be dependent on their parents because the £400 that we are offering will not avoid that. They will also be dependent on their banks and their credit cards, just as now. The German system provides £190 a month, not £400 a year. Our students will still be involved with their parents, the banks, the new quango, their own education institution —university or polytechnic—and with their local education authority. Why is all that necessary? In 1979-81, my right hon. Friend the Member for Brent, North was largely instrumental in the work done on a banking scheme. Some of the issues were outlined in a document which said that the student "armed with his certificate" —from his institution could

"go to the local bank to negotiate a supplementary loan up to a set maximum".

What is wrong with that simple system? When one signed on at the college one could take that certification to the bank and receive an overdraft just as now.

Mr. Jackson: That is precisely what we are proposing.

Dr. Hampson: But we now have an institution that is owned by the banks collectively, which is sitting in Glasgow and which employs very expensive staff.

We should be able to do what was proposed in 1979-81. We have not got rid of the LEAs. In paragraph 19 on page 8, the document states:

"If a central agency for student loans were established there would be a strong case for centralising all mandatory student support, whether by loans or grants. It would make little sense for LEAs to retain responsibility for the grant element in a combined scheme; such an arrangement would be confusing to the clients and a recipe for administrative confusion, and would certainly be more expensive overall".

The document also pointed out that when Rayner studied the present system he concluded that it was "chaotic, confusing and over-expensive". If we are to use the banks, which is an admirable notion, the money used should be the banks' and they should administer and collect it, provided that the Treasury gives an ultimate guarantee.

The proposal failed before because the banks insisted on the creditworthiness of the individuals and the Government rightly said that they could not allow that. The banks then said that the Treasury would have to give guarantees on every loan. In 1981-83, it was perfectly understandable that the Treasury resisted that proposal. We had a huge public sector borrowing requirement crisis and in those days the convention was that every guarantee, whether called or not, fell against the PSBR. Frankly, the world has changed somewhat. I cannot believe that we could not find the means by which the Treasury could guarantee defaulters after a time. That happens in so many other systems.

Under the current proposed scheme, we will write off a debt after 25 years. It should be possible for the banks to do their best to get their money back, just as they do with any of their clients. Students will be valuable clients. Are we suggesting that students will borrow on a loan and then suddenly walk away from the bank and disappear into the blue and never have a bank account? There will be some defaulters, but the banks will pick up most of the loans and, to the extent that there will be a shortfall, I believe that it would be fair for the Treasury to guarantee paying back those loans, after a certain time.

The other big issue raised in 1981 was an absolutely basic political one. We are talking about young adults, and we asked why they should be dependent on a system that palpably failed—the parental contribution. One alternative to consider is simply to replace the parental contribution. One could still expect such a contribution from the top income earning families. It is a good Conservative principle that the family should look after its own if capable of so doing. Richer families are obviously more capable of maintaining—not paying the tuition fees —their children in higher education. Obviously there is a case for providing loans on an easier and more generous basis than under the scheme proposed. In that way the vast bulk of students would not have to depend on their parents.

We do not know what the current options have been or what the arguments against them have been. We have not seen any working paper, but I do not see why there should be any trouble in providing the House with that. So far, why my right hon. Friend has pitched for the particular proposal before us is not convincing. It looks suspiciously as though it is the worst sort of compromise. It is patched up all over the place in different elements of the scheme, and it is a compromise especially in relation to the Treasury.

Let us consider the interest-free argument. I have a feeling that the Treasury is uptight about the overall scale on which it will have to provide the money. So we have a tight ceiling on the global amount and a low ceiling at which each student can borrow. In future, every year when the Department of Education and Science tries to raise the total for the loans scheme or to raise the level available to an individual, the Treasury will have an almighty argy-bargy about it. In return for the limits imposed it looks as though it has been agreed that to make the scheme more saleable to the public there should be no interest charge. That is nonsense given some of the principles involved—to circulate money on as large a scale as possible to give more people greater access to higher education. There should be an interest charge and it need not be a big one—virtually every other similar system has interest charges ranging between 3 and 4 per cent. It is still extraordinarily cheap money and such interest charges change the gain factor in terms of the amount of money available for other students. What is the advantage of the loan being interest-free? It would be far better to do something further about parental contributions.

The scheme will not be seen to be fair and will not meet with public and student acceptance unless we get the repayment proposals right. In that regard I agree entirely with my right hon. Friend the Member for Brent, North. That was the conclusion of all the Government working papers between 1980 and 1983. The argument then advanced was that the Inland Revenue would not act as a debt collection agency for the Government. I suspect that

it will not cause what my right hon. Friend the Secretary of State called "excessively burdensome" bureaucracy. There is no evidence that it will be excessive. All operations such as this will be burdensome, and the present system using the new quango will be burdensome. The real Treasury argument was that it would be a rotten precedent because there might be others in Government who wanted to use the Inland Revenue computer to obtain money from people. That is the real issue and it is a perfectly valid argument. However, the Government have to judge which is the worse of the arguments.

It might be better to use this system because it would result in a much better loans scheme, one which would ultimately save the Treasury money and-or provide access for more students in higher education. That is the route that the Department of Education and Science wanted to take, and that is the route that was taken in Australia. Why is it that, even within the English-speaking Commonwealth, this supposedly critical principle that the Treasury stands by has been so obviously and often breached?

That alternative is the only way successfully to relate the repayments to income. Instead we are proposing a broad cumbersome threshold of 85 per cent. of the national average income before repayment begins. Beyond that, no matter what the differential incomes are, students pay back at a fixed rate. We should have a simple coding change for the period of borrowing, not a graduate tax for life, and this is where I differ from my right hon. Friend the Member for Brent, North. If earnings rise or fall, if someone was ill or out of work, there would be an automatic change. That must be the way to do it.

The alternative of using national insurance takes a broad-brush approach and is not so finely tuned. It breaches a principle of the fund. We could possibly introduce an employers' skill levy as an alternative, although I do not particularly advocate that. We could have a skill levy which would be collected by employers and which could even go for other aspects of training, as well as paying off loans for higher education. There are loans for training through the MSC and perhaps we could dovetail them. There are a number of alternatives, all of which have more attractive features than those recommended to the House. Why have they been rejected?

Would a loan scheme provide a disincentive? If the repayments are finely tuned and equitably related to income, the problem of disincentive will be much less. But it would be wrong for Conservative Members not to take account of the points raised by some Opposition Members who said that the change from the present to the new system would create some disincentives. I stress that the DES recognised that, and in earlier papers said:

> "It is however most important to emphasise that while the effects on participation of the introduction of loans cannot be accurately predicted they must include a risk of decline at least initially. Experience abroad cannot serve as a guide here since in almost every foreign case the introduction of loans increased the public support available for education."

During the short period of readjustment, until attitudes come into line, there will be some disincentive. However, Ministers are correct to say that there is no positive correlation between the level of financial help offered to students and participation rates. Evidence from around the world shows that that is so, but in the short period of readjustment from the present to the new system we might find a problem.

I beg my right hon. Friend the Secretary of State not to saddle us with a second-rate system, not to rush ahead too fast, but to pause, to be more cautious and to reconsider the detail. My right hon. Friend has earned a reputation of being a genuinely listening Minister. I urge him to listen now so that we may have more of a financial return from the system, more students entering the system and a fairer system.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I hope that the House will continue to bear in mind my earlier appeal for brief speeches.

12.4 pm

Mr. Henry McLeish (Fife, Central): There have been few occasions in the post-war period when there has been a consensus about the need to expand entry into higher education. Interestingly, there have been few occasions when higher education has been so high on the political agenda. Why, instead of discussing access, equal opportunity and excellence, have we today become bogged down in debt, debtors, deferrals and defaulting? There seems to be a mean response to what should be a time of enthusiasm and imagination about the expansion of the higher education sector.

My hon. Friends have eloquently expressed the public policy issues involved, which are worth repeating. First, Ministers have given no assurances that introducing such a scheme will improve access. That issue should form part of the debate which will continue in future months. Secondly, it is quite clear that, at least in the initial period and in the next century, a high financial burden will be paid by the taxpayer for the loans scheme. The Government must tell us why, when the initial intention was to reduce the burden on the state, the scheme being devised will increase the burden over the next 20 to 25 years.

The third issue shows the difference between the Government and the Opposition. Why do the Government constantly talk about investment in education without giving adequate attention to their economic performance and the nation's needs generally? The balance of the debate in the Conservative party has swung far too far away from the nation and its economic performance to the burden which is exerted on the individual.

Fourthly, the Opposition recognise that the Conservative party is fast becoming the party of increasing debt. Is it right that, after a four-year course, in the mid-1990s students will face a level of indebtedness which will not only worry them when they leave university or higher education but will be a burden on them when they are studying? They will have to face the problem of how to cope with this level of indebtedness.

The hon. Member for Leeds, North-West (Dr. Hampson) tackled the problem of the proposal's workability. There is a particularly Scottish dimension to this debate. There are no Scottish Conservative Members in the Chamber this morning. Where are the Scottish Office Ministers? Where is the Education Minister? Is this not important? Where is the Secretary of State for Scotland? It is important to put on record that while people throughout the country are genuinely concerned

[Mr. Henry McLeish]

about higher education, a portion of the Conservative party clearly does not find it suitable, convenient or interesting enough to be here.

There is a higher proportion of Scots in higher education than of citizens from elsewhere in the United Kingdom. There are currently 83,000 full-time students and a great proportion have state awards. Therefore, when the Government devise and prepare to implement the proposals they must bear that factor in mind.

An important social class factor must also be taken into account. In the United Kingdom the proportion of skilled, partly skilled and unskilled parents who send their children to university is approximately 29 per cent. of the total. In Scotland it is 34 per cent. The key issues of access and indebtedness have always been associated with those who may have difficulty obtaining the finance to undertake higher education courses. There will be an additional financial burden on Scottish students and parents which will have a higher impact on them than on those in the United Kingdom.

The problem of the four-year degree course has been highlighted by hon. Members. Figures can always be debated and statistics can always be misconstrued, but two specific figures are now under discussion. It is possible that in the mid-1990s, not far off the year 2000, Scottish students will be faced, after a four-year course, with debts of approximately £10,000 over five years. How many parents have made the quantum leap from the concept of a top-up loan to such a level of indebtedness? Let me put it another way; those students will be faced with a mortgage repayment of £97 per month.

According to the Government propaganda that is being put about, the loan is a top-up—an extra into which students can dip if they wish. The harsh reality, however, is that, if inflation continues to accelerate over the next two or three years, parents will very soon be faced with a 50 per cent. so-called top-up. The Government should be warned that student loans—as is clear to both educationists and to parents—could do to higher education what the poll tax is doing to local government; and the Conservative party is already in a state of disarray over the electoral impact of that tax.

Let me say a little about the workability of what could be objectively described as a harebrained scheme. The document that gives the game away is the Price Waterhouse report, published in May 1989 and commissioned by a group of bankers—the Committee of London and Scottish Bankers—working closely with the Department of Education and Science. We have heard much this morning about the quangos that have been set up. Why the need for this new bureaucracy? The answer is simple: individual banks and banking institutions want nothing to do with the scheme. Clearly their financial judgment is of a much higher order than that of education Ministers.

Let me highlight the dangers that I feel the Government should address. Price Waterhouse spent an immense amount of time on its study—three weeks!—and the Government have spent even less time assessing the implications. I am sure that, if we wished to promote our view, the distribution of the Price Waterhouse report to every Conservative Member and every banking institution in the country would be the best way to capture the essential absurdity of the scheme.

For the banks the scheme is foolproof. No market machinery is involved; this is not the market responding to a Conservative call to widen access by expanding the volume of cash in the system. According to the criteria used to devise this "vehicle", as Price Waterhouse describes it, loans will be kept

"off the balance sheet of the participants".

Everything will

"be funded by Government, including default liability",

and there will—or should—be

"effective arrangements for pursuit of defaulters".

The Government will pay the bill for that as well. Start-up and running costs will be fully recouped—and all of this madness is to be in operation by September 1990.

A more revealing section of the report deals with debt collection. This is the other reason why the quango was needed: individual banks do not want abusive students criticising debt collection procedures locally. As the Price Waterhouse report makes clear, the reason for setting up the organisation in Glasgow—the *Sunday Times* advertisement last week was the first step in this crazy process—was that, of the 200 staff envisaged, more than 50 per cent. would be debt collectors. The explanation is simple: any loan scheme, especially in America, reaches a critical stage at which the loan debt ratio becomes a burden on the public purse, and a massive debt collection service is therefore necessary to ensure that the number of people paying back the debt is greater than the number involved in either deferrals or defaulting.

The report goes into more detail about how this bizarre affair is to be handled by the Government. We are told of an

"incentive scheme to minimise bad debts",

and appendix III, statement 8 informs us that

"Payments would be made to loan collection staff . . . This will provide direct motivation for all collection staff to be enthusiastic in pursuit of debts. This bonus will be paid out of the institutional incentive above. Compliance with agreed collection procedures would be required."

So there we have it. The Government pay for the loan and the quango and underwrite the initial costs, the debt collection and the debt collection agencies. It is impossible that a Government who were either competent or knowledgeable could embark on the implementation of a document that is not only bizarre but barely conceivable. That document is, however, the Government's bible. Perhaps when he replies the Minister will tell us why the Government are departing from some of its findings.

I mentioned the loan debt ratio. According to appendix VI, statement 1,

"In 1995, the average number of defaulters is expected to be 41,600 according to the DES."

It is estimated, however, that the total value of money sent to the debt collecting agencies—this is not within the quango, but one step removed from it—will be a massive £64 million in one year. Here is another brilliant solution: the Government, if they implement the report, will allow debt collecting agencies to come in and, for a fee of 20 per cent., cream off £5 million of that. The Government, however, will collect only £22 million at best from that £64 million. This is the stuff of comic strips. Clearly the Minister will want to distance himself from some of the more ridiculous proposals in the report—or possibly to confirm that the Government are about to embark on setting up such an agency in such a way.

Those are only a few of the gems contained in the Price Waterhouse report, which is essential reading for all who are interested in the efficacy of public expenditure and in the future of higher education.

The Treasury implications are such that the scheme must surely be a subject for either the National Audit Office and the Public Accounts Committee or the Treasury Select Committee. If higher education is to be reduced to a set of bounty hunters being paid a commission to bring in the debt, and if students are to have restricted access to higher education because of the cost to a household, we are hearing a sorry and shabby tale about the government of higher education by the present ministerial team. I hope that the Government will think again, and I am given a measure of confidence by the fact that the Secretary of State is not only a Scot but an ex-Treasury Minister. I hope that the sanity of the Treasury will be combined with the Minister's Scots canniness to produce a better scheme than the one that we are debating today.

12.19 pm

Mr. David Evans (Welwyn, Hatfield): I wholeheartedly endorse the principle of student loans and welcome the Government's proposals as a positive step in the right direction. I find totally unconvincing the arguments advanced against the proposals. The arguments in favour are compelling.

I should like to focus on the two principal and fundamental arguments in favour of student loans. First, it encourages a greater sense of responsibility on the part of the individual and that can only be a good thing. It is certainly good for students, who will be in a better position to assess their own needs, to determine priorities and to appreciate the value of money. Critics have palpably failed to grasp that this sense of responsibility can be achieved to the financial benefit and not the detriment of students.

Most students in Britain in full-time higher education depend wholly or in part upon parental contributions. That creates a burden for parents, some of whom are unable or unwilling to meet the demands. As a result, about one third of all students who need the help of parental contributions do not receive it. In some cases the shortfall is considerable. The proposals try gradually to remove much of the burden from some parents and ensure that students have far greater control of their own resources. Making a loan available at a new rate of interest ensures that students have the money which for many would not have been forthcoming from parents and which they would have had to borrow. That money would have been interest bearing.

It is significant that the proposed size of the loan, at least in the initial stages, although relatively modest at about £420 a year, is probably still higher than the average overdraft run up by students over the course of an academic year. Therefore, the average student will be a net beneficiary under the Government scheme.

As I have said, parents will also benefit, the locus of responsibility shifting from the sometimes unwilling parents to the consumers of education. The education system and society generally will also benefit. The consequence of the second principal reason for the change is that students will appreciate education far more. The problem with the existing system of automatic grants is that it is overgenerous. Bright students in secondary education know that the grant is automatic. A smooth passage from sixth form to university or polytechnic, courtesy of the state, is taken for granted and hence higher education tends to be taken for granted.

At the end of the day the students graduate, but in the process they are far less demanding of the system than their counterparts in other countries. Elsewhere it is far more common for students to have to bear part or all of the cost of their education. As a result, they take education far more seriously and demand more from it. They also apply themselves with more vigour to their work. After all, it is their own money that they are spending to obtain a good education. Who is likely to want to pay for that out of his own pocket only to achieve a poor result at the end of three or four years in higher education?

I have already effectively dealt with some of the arguments against the system. Relative to many countries, the system of loans proposed is generous. In both the long and short terms students will not suffer. The loan will enable them to achieve a good education and potentially, for the reasons that I have given, an even better education than they can obtain at present. That will enable them to get good jobs.

We are currently in a period of demographic downturn, and commerce and industry are competing vigorously to attract students. Increasingly a degree will become a passport to a good and well-paid job. Students know that when they apply and will have no worries about repaying a loan. After all, it is a modest loan at privileged rates when they have graduated. The prospect of a good job is likely to draw students into higher education from working-class and middle-class backgrounds. I see no grounds for suggesting that it will work against working-class students. In so far as students from working-class families are discouraged from going to a university or polytechnic, the constraint is essentially cultural. As far as money is relevant, it is in terms of the attraction of achieving an immediate money-generating job and not in terms of the cost of higher education.

For graduates who go into important but low-paid vocations, the loan repayments can be deferred and in some cases written off. There is, thus, no discouragement for those who continue to enter low-paid occupations. I find little force in the arguments against the loan proposals. They are weak and the arguments in favour of loans are convincing.

Could the proposals be improved? The one modest suggestion that I have is that there should be a bigger differential between home students and those who come from some distance. Under the proposals, undergraduates may be tempted to reduce their cost of living at home and attend a home town university or polytechnic. That is not necessarily desirable in terms of encouraging greater independence and responsibility. In many cases it may not even be possible.

Of course, there may be geographical factors and for many students there is no nearby university or polytechnic and increasingly we are likely to see more specialisation in education. With the greater emphasis on centres of excellence which the Government have encouraged, there is a greater likelihood that students will have to travel some distance to attend the most appropriate seat of learning. Some account must be taken of their learning needs. That can best be done through a greater loan facility and I hope that the Minister will consider such a

[Mr. David Evans]

differential. That would improve what is already a good scheme and one which in principle has my wholehearted support.

12.26 pm

Mrs. Margaret Ewing (Moray): I hope that the speech by the hon. Member for Welwyn Hatfield (Mr. Evans) will be read not only by existing and aspiring students, but by everyone who is interested in education. I found quite horrifying the bias and prejudice in that speech. That was greatly against the philosophy of the debate, which was evident even in Opposition speeches, because we have addressed the issue of student finance and higher education finance. It does not help the debate one whit to hear such bias and prejudice being put forward in such a manner.

The idea that a student does not appreciate his responsibility or the value of money is ludicrous. I lived on a student grant and I can assure the hon. Member for Welwyn Hatfield that every student knows about value for money and accepts his responsibility by working during vacations and at weekends to try to supplement the grant. My generation was slightly more fortunate than the present one in that at least we had job opportunities in the summer months.

I endorse the comments of other Opposition Members about the failure of the Scottish Office to have a representative here and about the absence of Scottish Conservative Back Benchers. Perhaps when the Minister is winding up, he will tell us whether an invitation was extended to the Scottish Office, or whether Ministers there showed any interest in the fact that the debate was taking place. We knew about this debate about three months ago and there is no excuse for any hon. Member not keeping a space in his diary in order to be present. It is a tragedy that they are not here today.

No doubt, the Under-Secretary will use as one of his arguments that the Department of Education and Science has responsibility for universities in Scotland. That is one of the tragedies that we have to face up to in Scottish education. The recommendation of the Scottish Tertiary Education Advisory Council, that the Scottish universities should be brought more effectively into line with the rest of the Scottish education system, should have been accepted. As a matter of courtesy, Scottish Members and Ministers should have been present. Certain aspects of higher education come under the auspices of the Secretary of State for Scotland, and he attached his name to the White Paper.

I am sorry that the Secretary of State for Education and Science is not here because, through my maiden name, I belong to the clan MacGregor. We must come from different sects of that clan because we come to the debate from different ideological approaches. The concept of universality of access to education at primary and secondary schools should be extended to tertiary education, by ensuring that the funding is there to allow people that direct access.

Underpinning the debate is the issue of times and circumstances. There are generation gaps. I am the child of one of the 5 per cent. of unskilled manual labourers, who went to university in the 1960s as part of the post-war bulge, which resulted in that wonderful headline, "The bulge goes to university." The times and circumstances were such as to enable children such as me to have, for the first time, the opportunity of university education. When I think of my parents' generation, I realise that the skills, talents, abilities and intelligence that they had was never allowed to come to fruition because they had to leave school at the first opportunity, usually to supplement meagre incomes. The tragedy is that that was a loss not just to the individuals but to the common weal, because they could not bring their developed talents into play in advancing our society.

The White Paper contains a disincentive to children from the lower socio-economic groups that will prevent them from entering higher education. My father, as a farm worker, would never have contemplated allowing me to go to university if that had meant taking out a loan. Debts and loans are still alien to huge sections of the working class. They are not people who run around with credit cards and have vast overdrafts. They try desperately to make ends meet, and have a tradition of independence.

We have heard that there is a decrease in the numbers entering university and higher education institutions as a result of the devaluation of grants, housing benefit cuts and, in Scotland, the poll tax contributions, all of which are making it more difficult for people from lower socio-economic groups to take advantage of education. We are not talking about top-up loans. If we were talking about such a facility being made available, at some point, to students, it would be a different matter. Instead, we are talking about a system that will eventually replace the grants system—the very system that extended access to education to people such as me. The proposals in the White Paper will take us back to the times and circumstances before the grants system and we should resist that with vigour and energy.

Much has been made of the 250 jobs that will be created in Glasgow as a result of these proposals. However, these jobs pale into insignificance when we see the impact of cuts on our universities—the closure of departments at Aberdeen, the redundancies of academic staff, the threat to the veterinary college in Glasgow and the closure of the dental school in Edinburgh. The 250 jobs at Glasgow are no compensation for the way that our university system has been undermined by severe cuts in financing and research grants.

The White Paper has implications for the four-year honours degree course, and this has concerned all hon. Members representing Scottish constituencies. It would be useful if those hon. Members who do not know about the Scottish education system understood why we have a four-year honours degree system. We have always believed that education should be a broad rather than a narrow experience and in high school, youngsters take several highers rather than one or two A-levels. The university system is built on top of our schools system and results in a broad-based degree, with little early specialisation. As a result, students at Scottish universities can switch in the middle of their degree courses and still complete their degree course within three or four years. The hon. Member for Stirling (Mr. Forsyth) should be here because he benefited from that at Saint Andrews. He started off taking one degree and switched to another subject—presumably in privatisation, at which he seems to be an expert.

The very breadth of our degree course enables that facility to change. Furthermore, it is much more compatible with the degree courses of our European

counterparts. At a time when we should be mindful of the European dimension in education, we should take cognisance of how close the Scottish education system is to the systems that are applied elsewhere in Europe. I believe that many students south of the border would benefit from many of our ideas.

The Government's proposed scheme would lead to severe financial difficulties for Scottish students. The illustration in the White Paper shows a student commencing a degree course in 1990 and graduating after three years with a debt of £1,438. On the same projection, a Scottish degree student commencing his course in the same year but not finishing it until a year later would have a debt of £2,161. That is a difference of nearly 50 per cent. That would result in pressure for curtailing the length of Scottish courses, and we in Scotland would resist that strongly. When Principal McNicol of Aberdeen university suggested that one way of dealing with the severe cuts being experienced by the university would be to curtail the four-year honours degree, there was outrage throughout the country. The suggestion was condemned and rejected. We do not want to see the breadth of our Scottish education system being curtailed as a result of financial pressures.

It should be remembered that the funding council stated that institutions running shorter courses and thus increasing the throughput of students should be rewarded with extra funding. That sounds ominous for Scottish degrees.

We are arguing not only about the pound in the students' pocket, although that is an important feature in the debate. We are arguing also about how universities and institutes of higher education are funded and how best the traditions of our universities can be preserved and enhanced.

We are all aware of the money that is available to the Government. North sea oil revenues have already been mentioned, but I would describe them as Scottish revenues. It was ludicrous that Aberdeen university, the oil capital of Europe, was having to close departments because the Government would not fund them. Political decisions will decide what are to be our spending priorities, and the priorities of the Scottish National party and of Plaid Cymru are very different from those of the Government. The Government seem to prefer to spend on Tridents rather than to ensure that we have a decent education system.

12.38 pm

Mr. Mark Wolfson (Sevenoaks): I support the principle of the scheme in general but I want to raise several issues with my ministerial colleagues. I agree that there may be some risk in the areas of uptake in the scheme that we are suggesting, but I believe that it is a proper and balanced risk which it is right for the Government to advocate to the long-term benefit of higher education.

Many of the fears that have been voiced today are exaggerated. I regret that the hon. Member for Southwark and Bermondsey (Mr. Hughes) is no longer in his place. The hon. Gentleman talked of the sacrifice that students make to go to university. I suggest that that is an emotive and inaccurate description. Students are taking a conscious choice to use an opportunity and are not making a sacrifice. I believe that my view would be borne out during a conversation with any student who is participating in university education, irrespective of his or her financial circumstances. Students recognise university education as an opportunity. Most of them enjoy it enormously and see benefits flowing from it in the opportunities that it offers them for later careers.

Concerns were expressed equally clearly and fully by university administrations when we were talking about overseas students' fees several years ago. The Government proposals were resisted root and branch, but the results have been nothing like as disturbing as the university people suggested at the time.

As other hon. Members have said, the present position is unsatisfactory. It begins with the problem of those who do not stay at school long enough to receive sixth-form education. Sufficient numbers will not be staying on at school, which is an area where one of the problems facing increased intake to universities may occur. That problem must be firmly and continuously addressed.

There is a need for students from a wider range of what I call the socio-economic groups to be attracted to higher education. All universities want that, and especially Oxford and Cambridge which have that as a firm policy. I believe that their resistance to the Government's proposals is based on an erroneous view. The current parental contribution is a continuing problem for students, especially those who do not have a university background within the family. The Government's scheme will give many of them a greater opportunity because they can make a conscious decision to manage their own affairs.

I do not think that loans, in themselves, are bad—and neither does the Government's scheme propose to remove grants. The subject of today's debate is top-up loans; it is not a change from grants to loans. That is of fundamental importance. There are those who will say that it is the thin end of the wedge and that, ultimately, there will be no grants, only loans. That is an erroneous view——

Mr. Jackson: I am intervening in my hon. Friend's excellent speech to confirm that the Government's proposal is to move to a 50-50 grant-loan system. It is the sort of system now evolving in other countries, which are moving from loans to a mix of grant and loan on a 50-50 basis. We are moving from a grant-only system to a 50-50 mixed grant-loan system.

Mr. Wolfson: I thank my hon. Friend for confirming my point and for putting a figure upon it.

Another matter that has not been aired this morning by those arguing against the system in total is the continuing scope for students to take vacation work, which could help to limit the extent of the loan that they require and help them to repay it rapidly when they finish university and before they take long-term employment. I am not skating around the issue and trying to pretend that that is an easy solution for all students, but my experience of a wide range of students is that there is an acceptance of and a readiness to take vacation work. Many do so, but many others do not.

Students are not living on the poverty line. Indeed, some of them are much better off than others because of their ability, initiative, energy or, perhaps, luck in finding vacation work. Of course, some may find it difficult to do so, but such work is available and it would not necessarily be bad to pressure students to seek such work.

I ask my right hon. and hon. Friends whether, in their total view of university funding, they will continue to pay

[Mr. Wolfson]

proper attention to how student costs for maintenance are incurred. It is clear that the opportunity for students to live in college or hostel accommodation has a direct bearing on the costs that must be met for maintenance. There is a need for universities to increase the provision of hostel accommodation for those wishing to use it. The burden on student budgets rises dramatically when they have to live out. Many universities allow them to live in their hostels for only one year. I hope that my hon. Friend the Minister will comment on that point, because it bears directly on the ultimate amount of money that a student needs to survive his university education.

It is important to remain acutely aware of the differentials by area of student costs, which I hope Ministers will continue to bear carefully in mind. I acknowledge the point made by those who oppose the scheme that the simultaneous loss of other student benefits requires careful monitoring of student incomes and costs.

I have some sympathy with those who voice their uneasiness in respect of students wishing to enter lower-paid careers but who nevertheless require a university education as a qualification for those careers —such as those in the paramedical field, including physiotherapy and radiography. Although such careers offer relatively low salary levels, one needs a higher standard of education to enter them. Mention has also been made of doctors, and the response from my right hon. and hon. Friends on the Front Bench so far has been that the students concerned will ultimately enter highly paid professions. That may be so, but the training required for them is lengthy, as it is for veterinary surgeons, and attention must be paid to avoiding the danger of the scheme acting as a disincentive to entering professions that are essential to the wellbeing of the country.

By comparison, companies in certain sectors of the British economy are very ready to offer not only high salaries to university graduates but even golden hellos, so that those new employees can often wipe off a large debt on the day that they start work. Ministers must be aware of the kind of competition that such arrangements create.

I turn finally to the scheme's administration. I share the concern about it that has been voiced, particularly by my hon. Friend the Member for Leeds, North-West (Dr. Hampson). For a Conservative Government, we appear to be getting ourselves into a very strange situation. We are utilising public money to establish a quango for the purpose of administering a loan scheme when currently, as many other hon. Members pointed out, the banks administer such loans as part of their normal business. I ask both my hon. Friend the Under-Secretary of State and particularly my right hon. Friend the Secretary of State, with his extensive City background and financial knowledge, to bring ingenuity and new ideas to bear in rethinking the scheme's administration, which is not as simple, inexpensive or effective as it ought to be. We should surely use the private sector to do that work, as it is similar to schemes that it already operates.

I support the scheme in principle. I believe that it is the right and proper way forward, but I hope that the points I have made will be given careful consideration.

12.48 pm

Mr. Andrew F. Bennett (Denton and Reddish): The main tenor of Conservative Members speeches has been that, although they are in favour of student loans in principle, they are not in favour of the proposed scheme. The evidence of the debates on loans over the past four or five years is that a scheme can be devised that will be attractive to certain groups of people. The amazing thing is that the Government have designed one that is attractive to nobody.

The only reason for the scheme that one can see is that it solves certain social security problems and adheres to the Government's ideological commitment to the belief that students will only value higher education if they have to take out a mortgage to receive it. That is an appalling state of affairs.

When the Secretary of State opened the debate, he went straight into the argument about people not valuing higher education unless they made some investment in it. That is absolute nonsense. People make an investment from the second or third year at secondary school in the amount of time and effort that they put into their studies. From the age of 16 they make a considerable financial sacrifice because those with good exam results know perfectly well that they could get well-paid jobs, but they choose to stay on at school and in many cases are worse off.

The present level of student grant means that most students have to make sacrifices. To assume that they will value higher education more if they have to take out a mortgage for it is absolutely apalling.

The hon. Member for Brent, North (Sir R. Boyson) referred to student unions. It was a very neat manoeuvre by the Government last year to announce a review of student unions. It was really a warning: "Be very careful, don't make a fuss about loans or we may clobber you with both of them." I was pleased that the Minister announced that, because of procedural problems, he has backed off from that.

I should like an absolute assurance in the winding-up speech that, when the Government draw up the title for the Bill on loans they will make sure that there cannot be a Back-Bench amendment about membership of the National Union of Students. We saw the way in which a Minister was mugged in the middle of consideration of a Bill, and most student unions fear that that is what will happen here.

I am amazed at the way in which the proposed Bill has been put together. The previous Secretary of State and the Under-Secretary of State could have come up with a loan scheme that would have been of some advantage to somebody. The only people who they have pleased are the Prime Minister, with her loan ideology, and the Department of Social Security.

The only real benefit of the scheme will be that students, instead of going to the Department of Social Security for help, will have to apply for loans. That is the only change that will take place in the lifetime of this Government.

Why do the Government want to get people out of the Department of Social Security? Because students are not subservient when they go to claim benefits. They go in believing that they are demanding a right. Therefore, it is convenient for the Department to chase students out and stop them claiming benefits. Students sometimes give advice to other people in benefit offices, and make a fuss when things are not done properly. The one gain for the

Government is that they will push students out of benefit offices. There is nothing in it for students, as they will not get an extra penny in their pockets as a result of this proposal. All they will get is a mortgage.

The Government keep saying that we cannot have a graduate tax because that would put up earnings, but they must be very naive if they do not think that some of the big accounting firms are not already preparing to recruit students saying, "We'll make sure that we meet your repayments of any loans."

I suspect that one of the reasons why the Department of Education and Science likes the scheme is that, if it wants to attract people into teaching, it would be possible for the Government to say that they would write off the loans of the students they recruit.

Because of the shortage of graduates, an increasing number of employers will put up their costs to write off the loans of students they recruit, but the loans of students who go into more socially adventurous areas will not be written off.

If the Minister wants to understand the problems caused by a loans scheme, he should look at the situation in the United States. Time after time, articles in the American press menion the problems. One reported huge losses put United States loan scheme at risk. Another reported a $2 billion deficit and a third wrote, "Bankers 1, Students 0."

When it comes to sorting out the problems in the United States scheme, it is the bankers who have the power, not the students, and today's students have to pay for today's defaulters. That is an appalling situation.

The Government have been praying in aid the fact that the Germans have a loan scheme, yet clear evidence is emerging that as a result of the loan scheme in West Germany working-class youngsters have been put at a serious disadvantage. The Under-Secretary of State is shaking his head. Perhaps he can refute the article in *The Times Educational Supplement* of 13 October. Perhaps the publication got it wrong.

Mr. Jackson: I can certainly assure the hon. Gentleman that the proportion of working-class students in German universities has risen from 16 per cent. to 18 per cent. in the past five years.

Mr. Bennett: Let me quote the article, then:

"Working class families have been at a severe disadvantage since West Germany went over to a total loan system in 1982, a new survey has shown. Whereas demand for higher education has risen considerably among almost all groups of society, students from low-income groups are still under-represented in higher education."

Evidence from other countries, too, shows that the participation rate is nothing like as high as one would wish.

This squalid loan system is an appalling waste of parliamentary time. The Government should be addressing the real problems of higher education. They should be attracting more people into higher education. There is nothing in the proposal to achieve that. They should be addressing the question of access for mature students. There is nothing in the loan scheme that is attractive to them. The Government should be addressing the problems of funding higher education, as well as the appalling drain of academics and the difficulty of recruiting them. None of those matters is addressed in the loan scheme. It is irrelevant to the needs of the nation, and the Government should scrap it now and start to address the real problems of higher education.

12.56 pm

Mr. Anthony Nelson (Chichester): I have grave misgivings about the scheme, although, strangely, I find myself wholly disagreeing with the hon. Member for Denton and Reddish (Mr. Bennett). I did not find any of the arguments that he adduced persuasive, although I shall make some critical comments about the White Paper.

I welcome the debate, albeit late in the Session. I believe that my right hon. Friend the Secretary of State and my hon. Friend the Under-Secretary of State have come to the debate with an open mind, that they will listen sincerely to what is said on both sides of the House and that our comments will be translated into changes in any measures that are introduced. At this stage, the Government have an obligation to slow the pace of reformative legislation and to be concerned about the extent to which major reforms will upset an important constituency of future voters and those who will make major contributions to our economy in years to come.

The Government should look forward, rather than backward to the progenitors of these ideas. I cannot help but feel that the ghost of Keith Joseph stalks us in the proposals. We do not yet have a voucher system and we have not yet tackled tuition grants. But after years of trying to introduce a scheme such as this and assessing that there was not the necessary political backing, the Government have finally placed a proposal before us. It was Keith Joseph who started the process. His proposals did not enjoy majority support on the Conservative Benches at the time and I predict that if the Government seek to introduce proposals such as those outlined in the White Paper and today, those proposals will have a most difficult passage through the House. The Government, whom we support, would be wise to listen to the concerns and criticisms of those who wish them well and who have a common interest in seeking better access to, and great improvements in, our system of higher education.

Let me outline my principal misgivings. First, the arguments about access are, quite simply, bogus. Secondly, I believe that, far from helping poorer people to gain access to higher education, the scheme will amount to an indiscriminate subsidy to the middle classes who need it least. Thirdly, the problem should not be seen in isolation from wider questions concerning future funding of higher education—in particular, the future funding of tuition grants—and the numbers we expect and hope to enter further education.

Like many hon. Members, including my hon. Friend the Member for Sevenoaks (Mr. Wolfson), I have serious reservations about proceeding with a scheme which does not enjoy the administrative backing of the banks which administer most of the finance for young people. It is a sad reflection on the admittedly substantial progress in education in post-war years that only 15 per cent. of young people enter further education. Of those, a much smaller percentage enter degree-level further education than is the case in the countries of our principal industrial competitors worldwide.

It is an even greater concern that only about 7 per cent. of the children of manual workers in this country enter further education. Therefore the sentiments behind the

[Mr. Anthony Nelson]

Government's proposals are, I am sure, quite right in seeking to improve access and participation in higher education. However, like my hon. Friends the Members for Leeds, North-West (Dr. Hampson) and for Cambridge (Mr. Rhodes James), I do not see the link between introducing a loan facility and substantially improving the access of young people to the university system, which is particularly important for the least well off.

Let us consider a middle-class student in years to come. As I understand it, under the proposals a loan facility will be given regardless of income. Unlike the grant, which will be means tested, the loan will be available for all. Plenty of students and families have substantial resources and can afford to go to university. Such a student will have a real incentive to borrow as much as he can interest-free and deposit that money in a building society. He will earn interest and maintain his capital sum which he can repay at the end of the course. On current rates of interest, a student will earn £243 over the three years even on the basic rate of grant. When the loans move up to equate with the level of gross grant and contribution a student could earn £1,423 net at 10 per cent. interest over the three years. He will be able to pay back all the money that he has borrowed and have that sum net. That is a substantial sum.

I do not want to be told that people will not do that. I have a young family who I hope will go to university. I will not tell them to look such a gift horse in the mouth. However, is that a sensible use of taxpayers' money? I believe that it is not. If the grant system is means tested, logically the loans system should be means tested too. If that were the case, the Government would be able to target limited resources of taxpayers' money on those most in need, as they are doing in other areas. I could live with a loan system if it were means tested. By means testing and not subsidising the more wealthy middle classes, money could be spent to improve the quality of our higher education system and on improving, in real terms, the value of the student grant.

I have a more fundamental objection to the proposals. When these proposals were first mooted, I went to see my hon. Friend the Member for Wantage (Mr. Jackson), the Under-Secretary of State for Education and Science, to ask him to think again. I asked him whether it was worth the political candle and whether it would bring about benefits and changes. I asked him whether, if the cost saving turns out to be a cost increase, the proposals will be worth the problems that he will encounter in the House and elsewhere.

I hope that my hon. Friend the Under-Secretary of State will not consider me to be romantically nostalgic, but, like my hon. Friend the Member for Cambridge, I believe that we all have an obligation to remember how lucky we were to benefit from university grants. We have an obligation to do at least as well for the next generation. It cannot be right to be considering proposals in isolation which will substantially undermine that.

When we consider investment in higher education, we must remember that there is a fundamental difference between maintenance and tuition. It does not make good sense to borrow money for day-to-day living expenses. A stronger case could be made for introducing loans if students or their families had to pay some of the tuition costs. Tuition costs represent the investment side of education. Students can see that they will gain great benefits from their tuition in the years to come. While I understand that tuition and maintenance cannot be considered separately, it cannot be a good principle officially to sponsor young people to incur debt simply to pay their living expenses. The Conservative party should not be the progenitor of that way forward.

I sincerely hope that the Secretary of State and his Ministers will think carefully about the case for the legislation and about some of the positive proposals put forward to improve it. First, we must have an assurance that Government responsibility to fund tuition fees will not be undermined in future. Secondly, access funds should be larger. The amounts proposed in the White Paper seem to be small. As moneys expended from the funds will be on a discretionary basis they should not be limited to the relatively small sums proposed for helping to resolve some of the serious problems of those on the lowest incomes in higher education.

Thirdly, the Government should reconsider means testing so that, as in other areas of social policy, we insist that help goes to those most in need and thus make a genuine contribution to improving access to higher education.

1.7 pm

Mr. George Galloway (Glasgow, Hillhead): The hon. Member for Chichester (Mr. Nelson) made a splendid speech and the whole House is grateful to him for giving us the benefit of his experience as a merchant banker and bringing to bear some of the more salient fiscal facts of life. I have long since abandoned hope that the Government will listen to moral or principled arguments. If they are not persuaded by the hard pounds, shillings and pence of the hon. Member for Chichester I fear that they will never be persuaded about anything.

The Secretary of State opened the debate by saying that he knew nothing of the nervousness from which the Government are reported to be suffering as a result of the reception that these plans have received. If, from his period as a Scot, he remembers the motto of Duncan McCrae:

"D'ye ken noo?"

does he now understand why he should be nervous about the reception that the plans have received? I have listened to every Tory Member who has spoken. The fulsome support of the hon. Member for Welwyn Hatfield (Mr. Evans) was a mixed blessing. Sometimes on a Saturday afternoon I have occasion to be grateful to him so I had better be careful. Only he supported unequivocally the Government plans. That was rather like the rope supporting the hanging man.

The hon. Member for Leeds, North-West (Dr. Hampson) has remarked in the newspapers that the Government are getting themselves into a poll tax scenario. The hon. Member for Cambridge (Mr. Rhodes James) put forward the extremely principled and intelligent argument that trained intelligence is important. Indeed, every Conservative Member who has spoken seems to have the most profound misgivings about the Government's proposals.

The Government have made a U-turn on this question before. One part of me, while I am speaking about ropes and hanging, hopes that the Government will proceed with the scheme because it will be another nail in their coffin. However, as an hon. Member representing more students

than any other Scottish Member—Glasgow university, parts of Strathclyde university and many colleges are in my constituency—I believe that the proposals will cause too much suffering for us to allow them to pass without vigorous opposition.

It has been said before—and it is important to repeat it—that it is a disgrace that not a single Scottish Tory Member is present for the debate, even though we have had three months' notice of it. Not a single Scottish Minister or Tory Member has seen fit even to hear the Government's case, let alone defend it. As the Tory party has recently touched bottom—16 per cent.—in the Scottish opinion polls, Conservative Members are not prepared to turn up to defend the indefensible.

There is a cynical, cheap-jack move to locate 250 loan shark jobs in Glasgow. They will probably be in my constituency. Heaven knows we are grateful for any jobs, even if they are 250 loan shark jobs. I wonder how many will be Glasgow loan sharks. How many will be eastenders in sheepskin coats battering people's doors trying to get money? Blood money will cut little ice in Scottish public opinion. Perhaps the Tories have not yet reached bottom in the Scottish opinion polls.

I have often said that the Government know the price of everything and the value of nothing. Having heard the arguments of the hon. Member for Chichester and having read what I have read, I believe that we have now reached the almost unbelievable pass at which the Government know neither the price nor the value of anything. The financial arguments against the scheme—they have been well deployed and time does not permit me to add to them—are overwhelming.

I have never been a student. I speak only as someone who represents students. I do not recognise the life of a student as described by the hon. Member for Welwyn Hatfield. He said that a student grant scheme is not only generous but overgenerous. That is truly mind-boggling. Students come to my surgery every week, including my surgery on the campus. Students simply cannot make ends meet. If they are making ends meet, they are doing so only by getting further and further into debt.

There is already a student loans scheme. It is called bank overdrafts, bank loans, and loans from parents. Some Conservative Members talk as though the poll tax is only on the horizon in Scotland. It is already in place. With the poll tax and other housing regulations, other gentlemen in sheepskin coats—private landlords—have been unleashed on the student population in the west of Glasgow and elsewhere. There are mounting problems in the everyday lives of students. Of course ultra-high interest rates are already punishing students who have overdrafts or store credit cards. That is the means by which students buy clothes. They are up to their ears in debt with Top Shop, Burton and Top Man, and they are paying 35 to 40 per cent. interest on that indebtedness. Some are getting money or support in kind from their parents who are now suffering under the Government's high interest regime. As parents struggle to pay their mortgages, hire purchase commitments and other debts, there is nothing left for their student children.

I must leave to catch a train, so I apologise to the Secretary of State and to the Minister for not being able to remain much longer.

The hon. Member for Welwyn Hatfield gave the game away when he said that the real reason for these proposals is to force a change in student attitudes—a kind of cold bath, short-sharp-shock treatment for the nation's students. The Government think that, somehow, a cold bath will be good for them and that they might place a higher value on their education. That is an offensive argument. The Secretary of State also gave the game away when he repeatedly talked of higher and further education being a means by which students invest in their own future.

I advise the Secretary of State that the state is investing in the nation's future when it spends money on education. However, the Government's attitude is typical, given that they believe, in the words of the Prime Minister, that "There is no such thing as society, only individuals and families." It is clear how the Tories have come to see education through that distorted prism.

I believe that the Government not only should but probably will think again on this matter. Having tested the water of this cold bath, they have found the reception frosty. I hope that we will hear little more of this measure in the months to come.

1.15 pm

Mr. James Pawsey (Rugby and Kenilworth): It is interesting to follow the hon. Member for Glasgow, Hillhead (Mr. Galloway) because he and I have at least one thing in common—neither of us was a student. I was however, interested in some of his comments on student poverty. An excellent local newspaper, the *Coventry Evening Telegraph*, has stated:

"Students started a five-month protest when they were told that those living on campus would not be able to use their cars there from the beginning of this month . . . About 3,000 students live in campus. Last year more than 650 had cars."

I do not object to the principle of students running motor cars. Indeed, I say "good luck" to them—but I do ask whether it is right to call upon the taxpayers to part-fund those same motor cars.

I wish to refer to the remarks of the hon. Member for Blackburn (Mr. Straw) and to an intervention in his speech by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh). My hon. Friend asked a specific question to which the hon. Member for Blackburn did not respond in his customary frank way. My hon. Friend asked about Labour's proposals in this area and what they would cost. The hon. Member for Blackburn replied, "We will keep the grants system." Therefore, I must ask the hon. Gentleman, at what level would he maintain the grants system? Will there be an uprating for inflation, or is it intended that the system will gradually erode without the comfort of a loans system? If the hon. Member for Blackburn wishes me to give way on this point, I shall be happy to do so.

Mr. Straw: Obviously, it is implicit—it was explicit in the policy review—that, in keeping the grants system, we aim to maintain its real value and, as resources allow, to restore the loss of grant that has been suffered under this Government, not under the previous Labour Government. Contrary to what the Secretary of State said, despite the economic difficulties of the last Labour Government, the grant's real value was then restored, whereas it has been cut by 23 per cent. under this Government.

Mr. Pawsey: Is the hon. Gentleman saying that he would increase the value of the grant by the amount that he says has been taken from it? Will he put a figure on what he believes that that will cost? Again, I shall give way if the hon. Gentleman wishes to intervene, but obviously he has

[Mr. Pawsey]

said enough. People outside the House will be able to draw their own conclusions from the silence of the hon. Gentleman.

I offer my congratulations to my right hon. Friend on his appointment as Secretary of State for Education and Science. He will take the transition from sheep to science and from agriculture to the arts entirely in his stride.

I subscribe to the view that has been expressed by some of my hon. Friends that student support in the United Kingdom is among the most generous in the western world, but despite that only 32 per cent. of the target group enter higher education. That is a smaller proportion than in many other European countries. Top-up loans will increase access to advanced education by reducing dependence on the taxpayer and by introducing an element of new money. Surely no hon. Member can doubt that there can be a limit to the number of students that the taxpayer can afford to support on the present grant-only basis.

Incidentally, the NUS seems to be inhabiting a Peter Pan world if it believes that an additional £100 million can be found by taxpayers to restore the level of grant to the 1978-79 figure. Surely the NUS must be aware that, as the Prime Minister has said on a number of occasions, Governments do not have funds of their own; they have only the funds that are given to them by the taxpayer. I cannot see why taxpayers should be expected to be soaked for every single student penny.

Mr. Straw: The hon. Gentleman is complaining about the NUS demand to spend £1 billion to restore the value of the grant, but what about the £1 billion plus that the loan scheme will cost?

Mr. Pawsey: I believe that the hon. Gentleman will find the answer as my speech develops.

Many students will be able to take advantage of one of the three access funds that will be administered by the institutions. Those funds will total about £15 million. I told my right hon. Friend's predecessor, however, that £15 million is grossly inadequate. I urge my right hon. Friend to make further representations to the Treasury so that the figure may be increased. My hon. Friend the Member for Leeds, North-West (Dr. Hampson) may have given us a lead when he said that a modest interest charge of between 2 and 3 per cent. should be imposed. The proceeds from such interest repayments could then be used to increase the amount of access funds. I am convinced that there will be hardship unless we substantially increase the three access funds. I hope that my right hon. Friend will forgive me for returning to that specific point.

The top-up loan of £420 will be available to virtually all full-time home students in higher education, the exception, of course, being postgraduates. It is fallacious to argue, as Opposition Members have done, that a large measure of taxpayers' support is necessary to guarantee student admission to advanced education. I underline that point by using the very argument advanced by the NUS and the Opposition that since 1979 the real value of student grants has fallen by 10 per cent.—I know that the hon. Member for Blackburn may argue that it has fallen by 23 per cent. If we stick with the hon. Gentleman's larger figure, he will find that he is arguing my case. Despite the real fall in the value of the grant, the number of students has increased by 200,000. I am anxious that the Opposition should take that argument on board.

Mr. Straw: The hon. Gentleman knows that university student numbers have barely moved in the past 10 years and that polytechnic student numbers have increased by 70,000. That does not make 200,000 full-time students in receipt of mandatory awards.

Mr. Pawsey: The full-time equivalent is 200,000.

Mr. Straw: No, it is not.

Mr. Pawsey: Yes, it is. I fear that we cannot continue to have this argument across the Dispatch Box.

The percentage of 18 and 19-year-olds in higher education has increased from less than 13 per cent. to more than 14 per cent. There is no case to answer when one argues that the reduction in grant equals a reduction in student numbers. That is demonstrably untrue.

Another reason for introducing top-up loans is the number of 18-year-olds now entering higher education. Hon. Members will recall that just two years ago it was predicted that one in five 18-year-olds would go into higher education. It is now agreed that by the year 2000 that figure will be much nearer one in four. Furthermore, the proportion of students qualified to enter higher education will continue to increase. That increase, more than anything else, helps to underline the success of the Government's policy to improve the quality and standard of state education. Because of that improved quality, more people are going on to higher education.

Hon. Members will also be aware that the number of pupils studying for A-levels has increased sharply from 21 per cent. of the age group in 1987-88 to 24 per cent. this year. That is a significant increase which contrasts strongly with previous forecasts which said that by the mid-1990s there would be a fall in student numbers. There has been a change and the numbers in universities on a full-time equivalent basis—which has some relevance to the point we were discussing a moment ago—will rise from 330,000 last year to well over 400,000 by the year 2000. That increase underlines the Government's strength and commitment to state education.

There is another reason to justify the introduction of top-up loans for students which was mentioned by my right hon. Friend the Secretary of State in his admirable opening speech. Most graduates expect to receive substantially higher remuneration than non-graduates. Since students benefit most from higher education, can it be either right or equitable that the tax paid by those leaving school at 16 and starting work at that age materially assists those attending university? Can it be fair or just that the non-graduate is called upon to subsidise the graduate?

To underline a point made in the Secretary of State's opening speech, economic analysis shows that graduates obtain a personal return of about 25 per cent. on their investment in higher education, whereas society's return is between 5 and 8 per cent.

Despite the existing system of grants, fewer students enter higher education in this country than in many other European countries. The position is even worse if we consider the number of young people who come from blue collar homes, who currently account for about 60 per cent.

of the population. They represent only 21 per cent. of university admissions, which is wrong. To some extent, the introduction of loans will help to remedy that imbalance.

Another reason for the introduction of top-up loans is that 35 per cent. of parents do not make the full parental contribution. Five of my sons went to institutions of higher education and I did not provide a contribution to the extent which I should have. Therefore, my sons, like so many others, had to make good the deficit in different ways, for example by borrowing.

The hon. Member for Hillhead said that students now borrowed at a commercial rate of interest. This system would provide loans at zero rate. That is a fundamental and basic difference which will be much appreciated by students. It seems extraordinary that students who are aged over 18 and old enough to vote should be dependent, at least to some extent, on their parents. That is unfair to both parties—students and parents alike.

We have heard it said in the debate that, as loans are introduced, social security benefits are being abolished. However, the facts do not always sustain the arguments put forward by Opposition Members. Loans will be available for all students. Currently, only half of all students receive social security benefits—which average about £300.

The great initiator, Beveridge, never foresaw the day when students would be beneficiaries of the social security system. As my right hon. Friend the Secretary of State said in his opening speech, many safeguards will be built into the system. Payments will be deferred for those who earn less than 85 per cent. of the national income, which is currently about £9,500 a year. Women who start families will not be required to repay loans until they start to earn. There will be no such thing as a negative dowry.

Opposition Members have said much about the substantial problems which might arise from defaulters. Other Conservative Members may share my surprise when I say that I was a little amused at the level of concern being expressed by Opposition Members about the profitability of the banks and the accountability of Government.

We have been reminded of the default position in the United States, but we have not been told the fundamental difference between that and what is proposed here. The United States has no general system for the deferment of payment when income is low; moreover; default occurs principally among those taking non-degree courses—courses that do not always improve employment prospects to any real extent. It should also be remembered that banks in the United States have found it relatively easy to create a default and then simply draw in the Government guarantee and seek a refund. That system will not operate here; indeed, it will be reversed, a positive incentive being offered to banks to get the money in. Incidentally, if we are to draw examples from the rest of the world, we should consider Socialist Scandinavia, where default rates are between 1 and 2 per cent.

I believe that a mixed system of loans and grants is fairer, representing both better value for the taxpayer and improved access to higher education.

1.31 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): I wish to confine my remarks to the short-term effects that the proposal will have—and, indeed, is having now. Arguments about the technicalities of the scheme, and its damaging effect on access to education, have already been well rehearsed by hon. Members on both sides of the House, Conservative Members should understand, however, that the shadow of the scheme is already having an impact on higher education. This year, student choice between courses, institutions and locations has been affected by the prospect, adding to the fear in the academic community that we are heading towards a two-tier education system, divided between a handful of glamorous, high-cost, high-delivery institutions and a raft of low-cost operations in low-cost areas.

Dame Elaine Kellett-Bowman: I am glad to know that Lancaster university figures among the glamorous institutions. It has experienced a massive increase in applications, which are going up every year.

Mr. Cousins: That is exactly my point. The Universities Central Council on Admissions and polytechnic clearing applications this year show a major shift in emphasis between institutions. It is precisely that change to which I am trying to draw attention. I shall not comment on the status of the hon. Lady's local university, which may well be a low-cost operation in a low-cost area.

Mr. Jackson: I think that the hon. Gentleman is scoring an own goal. Certainly recruitment to both universities and polytechnics is substantially up this year, and if he is arguing that that is attributable to the prospect of student loans he has produced a very useful argument for our side.

Mr. Cousins: The shift that I have described foreshadows the introduction of the loans scheme.

The short-term impact of the scheme will be highly concentrated. The general student population is itself concentrated in particular locations, but the student populations on whom the scheme will bear most heavily in the short term are still more concentrated. My constituency has a polytechnic and a university which together contain 12,500 undergraduates. More than 3,000 of those are mature students, students recruited through a special means of intake, or students who are on special courses designed to meet special needs. That important but fragile structure has been carefully built up over recent years and in it much of the exciting innovation in teaching is to be found. It is on that structure that the shadow of the loan scheme will be felt first. I ask the Minister to bear that in mind.

The hon. Member for Welwyn, Hatfield (Mr. Evans) said that students are very passive and take what is given to them because it is free. That is far from the case. Student expectations of courses and institutions are rising rapidly. With the introduction of the loans scheme students will rightly become far less patient about deficiencies in resources. The loans scheme will promote the introduction of tuition fee systems by higher education institutions, and those have been steadily condemned throughout the debate by Conservative Members. Such tuition fee income systems will be needed to meet deficiencies in provision that cannot otherwise be met.

In my city the polytechnic has had to reduce its expenditure on books by 20 per cent. of what it was four years ago. Student bodies faced with the introduction of loans systems will be far less patient about that kind of deficiency when this scheme begins to take effect.

Finally, we have the terrible impact on student communities of rising rents which are becoming an

[Mr. Cousins]

ever-increasing problem. There are difficulties about the availability, quality and cost of student accommodation and housing, whether it be, in the immortal words of a Conservative Member, in or out. That is a growing problem for students. Next year we shall see the withdrawal of housing benefit and the introduction of the poll tax and that will add greatly to these problems. Hon. Members with large numbers of student voters are already facing students who are asking us to approach their landlords about separating the rent and rate factors which are being brought together as part of the introduction of the poll tax and which students feel is a future deceit.

To those problems we must add the introduction of the loan scheme in September 1990 and the withdrawal of housing benefit at Easter—a recipe for considerable trouble and difficulty. One consequence may be that not a single constituency with a significant academic community will be represented by a Conservative Member. That will happen if the Government proceed with this scheme. From my point of view there are far less troublesome methods of achieving that object.

I ask Conservative Members to bear in mind the remarks by the hon. Member for Chichester (Mr. Nelson) who said that this was not the time in the liftime of the Government for great new and glamorous reforming projects. He is right. Night time comes upon the Government and it is not the time for great new and exciting dawn marches over difficult terrain. It is a time for hot toddies before bed. It is a time for early bed times and the Government should be thinking of showing their supporters a cosy huddle around a dying fire and not yet another great new project which will torpedo the base upon which the Government stand.

1.38 pm

Mr. Patrick Ground (Feltham and Heston): Both sides of the House appear to agree that the overwhelming bulk of expenditure on higher education—including tuition—should be borne by the Government. Even after this scheme is adopted, should it be so, that will be the case. I suspect that the majority of hon. Members also accept that the maintenance of students should be achieved not by the social security system but by a proper student support scheme administered by the Department of Education and Science.

For the actual concept of top-up loans—if they are to be correctly described as that—there has also been a considerable amount of support. The hon. Member for Fife, Central (Mr. McLeish) appeared to accept the validity of that concept, as did my hon. Friend the Member for Cambridge (Mr. Rhodes James), although he was otherwise opposed to these proposals. Provided that the amount of the loan is not too great, I suspect that most people would see the advantages that such a scheme would provide in dealing with the problem of unpaid parental contribution and with the myriad cases that are not adequately covered by the existing system. I agree with my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) that the access funds will have to be looked at, and almost certainly increased. I would not be surprised if they had to double.

The House divides on a point that is both interesting for the future of the scheme and important—the balance between grants and loans. I urge my right hon. Friend the new Secretary of State for Education and Science to give further thought to that balance. I went to university only because I received a 100 per cent. grant, and I believe that the scheme should not deter suitably motivated and qualified people, particularly those from families who are not well off and who have no previous experience of university education. It is also important that the balance of the scheme should be best calculated to attract additional resources into higher education and to achieve the object of self-reliance, as far as that can be achieved among students.

I believe that most good parents, whether they are well off or badly off, if they are able to choose, would not wish their children to finish their education saddled with debt, and if this is the attitude of a good parent, it should also be the attitude of an enlightened state. When students go to university, the future for them is, in many cases, uncertain. They are uncertain how they will finish up eventually, and it is better for them to decide what they will do in life as free as possible from the burdens of debt.

Account should be taken of the financial cost to students of going to university, and this has not been mentioned sufficiently, either in the White Paper or the speech of my right hon. Friend. By the age of 22, as compared with someone who went to work at 16 or 18, students are considerably worse off. I accept that they make the decision with their eyes open, and this is a thoroughly sensible decision, but they are making a personal financial contribution towards the cost of their further education.

Whatever my right hon. and hon. Friends in the Department of Education and Science say in these debates, I hope that, behind the scenes, in the discussions that they have with the Treasury, they will make it clear that if graduates earn more as a result of higher education—and that is by no means certain, because many would have earned large sums anyway—they will pay, in the course of their work by way of income tax, more to the Government. Therefore, there will be a financial reward for the Government. If they do not earn more as a result of higher education, the Department of Education and Science can fall back on the argument that was employed this morning that higher education benefits society as a whole.

Whatever the comparable figures tell us, the Department should consider the cost of benefits in kind in other European countries. I am familiar especially with France, Spain and Germany, which all have elaborate systems of subsidising students by means of cheap accommodation, cheap meals and many other direct benefits of that sort. I do not believe—indeed, the White Paper accepts this—that such benefits are taken fully into account when comparisons are made.

The Government have carried out an excellent exercise in investigating the welfare of old people. They have done so to ascertain how much we spend on direct benefits such as sheltered housing and meals on wheels. There is room for a similar exercise, in comparative terms, in the reverse direction that deals with benefits in kind in education in other European countries. Direct subsidies should be identified in the calculations.

Within the financial disciplines that my right hon. Friend the Secretary of State has outlined, I believe that the grant element in the scheme should be as large as possible. I follow the suggestion made by my right hon. Friend the Member for Brent, North (Sir R. Boyson) that

there should be some grants that constitute 100 per cent. of cost as a result of awards. The loan element should be as small as possible.

The White Paper tells us that the Government are open to suggestions for adaptation and replacement of provisions. I should like the Government to consider two changes. First, for those who are in receipt of maintenance grants, which are means tested, I should like there to be a cash option in lieu of a loan for those who do not wish to take up a loan. There is a substantial cost element in the administration of the loan scheme, and considerable cost over the period of the loan. If someone by his own efforts and initiative is able to do without a loan, there should be a financial reward for doing so. A cash option would take the student further towards the needs of his course without there being the need to take a loan. Secondly, I believe that universities should be encouraged by such means to provide more scholarships, in the way that they used to, to make it easier for people to take up work in the university, as is done in American universities.

For example, it is not sensible that students should have automatically to pay to have their beds made when at university. Some undergraduates are embarassed that they have to depend on someone for making their beds and must pay them for doing so. Changes could be made that would make life cheaper for students, and the univerisites should be encouraged to make them. Another option is the provision of part-time work.

I have referred to some of the benefits that might accrue from the provision of a cash option. Parents might be encouraged to contribute more if they thought that their children were getting benefit out of not taking up a loan. I hope that this consideration will be taken into account. It might be considered that it is a way of encouraging greater self-reliance, bringing more funds into the system and freeing young people from the burden of debt.

1.50 pm

Mr. Win Griffiths (Bridgend): Our debate today is, in some senses, pointless because most of the statistical information in the White Paper about the cost of the scheme is meaningless and suitable for consumption only at a mad hatter's tea party or a gathering of the Chancellor's economic forecasters.

Let us imagine that the proposed scheme began in 1966-67 and was based on the grant scheme at that time. Let us now take the assumptions in the White Paper, apply them to that time, and work out what would have happened over the next 20 years. The Government's scheme includes the hypothetical inflation assumption of 5 per cent., 3·5 per cent. and 3 per cent. thereafter. By 1986-87, each student would have required a loan of £172·05, and that loan would have been less than half of the Government grant. However, if we take the actual sum of money expended by the Government on the award scheme over the 20-year period, freeze the grant contribution in the first year—that is, 1967-68—and then top up the loan, by 1986-87 the student would have required a loan of £1,023·67. Let us take what happened to the retail prices index and top up the loan on that basis —by 1986-87 the student would have required a loan of £1,227·45.

Of course, the Government's scheme has a provision for a 50-50 split between grant and loan. In the real world of the 1970s and the 1980s, that provision would have come into effect in 1975-76. If those two components had been kept level until 1986-87, the student would have required a loan of £651 and the Government would have had to have pumped an additional £175 million into the grant scheme. If that was worked out on the RPI, the student loan would have been £729·37 and the Government would have had to have put an additional £220 million into the grant scheme.

If we take the hypothetical scheme proposed by the Government and measure it against the reality of Government expenditure on the student grant scheme or against the retail prices index over that 20-year period we see that the Government would have had to have spent an additional £400 million to £500 million. The House can write off the statistics in the White Paper; they are meaningless.

1.53 pm

Mr. Andrew Smith (Oxford, East): In the four hours of this debate, as in the 11 months that we have been waiting for it, many questions have been raised on both sides of the House that are crucial to the future of student support and, indeed, to the whole of higher education. Those questions deserve answers, but none have been given. As the hon. Member for Leeds, North-West (Dr. Hampson) said, the Government have been short on effective detail.

Such is the dogmatic drive of Ministers to have their scheme in place—for reasons that have everything to do with ideology and nothing to do with practicality or economy—the Secretary of State has had the nerve to come here and tell us nothing new, yet expect the House to take on trust a scheme which is so deeply flawed that it negates even the very purposes for which the Government claimed they were introducing it. The first purpose was supposed to be to reduce the cost of student support on the public purse. The former Secretary of State said that the whole essence of the scheme was

> "that the burden of student support on taxpayers and parents will be reduced."

The second stated aim was to increase access. The former Secretary of State said:

> "I confidently expect that the numbers in higher education, in polytechnics and universities will increase because of our proposals."—[*Official Report*, 9 November 1988; Vol. 140, c. 320.]

However, even the Minister conceded in a written answer that the cumulative cost to the taxpayer over the next 19 years will be £1·62 billion, and that defaults and deferrals will cost the public £4·2 billion by 2027.

The hon. Members for Leeds, North-West and for Sevenoaks (Mr. Wolfson) rightly pressed Ministers for details of the scheme's administrative costs, which are over and above the horrendous figures that I have already mentioned. The Government have become very secretive about how all the figures add up. In written non-answers this week, the Under-Secretary of State, the hon. Member for Wantage (Mr. Jackson) refused to reveal how the Government intend to reimburse the banks and how they will assess recurrent costs beyond 1995. He stated:

> "I cannot comment at this stage on matters which are subject to contractual negotiations. As we have made clear, the House will be informed of the major steps in the preparations for administration of the loans."—[*Official Report*, 17 October 1989; Vol. 158, c. 89.]

What about the details? What about the real costs? What about how they all add up? The reality is that the banks and building societies have the Government over a barrel,

[Mr. Andrew Smith]

because they were foolish enough to invest reckless amounts of political capital in the scheme before the financial institutions were made to sign on the dotted line.

The House rightly demands to be told when the full cost will be announced. I hope that the Minister, when he replies, will give a categorical assurance that those figures will be put before the House before the Second Reading of any legislation to give effect to the scheme. When will we be told the true interest subsidy costs? We have pressed the Government for those figures for months, because they could account for as much as £3·75 million for each 5 per cent. of interest rate subsidy when the scheme matures.

I am not surprised by the distinct and striking lack of enthusiasm for the scheme that has been shown by Conservative Members.

Dame Elaine Kellett-Bowman: I am very enthusiastic about it.

Mr. Smith: That makes only three Conservative Members in favour so far. Deep concern was expressed by the hon. Members for Cambridge (Mr. Rhodes James) and for Leeds, North-West and, in a fine speech, by the hon. Member for Chichester (Mr. Nelson), which I ask the Government to heed most carefully in their own interest. I do not blame Conservative Members for being so worried, because they are being invited by the Secretary of State and by the Under-Secretary to jump into a lake without even being told how much concrete is being tied round their necks.

Will the Minister give details of the indemnities being conceded to the financial institutions? I refer especially to that relating to a change of Government. Does the premium increase as Labour's lead in the opinion polls manifests itself to the financial institutions? Right hon. and hon. Members are right to question the constitutional propriety of indemnities being guaranteed by this House in advance of legislation—to say nothing of advance expenditure of the order of £7·5 million, including the salary of £55,000 plus a car, to which my right hon. Friend the Member for Chesterfield (Mr. Benn) referred. How can it be right to commit and to spend large sums of public money to the scheme even before the House has been given an opportunity to vote on its general principles?

As to the £55,000 job already mentioned, what scale of priorities and values is it that pays to the managing director of a loan scheme that will cause so much damage to higher education a salary that is double that paid to a professor in a British university who is a Nobel prize winner? What reflection is that of the Government's real values?

My hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery) pointed out with his customary vigour that, in respect of access to higher education, there is every reason to question the curious doctrine that by increasing the price of a service—as the scheme will do—demand and take-up will increase, especially among those who find that price most onerous in the first place.

I dare say we shall hear something about international comparisons from the Minister. I hope that he will accept, from the outset, that Britain's present grant system has the considerable advantage of being very cost effective. The cost per graduate, at £9,000 is far lower than that in the United States where it is £19,000, and Japan where it is £14,000. I hope that he will also accept that loan schemes overseas in general suffer from high administrative and default costs.

All the evidence shows that the high levels of student debt involved in loans schemes act as a disincentive to the disadvantaged. During the Reagan years in America, the federal grant programme was cut, and participation by black students, among others, declined. Dissatisfaction with loans has reached the point where even the highly conservative state of Arizona has now decided to supplement the loans scheme with grants. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) referred to West Germany, where the scheme is being changed because poor students are being discouraged by the way in which loans operate.

I fear that the Under-Secretary gave the game away about access to education by his language when he said to *The Independent* on 17 August:

> "The American loans are available to a much wider range of students. You can imagine a 16 year old hairdresser will get a loan in the US. Most defaulters are in vocational colleges where you get those sort of people."

What sort of people does the Minister have in mind? They are clearly not the sort of people to whom access will be extended by his scheme.

Hon. Members will judge for themselves whether this is truly the language of opportunity, as the Minister would have us believe, or the haughty protection of privilege, as many of us suspect.

We have yet to be told how the whole bizarre scheme relates to the previous Secretary of State's commitment to double the participation in higher education over the next 25 years. I challenged the Under-Secretary on this in my letter of 19 July, but he has not yet been able to supply me with an answer. Given the Secretary of State's staggering inability to deal with the basic question of how to double access, while maintaining that higher education cannot reasonably expect a greater share of public expenditure, frankly I am not surprised that he has a problem responding to our questions.

I challenged the Under-Secretary on his estimate of the effects of withdrawing benefit from students, to which many right hon. and hon. Members have drawn attention. That singularly punitive policy would have catastrophic effects on the already meagre living standards of many students, especially in areas where accommodation costs are high, as my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) said.

The Minister ought to supply to the House this afternoon the answers that he has hitherto refused to give. It is particularly curious that a Government who profess to attach such importance to targeting, and to ensuring that money reaches those who really need it, attack support for students by getting rid of targeted housing benefit and promise to bring in a loans scheme which indiscriminately provides loans to wealthier students, as the hon. Member for Chichester said.

What it comes down to is that the Government are so obsessed with their private market dogma that they are wantonly and expensively setting out to destroy the ladder of opportunity provided by the right to grants which many right hon. and hon. Members on both sides of the House have been fortunate enough to benefit.

Why will the Government not listen and learn? Why will they not listen to the clear message coming from their

own Back Benches? Why are the Government so determined to take so little notice of the responses they have received to the White Paper that they will not even publish them? It was left to me to write round, to analyse the replies and to deposit the information in the Library. Could that have had anything to do with the fact that 95 per cent. of the respondents opposed the scheme?

Is the Secretary of State aware that the former special adviser to his Department, Mr. Stuart Sexton described the scheme in yesterday's edition of *The Daily Telegraph* as "a bureaucratic nightmare, and one which produces no immediate savings for the public purse"?

What is it, I wonder, that makes this Government and their Education Ministers so special that they think that they are right about student loans and everyone else is wrong? What do Ministers have to say to those in their own party who have grave reservations, as we have heard today, about the scheme? What do they have to say to their predecessors who took pride in the opportunities that the extension of grants opened up to people? My hon. Friend the Member for Blackburn (Mr. Straw) quoted from the pamphlet issued by the Tory Reform Group, of which I understand the former Secretary of State, who initiated the idea of a loans scheme, is a patron. The Tory Reform Group pamphlet said:

"The results of changing the system would be to reduce working class access to higher education, to lower standards and to produce a new class of poor graduates."

What do the Government have to say to a former Chairman of the Select Committee on Education, Science and Arts and chairman of the Conservative parliamentary education committee, Sir William van Straubenzee? In his 1987 submission to the Government review of student finance, Sir William wrote of student loans:

"It is no good encouraging children from low income families to stay on at school until they are 16 or 18 if you are going to slam the door in their face at the precise moment when they are in greatest need of tangible financial assistance. I can think of no policy which would be more successful in shattering the aspirations of young people."

What do Ministers have to say to the people of Scotland, with their fine educational tradition, which—as my hon. Friends the Members for Fife, Central (Mr. McLeish) and for Glasgow, Hillhead (Mr. Galloway) pointed out—is particularly threatened by loans?

What do they have to say to medical students for whom loans could mean debts of £14,000 or more? The hon. Member for Sevenoaks rightly mentioned the problems facing paramedical staff entering the Health Service. What do Ministers have to say to student nurses? In responses to me the Minister for Health has persistently refused to rule out the possibility that Project 2000 nurses will find their bursaries changed into loans. Do Ministers honestly believe that the public want student nurses to be burdened with such debts? Will the Minister take the opportunity today to give the House a categorical assurance that student nurses will not be burdened with debt under the Government's loans scheme?

The scheme is already discredited. It is unpopular and shot through with contradictions. It is a mortgage on knowledge—costly, inefficient and a barrier to access. It is —with the tuition fees proposal—the thin end of the wedge in the drive towards a private market in higher education that is not wanted and which will not work in any way consistent with the full and fair educational opportunities that Britain needs.

Opposition Members believe that the future of our people—as individuals and as a community—depends on opening up opportunities on the basis of ability to benefit, not on restricting them on the basis of ability to pay. As the party of opportunity, the Labour party will oppose this mean-spirited and damaging scheme every inch of the way.

If the Government will not listen to representations and respond to the numerous letters and petitions that they have received, if they will not listen to reason and drop it now and if Conservative Members cannot make Ministers see sense, it will be left to a Labour Government to repeal this appalling students loans scheme when we are in office —and repeal it we shall.

2.9 pm

The Parliamentary Under-Secretary of State for Education and Science (Mr. Robert Jackson): I want first to congratulate my constituency neighbour and good friend, the hon. Member for Oxford, East (Mr. Smith), on his first appearance at the Dispatch Box as Opposition spokesman. Long may he continue to adorn that position.

One of the most fascinating features of this debate has been the undercurrent of bad conscience on the Labour Benches. That was highlighted by my hon. Friend the Member for Leeds, North-West (Dr. Hampson) in his excellent contribution to the debate. I am grateful to him and to my colleagues who supported the principle of the Government's policy.

The first undercurrent among Opposition Members is that although they try to deceive themselves, they appreciate full well the way in which the present grants system takes from the have-nots and gives to the haves. A quarter of all income tax is paid by individuals with incomes below £10,300, but the average income of a working male graduate in his thirties is about £20,000 and 25 per cent. of dependent students come from families with incomes in excess of £20,000. That is the first reason why there is a certain unease among Opposition Members. They are in the false position of defending policies which tax the poor to support the better off.

Mr. Straw: There is no unease on the Opposition Benches. The Parliamentary Under-Secretary of State has described the disgraceful circumstances achieved after 10 years of Conservative rule. The burden of taxation has been shifted from the rich to the poor. In case he is not aware of it, the Opposition have opposed that shift at every Budget and we believe that those with the broadest backs, who earn the greatest incomes—as a result of being graduates as for any other reason—should pay much higher rates of taxation and that those on the lowest incomes should have much lower rates of taxation.

Mr. Jackson: The hon. Gentleman knows perfectly well that Labour Governments have taken a considerable interest in the idea of student loans and that is one reason why there is unease.

Another reason for unease on the Opposition Benches is that the Labour party policy in Opposition is one which they will not be able to sustain when they enter Government. That is reflected by the evasiveness exhibited by the hon. Member for Blackburn (Mr. Straw) in relation to the cost and funding of Labour's plans about which we heard so little.

Some hon. Members on the Labour Benches, if not the hon. Member for Blackburn, will understand the

[Mr. Jackson]

significance of the statement made by the right hon. and learned Member for Monklands, East (Mr. Smith) when he told the Labour party conference:

"We are all agreed that we cannot spend what we have not earned . . . if that means we have to postpone some of our social ambitions, then we may have to do so".

What is the consistency between that statement and the line being taken on student support by the Opposition? They will abolish the student loan, which presumably means that they will continue to pay to students the welfare benefits which our top-up loan scheme is designed to replace. Now it is true that that would save the Exchequer some money—the difference between the cost of welfare benefits for students and the cost of our top-up scheme; a difference which represents extra money for students provided by our scheme.

However, the Opposition are not claiming that they will merely dispense with the top-up loan. They will at least have to match the net addition to student resources which our top-up loan represents. The hon. Member for Southwark and Bermondsey (Mr. Hughes) must be aware that, far from cutting the resource available for students, our proposal will restore student total resource to its 1979 level and also cut the parental contribution almost in half. That point is significant for my hon. Friends.

Dame Elaine Kellett-Bowman: I have sat through the whole of this debate and I have not even had a cup of tea. I must make two points. I hope that my hon. Friend the Parliamentary Under-Secretary of State will consider increasing the access funds and will also adopt a system of remitting the loans of those in the top 20 per cent. of results at the end of the time. That would be a very valuable incentive.

Mr. Jackson: I note my hon. Friend's points. I have some sympathy with them, but they must be considered with the opportunities that are available.

The Opposition are following in the Government's footsteps and are talking about doubling the number of students in higher education. Student grants at 1989 levels cost the taxpayer about £500 million a year. Double that —very crudely—is £1,000 million.

Is that implied promise of grant expenditure of £1,000 million a year credible? To get a fix on this, let me remind the House that, on the unlikely assumption that taxpayers' behaviour would not change, the total revenue generated by Labour's plans to increase the top rate of tax by 10p will probably yield little more than some £2 billion of new revenue. Is it credible that they should spend more than half of this on student support? And all for what? Presumably, its purpose is to enhance access through a grant system which has encouraged only 6·9 per cent. of the children of manual working class parents to gain access to full-time higher education. My right hon. Friend the Member for Brent, North (Sir R. Boyson) made some penetrating remarks on that point and my hon. Friend the Member for Chichester (Mr. Nelson) should take note of them.

No wonder there are bad consciences on the Labour Benches. Her Majesty's Opposition know—I detected some hints of this in the speech of the hon. Member for Denton and Reddish (Mr. Bennett)—that if there is to be a substantial expansion of higher education and that if the participation of all social groups in higher education is to be expanded, it can only be by doing what every other advanced country does. What is necessary is that students should be enabled to anticipate a fraction of their future earnings as graduates to pay a fraction of the costs of undertaking their studies.

Faced by that proposition, which is well understood by all men and women of goodwill, including many of Labour's academic sympathisers, the Opposition have decided, to their shame, to fall back on an entirely opportunistic attack on a policy which they know in their hearts to be right.

In this debate, Opposition spokesmen—I am thinking particularly of the hon. Members for Blackburn and for Oxford, East—have made much play of their interpretation of the costs of the Government's proposed scheme.

Mr. Straw: Before the Minister deals with that point, will he deal with funding the expansion of higher education? I put that central question to the Secretary of State who, even with the aid of a script provided by the Parliamentary Under-Secretary of State, could not answer me. The Conservative Government propose to double the numbers in higher education over a 25-year period. The greater part of the cost of doing that will be in tuition, not maintenance. How do the Government propose to pay for it? Will any part of it be paid for from the public purse? What is the trend of public spending? Are we to assume from the evasive answers of the Secretary of State that the Government plan to make students pay the full costs of their tuition as well as their maintenance, but that they do not have the guts to say so?

Mr. Jackson: The words of the Secretary of State are clear and I am happy to echo them. I have nothing to add to what he said.

We have heard much talk about costs. There has been some criticism from Conservative Members and not much frankness from Opposition Members. I ask the House to bear in mind three points when it looks at the complex issues involved in the assessment of the costs of our proposed student loans scheme. All hon. Members will be able to assess the scheme when our negotiations with the financial institutions are reported. We are not ready yet but we will be shortly.

First, all reasonable men will know that making projections of matters of this kind is an art and not a science. For example, the Government have used an assumption of an 80 per cent. take-up. My personal view, for what it is worth, is that because student loans will be popular, the take-up is likely to be higher than 80 per cent. At the same time I believe, in common with my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey), that the default rate is likely to be considerably less than the 10 per cent. that we are illustrating. One factor tends to increase costs; the other tends to reduce them. Obviously, it is impossible to construct infallible predictions and that applies as much to the Opposition as to the Government.

However, the difference between the Government and the Opposition is that our proposals will produce savings for potential redeployment, whereas the Opposition's proposals will simply continue to increase expenditure indefinitely. *[Interruption.]* I should not have thought that the hon. Member for Blackburn would want to pursue that point, having been so worsted on it during his speech.

The second point which I hope that hon. Members will bear in mind when they assess the cost of the scheme is the distinction between default and deferral. The Government's scheme provides generous arrangements for deferral, but we will be tough on default. We envisage that all graduates with an income of 85 per cent. of the national average income will be able to defer their obligation to repay. Such deferral will affect not the costs of the scheme but only the profile of repayments. Default is another matter. As I have said, I believe that the default rate in our scheme is likely to be well below the 10 per cent. which we have illustrated in our projections. Frankly, I do not believe that British graduates will be more dishonest than are those in Scandinvia, where default is no more than 1 or 2 per cent.

A third aspect of costs is crucial. We have had some exchanges about this point. The Opposition are seeking to blur a vital distinction between the two different ways of defining the point at which savings arise under any loan scheme—not just this one. The first and most important point is that at which the balance between current outgoings and current income from the scheme has moved from red to black—the point at which there is more money coming in by way of repayments than money going out in the way of disbursals. The other way of looking at this matter is to focus on that point at which the total flow of funds coming in exceeds the total outgoings since the inception of the scheme.

The second point—the point at which cumulative savings will occur—will obviously come later than the first point. Whether disingenuously or perhaps because of simple intellectual failure—I think it is probably disingenuously—the hon. Member for Blackburn and his colleagues have focused on when cumulative savings, rather than current savings, will occur. Which is the more important of those two—current or cumulative? On the argument about freeing financial resources for redeployment—the essential point—it is current savings that matter; the savings that arise when the scheme goes from red to black. That point will almost certainly be reached near the turn of the century, in time to provide additional resources for the expansion of higher education and for the promotion of access which we anticipate as the number of 18-year-olds starts to rise again after the demographic dip of the mid 1990s. *[Interruption.]* Opposition Members should pay me the courtesy of at least listening to what I am saying, rather than continuing ceaseless chattering.

Let me now say a few words about the London School of Economics scheme from Messrs Barnes and Barr, which has attracted the support of my hon. Friends the Members for Cambridge (Mr. Rhodes James), for Leeds, North-West, and for Sevenoaks (Mr. Wolfson). In response to the political advice that we got from the hon. Members for Glasgow, Hillhead (Mr. Galloway) and for Newcastle upon Tyne, Central (Mr. Cousins), all hon. Members apart from my hon. Friend the Member for Chichester, supported the principle of the Government's policy.

On Barnes and Barr, my right hon. Friend the Secretary of State has set out some of the reasons why we reject their approach. Let me amplify. The Barnes and Barr scheme has two components. First, they evisage that the money for the student loan should be provided by the private sector, on the argument that this would immediately release funds for redeployment elsewhere in higher education; and secondly, that the employers of graduate manpower, and perhaps also the graduates themselves, should be responsible for the repayment of the loan, using the mechanism of the national insurance contribution.

The Government looked carefully at the idea of using private sector money. As it happens, like my hon. Friend the Member for Leeds, North-West, that was my personal preference when I started work on this issue after my appointment. The reason that approach was rejected is quite simple. From the beginning we believed that three political requirements must be met in the interests of students: first, that all full-time students should be entitled to the loan irrespective of their credit rating; secondly, that no positive interest rate should be charged; and, thirdly, that the obligation to repay should be deferrable if a graduate's income is below a certain level.

My right hon. Friend the Member for Brent, North, in an admirable speech, was mistaken when he thought that our plans might contain some negative dowry. I noticed that my hon. Friend the Member for Rugby and Kenilworth corrected him on that point.

I wonder whether any of us could get a loan on terms such as these from any private bank. I imagine that a request for such a loan would fall on deaf ears from even the most listening of banks.

In short, the Government decided that the money committed to this loan scheme would have to be public money because of the need to structure the scheme to the advantage of students in ways which would be inconsistent with the principle of private sector funding.

Meanwhile, quite apart from considerations pertaining to the theory of public finance, there is a purely practical point. Is there any serious reason to believe that operating a loan scheme on the terms envisaged by Messrs Barnes and Barr—including the arrangements the Government propose in the interests of students—would attract the willingness of any private sector financial operator to lend? It is certainly worth noting that there is not a single student loan scheme anywhere in the world built on Barnes and Barr lines—but there are many which have operated successfully for years on the principle of loan rather than tax, which underlies the Government's proposals.

No, I fear that there is a blunt message for all supporters of the principle of student loans, wherever they stand in the political spectrum. Barnes and Barr have constructed one of those "fudge and mudge" positions beloved of the chattering classes—in favour of a graduate contribution, but against the Government's way of implementing it.

The essential fact that must be appreciated is that this Government have at long last grasped the hoary nettle of student loans. The Government's scheme is the only scheme in town. Those who wish to see the introduction of student loans must think long and hard about how far they press their preferred nostrums. I hope that they will not put their panaceas before the basic principles.

I turn briefly to the other Barnes and Barr argument about using the national insurance system as the mechanism for repayments. My right hon. Friend the Member for Brent, North linked repayments and the tax system, but as my right hon. Friend the Secretary of State pointed out, there are practical difficulties with that, notably the importance of not introducing new complexities into the national insurance systems and the need to avoid imposing additional burdens on employers.

Let me focus, however, on the issue of principle. From the point of view of the student, the mechanism of the tax

[Mr. Jackson]

system, or of national insurance—especially if paid by the employer—is a very remote mechanism. If we employ it, the fact of an obligation to repay something of the costs of undertaking their studies will tend to escape the attention of the student. But is this desirable?

In this context, let me quote the view of another figure associated with the London School of Economics, Professor Ashworth, who recently commented in a letter to *The Guardian*:

"Students who pay . . . are, in my experience, more critical and demanding of the teaching that they are offered . . . allowing not only for the maintenance of standards but also for their increase."

I ask the House which approach to student loans is most likely to realise professor Ashworth's desired effects. Will the new student attitudes he wishes to promote be best secured by the remote mechanisms of the NIC or the tax system, coming into operation years after a student enters higher education or will they be better promoted by the Government's proposed scheme, which will operate to affect student attitudes from the first week of the first term?

In this debate we have heard many theoretical arguments against the principle of student loans. Those who argue in that way should remember that the Government are not producing a never-before-heard-of adventure in launching a programme of student loans. Many countries operate the system and we should consider how the British system compares with the systems of other countries. We are offering one of the most generous student loan schemes anywhere in the world. It will be available to a higher proportion of the student body than is the case almost anywhere else. In the Federal Republic of Germany, for example, it applies to only 33 per cent. of students and to only 12 per cent. in Japan. The loan and parental contribution together will give the British student a larger total resource than elsewhere. Similarly, if we look at details, our scheme is more generous. We are envisaging a 0 per cent. real interest rate, unlike student loans in Norway, Sweden, the Netherlands and the United States.

Our plan envisages arrangements for deferment when income falls below a certan level, unlike the United States. We are providing that mature students can borrow up to the age of 50, unlike other countries that have an age cut-off of 30.

The most cursory study of other countries' experience will provide evidence of the fallaciousness of much of the reasoning we have heard from Opposition Members. Let me sum up the international experience of student loans by reporting on the experience of my hon. Friend the Member for Buckingham (Mr. Walden) who preceded me in my job and who started the work on the student loan scheme. He visited Sweden and he asked the Socialist Minister for Education why Socialist Sweden was so attached to student loans. He was told that there were two reasons——

It being half past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Health Services (Basildon)

Motion made, and Question proposed, That this House do now adjourn.—[Mr. Patnick.]

2.30 pm

Mr. David Amess (Basildon): This is the first Adjournment debate I have had since we decided to turn the Chamber into a television set. I am appalled by that action and I believe that my vote against the televising of our proceedings was entirely vindicated.

I am pleased to have this opportunity to talk about our most excellent National Health Service, especially the high quality of health care that we enjoy in our local district. The Minister visited one of our local hospitals not long ago I know how impressed he was with the staff and general provision of health care.

The chairman of our health authority, Mrs. Joan Martin, is excellent and her work was recognised by her mention in the Queen's birthday honours list. Mr. Richard Taylor, who has just left the authority for promotion elsewhere, has done a sterling job for a number of years as general manager although I did not always agree with every decision that he made. I have every confidence that our new manager, Mr. Ken Sharpe, will do an equally admirable job.

In our district we are extremely fortunate to enjoy such dedicated, hard-working and capable staff. The doctors, nurses, consultants, auxiliaries and general support staff are absolutely marvellous. My wife has already had three babies at Basildon hospital and, God willing, will have her fourth this spring. She is a regular user of the NHS and can vouch for the high standards of local health care.

Against that background the House will want to know about my health authority's response to the White Paper, "Working for Patients". I am glad to say that it has given a most positive response as is demonstrated by an application for consideration as a self-governing trust. The health authority and Essex county council social services committee, under the excellent chairmanship of Mrs. Lillian Greenfield, warmly welcome the Government's response to Griffiths and to community care. They accept continuing responsibility to meet the medical, nursing and associated health care needs of individuals. They are determined to improve the care of all those in our community with health disabilities.

Only last week that committee and the health authority held a conference entitled "Partnership, Griffiths and the Elderly". There is a tremendous fund of goodwill within Basildon and Thurrock to seek a common framework for the provision of such services and determination to improve further the collaboration between all agencies.

I know that my hon. Friend will welcome the fact that a new community care team is being formed to enable some of the elderly people currently occupying acute beds due to the lack of alternative accommodation and care to be discharged and to receive community support, which will enable them to live more independently.

I was involved with the giant Department of Health and Social Security during its last year of existence and I believe that I am well placed to pay a warm tribute to the then Health Ministers on their excellent work on putting together the White Paper "Working for Patients". The foundations they laid are now being built upon by an equally admirable team of Health Ministers.

When people take the time and trouble to read the Government's proposals they will clearly see their value. Therefore, the BMA's reaction and subsequent campaign has been disappointing and short-sighted. It is not impressive when doctors ask their patients to write to their local Members of Parliament to say that they are against the Government's proposals when the doctors do not even know what the proposals are. If a professional has a point to make he or she should jolly well put it directly and not go through a third party.

The proposed changes in the White Paper have been misrepresented and distorted by a number of individuals whose motives are difficult to understand or accept. So many good things are happening in the Health Service at the moment. In Basildon the acute unit managers and clinicians have been concentrating on improving the service, particularly where waiting lists are at their longest. An additional consultant general surgeon was appointed at the beginning of 1988 and this appointment, together with funds being made available from the Government's waiting list initiative, is reducing the waiting lists for general surgery.

An additional weekly cystoscopy session was started in July of this year so that patients who otherwise had to go on an out-patient waiting list could be treated locally. As a result of these and other initiatives which, in some cases have used funding from the Government's waiting list fund, in the year to September 1989 there has been a 20 per cent. reduction in the waiting lists for general surgery.

The effective use of nursing time is increasingly important and the district is one of three authorities in the country piloting "Excelcare", a nurse management computer system, which is proving a success in saving trained nursing time. In partnership with neighbouring authorities, Basildon and Thurrock district has put forward proposals for the appointment of two other consultants for funding from the Government's allocation for extra consultants posts. They are required to improve oral surgery and ophthalmic services locally. A body scanner, which was opened by my right hon. Friend the Member for Braintree (Mr. Newton) two years ago, has enabled 2,000 patients each year to be diagnosed locally, rather than having to travel to other centres.

The authority is actively seeking partnerships with other organisations. Abbeyfield Housing provides 24 continuing care residential places in the district. A complete review of services for the elderly is being undertaken in conjunction with Partnership in Practice. New services—providing both residential and day support —are being set up in the community for the mentally handicapped. The authority is purchasing a large house to provide 13 young chronically sick residents with normal accommodation.

I am delighted to say that numbers of nurse recruits have improved. We are recruiting student nurses from Ireland, midwives from Malaysia and registered nurses from Spain. I am also delighted to say that a creche has been opened in a bid to encourage the retention of staff and the early return of those who leave to bring up families. The authority has reviewed catering services and, due to a review of the most modern traditional cooking methods, has decided to update its facilities.

The Minister has been briefed on the numerous service quality initiatives which have been undertaken. The authority is finding that, in occupational health, working with external customers is helping to increase services to staff. The service continues to expand its commercial activities and build on the base created by its initial contracts. The authority has won the contract for occupational health for the local police force in Essex. It is currently negotiating with two large multinational companies about the promotion of health at work campaigns which it wishes to undertake.

The authority has vigorously pursued opportunities to ensure that cost-effectiveness is achieved in the provision of ancillary services. Competitive tendering procedures have been followed for the delivery of domestic services —catering, laundry, ground maintenance and portering. A number of substantial income-generating projects have been introduced, and a comprehensive business strategy is now being worked on. Resource management provides clinicians and managers with information on their workloads and the associated cost of those extra burdens.

The implementation of the scheme is being spearheaded by a steering group led, I am delighted to say, by the chairman of the consultative staff committee. The consultants have already embarked on medical audit activity, and meet regularly to review individual cases. The authority welcomes the introduction of the new funding arrangements, which will reflect more accurately the demographic pattern of the local population being served, especially in view of the expected increase in the number of elderly people: I believe that the number of people over 75 will have increased by 10 per cent. at the end of the century. The population of the district is, however, expanding rather more rapidly than we anticipated. I very much hope—as I know the health authority does—that that extra burden will be recognised when the new arrangements for financial allocations are set.

The matter of bed supply is one of which I know my hon. Friend is aware. He had a constructive meeting with the community health council, and I believe that some progress was made. Let me also pay tribute to the community health council's excellent work in ensuring that a sensible and convenient location was fixed on for the local screening of women.

The health authority managers are committed to providing a framework for services in Basildon and Thurrock that will meet local needs, and, on that basis, have indicated an interest in self-governance. The authority has long worked in partnership with the community in many ways, and wishes to continue that close relationship in developing the proposals further. The managers believe that there may be considerable opportunities within the framework of the White Paper, which will enable existing plans to be achieved and ensure that the integrity and quality of services are further enhanced.

The consultants have been more cautious, but a number wish to explore these matters in more depth. Managers welcome the opportunity to determine local arrangements rather than having nationally prescribed models, and believe that the quality of care and supportive services can best be improved by those means.

The thrust of much of the district's endeavours over the past four years has been towards a cohesive and forward-looking organisation, with a strong emphasis on services for consumers and on the whole idea of partnership. General management has been the vehicle for progress, and a district with shared objectives and values across the range of services has been the result. Elements of the self-governance proposals have been foreshadowed

[Mr. David Amess]

in some of the district's forward thinking. The benefits and freedom that self-governance would confer on the whole organisation would constitute a major stimulus in developing business plans and marketing strategy to the advantage of all types of patient.

Self-governance, I believe, would allow Basildon to contain both the service integrity and the management integrity of the district at a time of major cultural change to the service—for instance, the change in pattern from the care that we now enjoy in South Ockendon hospital. The trust would provide acute and associated services, comprising local acute services and community support services.

Consumer choice would be enhanced by the creation of the trust. Local people waiting to use local services would in most cases select a local specialist of their choice, but would be free to select a specialist working within a neighbouring local trust or in London. Competition within the local acute services would be enhanced by operating within a market in which similar services in neighbouring districts are also operating in a trust framework. There would be a clear distinction between the service purchase function at the district tier and the service provision function of the trust and the other local agencies.

The local service already has some particular strengths which will contribute to the success of the Basildon and Thurrock self-governing trust. These are scope, service quality, management capability, financial management, doctors in management and information systems. I reassure my hon. Friend the Minister that although siren voices have been raised against the White Paper, it has received a warm welcome in many quarters. Basildon and Thurrock health authority already provides a maginificent district service. With the additional proposals that I have put before the House that service will be built upon and will continue to improve.

2.45 pm

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): I congratulate my hon. Friend the Member for Basildon (Mr. Amess) on his success in the ballot. The debate gives us the chance to look at Basildon and Thurrock health authority's response to the White Paper "Working for Patients". In addition, it enables us to look at Basildon's plans for the future, and in the few minutes available to me I should like to look more generally at the White Paper implications for the future role of all district health authorities.

One would sometimes believe from reading the popular newspapers that the National Health Service was universally in crisis. It is heartening to listen to my hon. Friend painting a picture of a district getting on with running and improving the National Health Service in Basildon and Thurrock. That is a much fairer picture of the National Health Service throughout the country. I am especially pleased to see in her place my hon. Friend the Member for Maidstone (Miss Widdecombe). She is a member of the Select Committee on Social Services and is sometimes a lone, sane voice in that Committee on some issues. She and my hon. Friend the Member for Basildon and I sometimes find ourselves together late at night in the Chamber debating abortion. The question is, when shall we three meet again?

As my hon. Friend the Member for Basildon said, I visited Basildon and Thurrock health authority on 6 September to address a meeting of health professionals from the district. I was very interested in the constructive and useful discussions that took place on the different aspects of the White Paper. Such meetings with the health professionals involved in the day-to-day running of our National Health Service are a valuable source of information and comment as we develop the plans for future health provision in this country.

Following the meeting, I took the opportunity to look round two of the wards at Orsett hospital and I met some of the nursing staff and the patients there. I was very impressed with the high standards of care that the medical staff provides. I join my hon. Friend in congratulating and thanking Mr. Ken Sharpe, the general manager, for the leadership that he provides to a most excellent management team.

In addition to the positive response to the proposals in the White Paper, Basildon and Thurrock has taken constructive steps to tackle waiting lists. Under the 100 consultants posts initiative the district has submitted a bid for a consultant urologist. As my hon. Friend said, there is also a joint bid with Southend health authority for a consultant aural surgeon. While I can make no announcement now on the subject, my hon. and learned Friend the Secretary of State for Health expects shortly to make a statement about the first appointments under that initiative. I can give no assurance to my hon. Friend that it will include Basildon and Thurrock because the direct decisions are not my responsibility. In any case, there will shortly be an announcement.

As my hon. Friend said, the district is establishing departments of general surgery and orthopaedics. I understand that this will enable the consultants to improve their control over workload by use of a computer system which will maintain departmental records and monitor progress. Funding for this programme has been obtained from North East Thames regional health authority under the acute sector productivity scheme. With funding obtained to purchase the necessary equipment to enable increased throughput, the district has been providing additional weekly cystoscopy sessions since July, as my hon. Friend said. I am very pleased about that.

I have already mentioned the initiative undertaken by the district to tackle waiting lists, and its positive response to the White Paper proposals in general. These are representative of the forward-looking approach of the health authority and medical staff and their attitude to change. Change in the Health Service is largely about attitudes of mind, not only those of the nursing and medical staff, but those of management at district, regional and national level. It is not about competence, experience and skill.

I welcome the authority's initiative in joining forces with the Abbeyfield Society in providing a unit that will care for 24 highly dependent elderly people who can no longer be cared for at home. I hope that such joint ventures will be built on within the authority and will serve as an example for other health authorities for similar joint ventures. I do not believe, as I am sure that my hon. Friends do not believe, that the NHS should have a complete monopoly of ideas in the care for the elderly. District and health authorities should work genuinely in partnership with the private and voluntary sectors in providing geriatric and general care for the elderly.

When I visited Orsett hospital, I was impressed with the nursing initiative "Excelcare", which is a nurse management system. Such a system is a method, often supported by a computer system, to enable the nursing managers to manage the workload of the nursing staff in a particular ward. It plans the nursing requirements based on the dependency levels of the patients who are either in the ward or are expected in the ward shortly. This is a good example of how information technology can help to save nurses' time. It means that care for individual patients can be better planned and better divided, and it can also lead to a more efficient deployment of staff.

I know, because I asked them, that the nurses involved are enthusiastic about the system. I am a great believer, when visiting hospitals, in seeking the advice not only of the district general manager and the management team but of the nurses and doctors on the wards. I ask them what benefits have accrued and are likely to accrue through improving management systems and particularly with the greater introduction of information technology.

I hope to make a statement next month on information technology which will set out our short-term plans—that is to say, our plans up to 1 April 1991, which is the commencement period for which we are planning in our Health Service reforms and the creation of the internal market. My statement will also set out the resources that the Government plan to make available for the survey period—the three-year period beginning on 1 April 1990. I shall also hope to cover our longer-term strategic thinking so that we can set in the proper context our thinking about the resource management initiative, the hospital information support systems and the district information support systems. Following the completion of our review with the joint consultants committee, I hope to make a further announcement towards the end of this year about our plans for the extension of the resource management initiative. My hon. Friend's district is particularly interested in that.

On behalf of the senior management team, earlier this year the district general manager of Basildon and Thurrock health authority submitted an expression of interest in self-government. Like all expressions of interest, it was made without prejudice on either side. Individual sponsors are free to withdraw their expressions of interest, and my right hon. Friend the Secretary of State will make the decision on which units should be allowed to become NHS trusts only after they have done extensive preparatory work and after discussion and negotiation with interested parties, including the staff. This initiative can be taken forward only with consensus support from all those involved.

We welcome the expressions of interest, albeit preliminary, from Basildon and Thurrock. It is a positive response to the propopals in the White Paper and is based on the recognition by the people who run the district that the creation of an NHS trust can enhance the quality of services available to local people. They have recognised the opportunities that trust status will offer to strengthen and improve services.

Efforts are already being made to improve the services provided in the district. Consultants are proceeding to implement medical audits, and I am delighted that that is happening in the district and throughout the Health Service. That is a positive response by consultants. Work has already commenced on information systems and resource management and the district is making efforts also to continue the closer working relationships that have been established with local general practitioners. It is essential that district health authorities and hospitals should develop over the coming months a close working relationship with general practitioners to ascertain their referral patterns and their proposed changes for the future.

To approve an application for NHS trust status, my right hon. and learned Friend the Secretary of State will need to be convinced that the size and structure of services in the proposed trust are sensible and manageable. Both the regional health authority and the Department are willing to offer help and advice, but the process of applying for trust status is entirely voluntary and it is now up to Basildon and Thurrock to decide whether they wish to prepare an application.

We do not envisage that the first group of trusts, which we hope to designate with the permission of Parliament once legislation has passed through this place, will be the only group. There will be a continuing process. No significance need necessarily be attached to a potential first group of trusts. We hope that there will be a second group, followed by a third, a fourth and so on.

The proposals set out in "Working for Patients" will mean that money will travel with the patient where general practitioners and patients choose treatment from elsewhere. In future, hospitals will be free to offer their services to different health authorities and will receive NHS funds for the patients that they treat.

In the past, DHAs had to handle both the operational management of services as well as to establish the health needs of the population. One of the key principles of the White Paper is to enable DHAs to concentrate on ensuring that the health needs of their population are met. We do not underestimate the challenge we have set DHAs, but we believe that they have been given the opportunity to play a major role in actively improving the health of their population. We want to help, not hinder and stifle, local initiative. We have set up projects with 11 DHAs and four regions to look at the issues involved in a systematic way, and we hope that the results of this work will provide useful guidance for all DHAs including Basildon and Thurrock. We expect the first fruits of work to be available in the early part of 1990.

In the few minutes that remain to me I shall deal briefly with the mergers of districts. I must emphasise that we do not want management attention diverted from key White Paper proposals by a widespread restructuring exercise. Merger of health authorities is not a prerequisite for any hospital to become self-governing. We may be prepared to consider a limited number of proposals where it makes sense for authorities to merge if a hospital becomes self-governing. However, such a case would need to be first considered by the regional health authority and then submitted to Ministers. The case would be subject to full public consultation and the Secretary of State and his ministerial colleagues would need to be very certain of its merits before approving it.

In other words, the message that I deliver to my hon. Friend the Member for Basildon and through him to the district health authorities is that we shall be considering carefully the merger of districts. We see such mergers being the consequence in some instances of the establishment of self-governing trusts or NHS trusts. We shall give the matter serious consideration. We do not underestimate the complicated procedures that have to be followed to

[Mr. Roger Freeman]

establish the merger of DHAs, but in some instances the case will be compelling. Proposed mergers will receive our serious consideration.

I am pleased that the Basildon authority is developing its patterns of service care for the future in line with the spirit of the White Paper. I congratulate the authority, the management, doctors and nurses. I thank also my hon. Friend for his constant interest, his support for the White Paper and, above all, the time and trouble that he takes on behalf of his constituents.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

House of Commons

Monday 23 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Disability Surveys

1. **Mr. Worthington:** To ask the Secretary of State for Social Security what progress has been made in assessing the financial implications of the Office of Population Censuses and Surveys' surveys on disability.

The Minister for Social Security (Mr. Nicholas Scott): We are using the extensive information provided by the surveys to help us consider how best to develop policies which serve the needs of disabled people even more effectively.

Mr. Worthington: Time is running out. Earlier this year the Minister of State promised that there would be a timetable for action after July, but there has still been no action on this issue. Is the Minister aware of the survey conducted by Strathclyde regional council social work department which showed that 80 per cent. of the disabled were worse off after the social security reforms of last year, by an average £9 a week, and that those who were most handicapped suffered most financially? We need action by the Minister and by the Secretary of State to put that right and to end the link in this country between disability and poverty. We cannot accept the Government's slothfulness on this.

Mr. Scott: The findings of the Strathclyde survey stretch my credulity and do not accord with much of the other evidence that is coming in. But that illustrates the point that although we are anxious to make rapid progress on disability benefits, we must carefully examine all the evidence and the representations that we are receiving before making up our minds on the way forward.

Mr. Hannam: Is my right hon. Friend aware that one of the major problems with the disability benefit system is that two people with the same disability can receive widely differing levels of benefit—depending for example, whether the disability was from birth, from an accident or from an industrial injury? Will my right hon. Friend take that into account in his review of disability benefits and in his present negotiations with the Treasury?

Mr. Scott: It is manifest that the cause of an injury can affect the level of benefit to which people are entitled. That is due to the fact that the pattern of disability benefits has grown up rather incoherently. We shall look into that aspect to see whether it is possible to arrive at a more coherent pattern.

Mr. Alfred Morris: Is it not deplorable that, instead of responding to the challenge of these reports, the Government pile handicap upon handicap by inflicting on disabled people the poll tax, the NHS White Paper proposals and social security changes which their organisations say produced 1 million disabled losers? Where is the urgent and comprehensive review that they were promised? Was that a leak yesterday in the *Sunday Telegraph* about a change in the treatment of disabled people of working age?

Finally, will it be a nil-cost review of benefits? If so, how can that possibly be justified when the Office of Population Censuses and Surveys has shown that there are vastly more disabled people than the Government ever thought?

Mr. Scott: It is precisely because we have to balance the need for urgency against the need for a comprehensive look at all this that I cannot yet say exactly what timetable we shall follow. Since the Government came to office, expenditure on benefits for the disabled has risen by £390 million per year in real terms, compared with a figure of £220 million under the Labour Government, so we need no lessons from the Opposition about benefits for the disabled.

Pensioners

2. **Mr. Charles Wardle:** To ask the Secretary of State for Social Security whether those older and disabled pensioners who benefit from this autumn's special package will lose transitional protection when these increases are introduced.

The Secretary of State for Social Security (Mr. Tony Newton): No. The increased income support pensioner premiums which took effect in the week commencing 9 October were on top of any transitional addition then in payment.

Mr. Wardle: The increases that my right hon. Friend has introduced will be welcome, particularly because much of the extra money will go to pensioners who retired before the state earnings-related pension scheme began in 1978, but how have pensioners on the lowest incomes fared by comparison with the average increase in pensioners' incomes in the past decade?

Mr. Newton: My hon. Friend is right that the purpose of the changes which have just taken place was to help those who have had the least opportunity to benefit from the improvements in occupational pensions and in SERPS in recent years. The most relevant figure that I can give is that the proportion of pensioners on the lowest 20 per cent. of incomes fell from nearly two fifths in 1979 to less than a quarter in 1986.

Mr. Frank Field: If I have understood the Secretary of State correctly, I must congratulate him. Will he spell out to the House that by having no clawback of the increased pensions to the very poorest group, he has made nonsense of the Government's policy of transitional protection? If he is ensuring that this group benefits totally from the additional increase, why do not all pensioners and people on other benefits similarly benefit?

Mr. Newton: With all due respect to the hon. Gentleman, we have not made nonsense of anything. We have given up to £3·50 per week extra to more than 2·5 million of the disabled or oldest pensioners.

Mr. Favell: Is it not true that there are some very rich pensioners and that it is much more sensible to concentrate on the poorest group than to spread the jam thinly as the Labour party would have us do?

Mr. Newton: It is certainly the case that on the latest information available to us the average total net income of pensioners has been rising considerably faster—nearly twice as fast as for the population as a whole. That underlines the success of earlier policies, those aimed at improving especially the position of the newly retired in general. It also reinforces the need to focus our help on older retired people, which is exactly what we have been doing.

YTS

Mr. Nellist: To ask the Secretary of State for Social Security how many 16 and 17-year-olds are currently disqualified from benefit for not taking up the offer of a place on a youth training scheme; and if he will make a statement.

The Parliamentary Under-Secretary of State for Social Security (Mrs. Gillian Shephard): None is disqualified, because the question of disqualification does not arise in the case of a 16 or 17-year-old.

Mr. Nellist: Is it not a fact that in the 12 months to September, 15,400 16 and 17-year-olds had to apply for income support on special grounds of severe hardship, because they had been disqualified by not having a YTS place, and that 5,230 were rejected and have no benefit at all? When will the Government end this period of economic conscription to YTS through denial of benefit? If the youth training scheme offered a guaranteed job at decent allowances and a genuine future for teenagers there would be no need for the legal theft of putting thousands of teenagers into penury.

Mrs. Shephard: The Government consider that it is the best possible start for young people to obtain a training place on YTS and to benefit from the allowances associated with it, and 400,000 young people throughout the country are currently doing just that. I remind the hon. Gentleman that there are many vacant places on training schemes which should make it possible for young people to find an appropriate training place. The hon. Gentleman's point about severe hardship proves the need for the scheme introduced by the Government to cope with young people who for one reason or another were obliged to wait for a training place or who fell into some kind of difficulty. The hon. Gentleman will also recall that some categories of young people receive income support because for one reason or another they cannot benefit from a YTS place.

Mr. Baldry: We all welcome our hon. Friend to the Dispatch Box. Does she agree that there can be no possible justification for 16 or 17-year-olds not being either in full-time education or in full-time training? At a time when jobs will increasingly go to those who are skilled and qualified, it is criminal to deny those between 16 and 17 and up to the age of 19 opportunities for the best possible education and training. Is it not depressing that some people in the Labour party seem to want some kind of lumpenproletariat to continue?

Mrs. Shephard: My hon. Friend is absolutely right. I repeat that it is the Government's view that the best possible start for young people is to continue in education, to get a job, or to take advantage of the youth training scheme. As I have said, 400,000 young people are currently doing just that.

Mr. Flynn: We welcome the hon. Lady to her new post with warmth and sincerity. I recall that when she was a Back Bencher she spoke about this issue in Committee. It is disappointing that her reply does not reflect the concern that she expressed then. Has the Minister read the recent report by the citizens advice bureaux which makes it clear that the changes made in July are having no effect and tells a bleak story of growing numbers of young people at the most vulnerable time of their lives having the problems of poverty unnecessarily heaped on them? There are stories of young pregnant girls who have no chance of taking part in a YTS scheme because of their pregnancy but who can get no income support and are left without any money at a time when diet is so important. There are also stories of family break-ups because there is no income in the family.

The CAB confirms, as an independent body, that this is Government-sponsored poverty—it cannot be blamed on anybody else—because the Government have not only greatly increased the number of young people in hardship, but have intensified their suffering and destitution. The Salvation Army confesses that it cannot cope and the Church of England Children's Society says that there are 98,000 children without hope. Everyone else can see that this is a growing problem. When, in the name of pity, will the Government see it?

Mr. Speaker: Order. We shall make little progress if we have long questions.

Mrs. Shephard: I thank the hon. Gentleman for his kind words. The CAB report makes six recommendations, all of which can be fully answered by my Department. The hon. Gentleman mentioned the case of young pregnant girls. The view of the Department and of the Government is that 16 and 17-year-olds, including pregnant girls, are covered by the guarantee of a place. There is no evidence to suggest that pregnancy is an obstacle for young women who are genuinely keen to undertake training, and who are medically fit to do so. In that respect, the rule that they should work until 11 weeks before the expected confinement is in line with the rule applying to women over 18.

Anti-fraud Officers

Mr. David Evans: To ask the Secretary of State for Social Security what was the amount recovered in 1988-89 as a result of the work of anti-fraud officers in his Department; what was the target set; and what were the comparable figures for five years ago.

Mr. Newton: The total savings achieved by action against social security fraud in 1988-89 were just over £340 million, taking the Department of Social Security and the Department of Employment together. This compares with just over £120 million in 1984-85. For the DSS alone, the

1988-89 savings were, in round figures, £260 million against a target of £240 million, which compares with £100 million in 1984-85.

Mr. Evans: I thank my hon. Friend for that reply. Although those figures are encouraging, are they not merely the tip of the iceberg? Will my hon. Friend assure the House that his Department will keep as a high priority the anti-fraud office which is doing such a splendid job, so that the taxpayer may save money? After all, the taxpayer is the paymaster, and we should bring more such fraudulent individuals to justice.

Mr. Newton: It is undisputed that some social security fraud still goes undetected, so there is scope for further action. We shall continue to ensure that our efforts, and those of the Department of Employment, are made as effective as possible.

Mr. Skinner: Will the Minister also examine those employers who are taking tax and national insurance contributions from their employees and not passing the money to the proper department? An estimate the other day suggested that more than £1 million per day is being taken by such employers and not passed on, which is fraud on a far bigger scale than that described by the Minister. As for talking about the tip of the iceberg, the Minister should turn the attention of his right hon. and hon. Friends in other Departments to City fraudsters such as those involved in Ferranti who go undetected because the Government will not attack their own friends.

Mr. Newton: I shall concentrate my reply on the hon. Gentleman's quite sensible point about tax and national insurance fraud by employers. He will know that the Inland Revenue vigorously pursues such matters. Its compliance officers save about £2 billion, as I recall the latest figure, and there have been a number of prosecutions. I accept that our concern with fraud should not be confined to social security beneficiaries who are getting benefit fraudulently but should be extended to anybody who is defrauding the taxpayer and thus other beneficiaries.

Mr. Brandon-Bravo: If, as my right hon. Friend said, the amount of social security fraud discovered was in excess of £250 million last year, in layman's terms would it not be true to say that that would be the equivalent of giving every old age pensioner in the United Kingdom an additional 50p per week? Does that not put social security fraud into its proper perspective?

Mr. Newton: It is for precisely that sort of reason that we take the drive against fraud so seriously. To put the point another way, the sum that I mentioned is significantly greater than the very large amount that we have just made available in additional pensioner premiums.

Income Support

6. **Mr. Allen:** To ask the Secretary of State for Social Security if he has any plans to increase the level of income support.

Mr. Newton: We have this month substantially improved the level of income support for older and disabled pensioners. I expect to be making fairly soon a statement about the income support rates from next April, when they will of course be increased.

Mr. Allen: Is the Secretary of State aware that my constituents and many others are finding it increasingly difficult to manage on the current level of income support, especially in respect of a healthy diet? Did he read the recent Childright report which, using the Department's own figures, showed that if the amount of money required for a healthy diet were taken out of income support, only £1 would be left to meet all other needs? It is becoming a choice between heating and eating. Will the right hon. Gentleman do something about that?

Mr. Newton: I have already said that we shall take all those matters into account in setting the social security rates for the forthcoming year. There appears to have been a suggestion that attempts were made to suppress the report to which the hon. Gentleman referred. My understanding is that the author of the report has been entirely free to publish it, and I hope that it is well understood that that is the case.

Mr. Nicholas Bennett: Given that 85 per cent. of women whose partners have left them receive no support from those former partners and therefore rely on income support from the state, when will the Government take action to make those men responsible for the dependants whom they have left behind?

Mr. Newton: My hon. Friend is aware that the rules of the social security system provide for efforts to be made to ensure that those known in the jargon of the trade as "liable relatives" are found and required to make a contribution. Steps are taken to try to ensure that that contribution is paid and we shall be looking for ways to make those efforts even more effective.

Mrs. Beckett: Is the Secretary of State aware that the Childright report is just one of several recent reports that draw attention to the difficulty faced by many families in paying their bills? The right hon. Gentleman will recall that four years ago, when the Government were planning all their changes in social security, many independent groups warned that they would leave families unable to pay their bills. As the Government's plans for the poll tax, water charges and electricity charges can only make matters worse, what does the right hon. Gentleman plan to do about the situation?

Mr. Newton: As the hon. Lady referred to our previous exchanges in the House some three or four years ago, at the time of the reforms, she will not have forgotten that, among other things, the reforms in the income-related benefit system steered substantial additional sums of money towards low-income families and those out of work, both through income support and through family credit. In particular, family credit is bringing much greater sums to such families than family income supplement did. I hope that the hon. Lady will bear that in mind.

Mr. David Nicholson: Is my right hon. Friend aware that more than 50 per cent. of working people in the United Kingdom are making provision for their retirement, which is by far the largest proportion in the EEC, and that the number of retired people with income from private pensions and occupational pensions is increasing? Is he further aware, however, that in my

constituency and elsewhere there remain a number of people who have little income above the basic state pension? Does he therefore recognise that the increases implemented this month are very welcome as the first fruits of the Government's good intentions towards that group?

Mr. Newton: I am grateful to my hon. Friend for recognising our efforts. Obviously, we shall continue, as and when we feel able to do so, to build on that basic policy of seeking to steer additional help to those pensioners who most clearly have additional needs.

Disabled People

7. **Mr. Wareing:** To ask the Secretary of State for Social Security what plans he has, in the light of the findings of the Office of Population Censuses and Surveys' surveys, to increase the allocation of resources to disabled people.

Mr. Scott: We have already provided for an increase in spending on the sick and disabled in real terms of £1·9 billion, at 1988–89 prices, over the three years to 1991–92. This is a real increase in expenditure of more than 20 per cent. We shall consider the need for further expenditure following our assessment of all the results of the OPCS surveys.

Mr. Wareing: Is not the Minister citing increases which are due to the greater take-up of benefits introduced by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris)? Is he not truly concerned about the abject poverty of many disabled people—the 4·6 million disabled adults who subsist on an average income of £65 a week? Is it not about time that, instead of posing as a Minister for the disabled, the right hon. Gentleman showed some real concern? Now that the OPCS surveys are out of the way and we have them before us, I hope that we shall not have to wait another 18 months—as we did for the Griffiths report—before the Government take action.

Mr. Scott: As I said in answer to an earlier question, the Government have no reason to be ashamed of their record in responding to the needs of disabled people. I hope that the hon. Gentleman himself will be glad that the take-up of attendance allowance and mobility allowance has increased so substantially under the present Government. The same number of people were there when Labour was in office, but fewer took up the benefit.

Mr. Cormack: Is my right hon. Friend aware that a small, tragic and diminishing group of disabled people desperately need help now? I refer to the haemophiliac AIDS victims. Will my right hon. Friend please do something specific for such people who really do constitute a special case and who are dying almost daily?

Mr. Scott: Obviously, we are considering the needs of all disabled people. Let me, however, point out to my hon. Friend—who, I know, takes the concerns of this group very seriously—that substantial sums are still available from the money that was provided for the Macfarlane Trust. In the short term, that money is available to help those people to meet their needs, and I hope that my hon. Friend and other hon. Members—including the hon. Member for Birkenhead (Mr. Field)—will encourage them to avail themselves of that opportunity.

Mr. Ashley: Although I agree that there is no reason to be ashamed of the increased number of claimants, does the Minister agree that there is reason to be ashamed of the fact that most disabled people have experienced no significant increase in their income, despite the Government's boasts about increased prosperity in Britain?

Mr. Scott: Of the £3·5 billion extra in real terms that the Government are spending on disability benefits, some £500 million is due to the increase in the value of benefits, and the rest to take-up. That take-up, however, is meeting real need. Of course we shall address all those points when we review and reach conclusions about the OPCS reports.

Mr. John Marshall: Will my right hon. Friend confirm that surveys have shown that in Scotland poorer people, such as those mentioned in this question, pay less under the community charge system than they did under the discredited rating system?

Mr. Scott: I am sure that the House will note the point that my hon. Friend has made.

Transitional Protection

8. **Mr. Martyn Jones:** To ask the Secretary of State for Social Security how many of those on transitional protection will not enjoy a full uprating of their benefits next April.

Mrs. Gillian Shephard: I cannot anticipate the uprating announcement, but more than half those on income support transitional protection are expected to receive an increase at next year's uprating.

Mr. Jones: Will the Minister confirm that the half to whom she refers have not received an increase since April 1987? Does she know of any other group who have received no increase in income for three years? In the time during which transitional payments have been frozen, the cost of living will have gone up by about 19 per cent. by next April. How would the Minister like a cut of one fifth in her income?

Mrs. Shephard: It is correct that after the uprating those still on transitional protection—which should by then be about 5·4 per cent. of the total number of claims—will not receive an increase in their benefit. It should, however, be remembered that those people will still be receiving more benefit than those who have started to receive benefit since April 1988. The hon. Gentleman should also remember that 88 per cent. of all claimants will receive the full uprating in April and that of the other 12 per cent., who are currently on transitional protection, about half will receive some increase.

Mr. Boswell: Does my hon. Friend, whose presence at the Dispatch Box I welcome, agree that it is in the nature of transitional arrangements that they should be transitional and eventually run out? That has nothing to do with the overall level of benefits, on which the Government have a commendable record—for example, in the recent extension of benefits affecting 2·5 million people this month.

Mrs. Shephard: I thank my hon. Friend for his kind remarks. I agree that when there is a massive change in the social security system, such as the one introduced in April

1988, there are bound to be some people who, at the point of change, are adversely affected. That is why the Government introduced transitional protection to ensure that those people are protected from too sudden a change until the benefit to which they are entitled under the new system catches up.

Mr. Robin Cook: Could I tempt the Minister to name the figure about which she is being rather coy? Will she confirm that 200,000 claimants are unlikely to receive any increase next April, and that, by definition, they are likely to be the most frail and disabled, as they were the ones who used to get the highest allowances? What does she say to a pensioner of 81 who has been told that he cannot expect an increase until 1992, and does not know whether he will live to claim it? Will she confirm that every single one of the 200,000 was included in the 88 per cent. of people who, the House were constantly assured, would not be losers as a result of last year's changes? Does not their desperate plight now expose how utterly bogus that claim always was?

Mrs. Shephard: After the uprating about 200,000 people will still be on transitional protection. As I pointed out in an earlier answer, it should be remembered that those people will still be receiving more benefit than those who have come onto benefit since April 1988. I remind the hon. Gentleman that a number of those vulnerable groups have been fully protected, for example for those who need a large amount of domestic help and for those who require respite care the cost of that has been fully updated year by year. In addition, there has been continuous targeting on the most vulnerable groups, in particular the elderly and disabled who have been mentioned so many times today.

Homeless People

9. **Mrs. Gorman:** To ask the Secretary of State for Social Security if he has any plans to use the housing benefit system to discourage people coming to London and claiming they are homeless.

Mrs. Gillian Shephard: We have no such plans. Housing benefit is available to anyone who has to pay rent for their home, without any residence qualification.

Mrs. Gorman: I thank my hon. Friend for her cogent reply. Is she aware that most people claiming housing benefit in central London insist on remaining in the most expensive central areas, as I know from my experience as a Westminster city councillor? Is my hon. Friend further aware that such people could easily find accommodation if they were prepared to travel to the outer areas, particularly across the river to Southwark, where there are thousands of empty units of accommodation? Do the Government have any plans to encourage those people to go where housing is available within easy travelling distance of central London?

Mrs. Shephard: I remind my hon. Friend, who I know is aware of this, that housing is the responsibility of my right hon. Friend the Secretary of State for the Environment. However, I am sure that she will also understand that local authorities are not expected to pay housing benefit on unreasonably high rents, and arrangements exist so that the rent officer can judge whether rents are unreasonably high.

Dr. Reid: May I congratulate the Minister on her first answer, rejecting the suggestion by the hon. Member for Billericay (Mrs. Gorman)? People throughout Britain, particularly in areas of high unemployment such as Scotland, would be horrified if the Government had any intention of imposing a residential qualification on those who do not have, and are never likely to have, a residence. May I remind the Minister that the specification that one must spend a specified time in a specified parish was the underlying principle of the poor law in Britain? May I express the hope that that is not the type of Victorian value that the Government or their supporters want us to return to?

Mrs. Shephard: I shall repeat the words with which I began: we have no such plans.

Mr. Robert G. Hughes: Is my hon. Friend happy that the system of assessing housing benefit does the utmost to help all vulnerable groups? Is she aware that housing benefit is assessed only after a private rented flat has been found, and that that may not achieve the housing changes that we want or do the utmost to help vulnerable groups find housing for themselves?

Mrs. Shephard: There are sometimes problems with assessment for housing benefit and with a delay in the local authority making an award. It is the responsibility of local authorities to make the award within 14 days and they have powers to make an interim payment. From time to time, they need reminding of this power.

Young People

10. **Mr. Wallace:** To ask the Secretary of State for Social Security what further measures are planned to ensure the financial security of young people.

Mr. Scott: By developing the youth training scheme, which now offers over 500,000 places, we have provided the means for young people under 18 to ensure their own financial security. Income support remains available for those who are not able to take up a place on the sceme and, since July, 16 and 17-year-olds who have to live independently can get extra help through the income support and housing benefit scheme.

Mr. Wallace: Has the Minister of State, or his right hon. Friend the Secretary of State, had an opportunity to read the letter sent to the Secretary of State last month by the Scottish Council for Single Homeless, which, although welcoming the July changes as a step in the right direction, found the sums inadequate to allow young people who are estranged from their parents to have a living? Regrettably, the reality is that some young people have to move away from home. Will the Minister consider two specific proposals—an estrangement premium, to bring income support levels for young people up to the level for those over 25, and a re-examination of social fund rules so that young people may claim deposits which many landlords and landladies require before they will give them accommodation?

Mr. Scott: Of course we continue to monitor the effects of these provisions. The level of income support for 18 to 25-year-olds is set to reflect the lower earnings expectations of people at the age compared with those over the age of 25. In those circumstances, social security

officers seek to provide evidence for the person concerned that they young person will be on income support and will therefore be in receipt of benefit in due course and, if necessary to liaise with landlords to reassure them of that fact.

Mr. Paice: Does my right hon. Friend agree that the best way to ensure the financial security of young people is for their parents to help them by advising them to do everything they can to secure a beneficial career? As there is now plenty of access to training and further and higher education, that is the way to long-term financial security.

Mr. Scott: I am sure of that, and that is the most desirable outcome. We have to recognise, however, that there will be some young people who, for one reason or another, are unable to be with their parents or who are suffering severe hardship for other reasons. That is why we have improved the situation for them.

Mr. Andrew F. Bennett: What is the Minister doing to help 19-year-olds in full-time education completing their A-level course, whose parents lose child benefit when they reach the age of 19, and who are not themselves eligible for any benefit? When such parents receive income support, they will also lose any allowance for their children from that source. Now these people will be faced with the poll tax. Is it not disgraceful that the Government give no encouragement to people to complete A-level courses and so benefit themselves and the community?

Mr. Scott: As we all know, local education authorities have the power to pay educational maintenance allowances to people in that situation. It is for the education system, rather than the social security system, to provide such money.

Pensioners

13. **Mr. Watson:** To ask the Secretary of State for Social Security what plans he has for providing a universal new benefit for pensioners over 75 years of age.

Mr. Scott: On 9 October we introduced new and enhanced premiums for disabled pensioners and those aged 75 and over into the income support and housing benefit schemes. This extra help is quite properly targeted on those older pensioners who are most in need. I have no plans for a universal new benefit for this age group.

Mr. Watson: Is the Minister aware of a large number of people aged 75 and over who just fail to qualify for that premium although they have long since made a contribution to society and who deserve to live their retirement in dignity? Does the Minister agree that the fairest way to tackle this problem is to introduce a universal premium, or is his advice to such people simply that they must await the arrival of a Labour Government for one to be provided?

Mr. Scott: No, I do not agree, because total incomes of pensioners have risen very quickly under this Government —more than twice as fast as for the population as a whole, at a rate of some 3 per cent. a year, which is all that the last Labour Government could achieve throughout its time in office. Under those circumstances, it is right to try to use the resources that we have to help those most in need.

Disabled People

15. **Mr. Turner:** To ask the Secretary of State for Social Security what further discussions he has had with organisations of and for disabled people on the survey findings of the Office of Population Censuses and Surveys.

Mr. Scott: I met separately representatives of the Disability Benefits Consortium and the Disablement Income Group in May to listen to their views on the first OPCS reports. Since then, we have continued to receive comments both from individuals and other interested organisations.

Mr. Turner: Did the Minister listen to those organisations when they told him that the majority of disabled people were living on or below the poverty level? Did he listen to those organisations when they told him that disabled people were living on incomes which, taking into account the cost of disability, are £39 a week less than those for non-disabled people? Will the Minister tell us when this Government are going to do something for the needs of disabled people?

Mr. Scott: When I met those organisations we did not have all the OPCS reports in front of us. Now that we can look at them, we find that in terms of financial circumstances, about 70 per cent. are satisfied with their standard of living, few are in financial difficulties and the allowances paid for the extra cost of disability, such as attendance allowance and mobility allowance, more than cover the extra cost incurred.

CHURCH COMMISSIONERS

Clergy Ordination Measure

55. **Mr. Bowis:** To ask the right hon. Member for Selby, as representing the Church Commissioners, what further discussions he has had with the Archbishop of Canterbury regarding the Clergy Ordination Measure 1989.

Mr. Michael Alison (Second Church Estates Commissioner, Representing the Church Commissioners): The Clergy Ordination Measure is a matter for the General Synod of the Church of England, although I have spoken informally to the Archbishop of Canterbury about the outcome of the debate on 17 July. The Synod will meet in November, which will be its first opportunity formally to consider the matter since the debate in the House in July.

Mr. Bowis: Will my right hon. Friend gently explain to the Archbishops and the others who may be participating in the decision on what to do next on this measure that there was no basic hostility in the House towards the Church in taking that decision, but that it was taken largely by members of the Church of England who were prepared to stay up through the night to correct a matter that they thought was going wrong? Will my right hon. Friend take to them our concerns about the carte blanche nature of that measure? Will he take to them the concern that the measure appears to give the clergy an advantage over the laity because the laity are not to be allowed to be remarried in church, but divorced and remarried clergy are to be allowed to advise them of that fact? Will he finally suggest to the Church that such special cases as there

undoubtedly are would be better addressed by the approach of annulment or nullity than by this form of treatment?

Mr. Alison: I certainly take note of my hon. Friend's comments, and his positive and helpful suggestion. He will remember that it was not only members of the Church of England who happened to be Members of this House who were prepared to stay up late at night, but a substantial number of Whips in the Whips' Office, who likewise felt that it was desirable to stay up late at night and who profoundly influenced the outcome of the debate.

Mr. Frank Field: When the commissioner is reporting back on this measure, will he make it plain to Synod that many people who waited up through the night for the debate were not happy that the Church should refuse remarriage in church to ordinary lay people, but wished to create a special class of citizenry—those who were divorced and remarried, but who wished to be made priests—and that there may be a similar rough passage for the measure if the Church continues to maintain those two tiers of citizenship?

Mr. Alison: I certainly take very careful note of the comments by the hon. Member for Birkenhead (Mr. Field). He will understand, as I do, that it is unlikely that the Clergy Ordination Measure will be further amended before representation to the House, if the General Synod decides to represent it. His point is one he can make further in debate, if we debate the matter again.

Sir John Stokes: Is my right hon. Friend aware that, supporting what has been said already, we represent many lay people and that they are not at all happy about the measure? I give solemn warning that the House will not pass the measure unless it is substantially amended.

Mr. Alison: I certainly concur with my hon. Friend's observation that the Church of England, in its active parochial life, is well represented by my hon. Friends on the Government Benches and also by Opposition Members. It is entirely proper that such measures should be considered by the Church of England laity in this place. However, I must tell my hon. Friend that the opinions on the merits of the measure are sharply divided. If there were another debate on the measure, I suspect that the outcome would not necessarily be the same as that which occurred on 17 July.

Church Buildings

57. **Mr. Cran:** To ask the right hon. Member for Selby, as representing the Church Commissioners, what is the latest figure he has for the number of churches that the Commission has given permission to be *(a)* demolished and *(b)* used for other purposes since 1979.

Mr. Alison: Since 1979, the Church Commissioners have made schemes under the Pastoral Measure authorising the demolition of 109 redundant churches and the appropriation to suitable alternative uses of 374 others. A further 115 have been placed in the care of the Redundant Churches Fund.

Mr. Cran: At some point, could my right hon. Friend provide information about the number of churches that have been disposed of, but are now used by rather more dynamic churches than the Church of England? In relation to the Church of England, does my right hon. Friend agree that a 2·5 per cent. attendance rate on Sundays is a national disgrace and that it is partly attributable to a political clergy?

Mr. Alison: Since 1969, 1,215 churches have been made redundant and new uses, often for the benefit of the wider community, have been found for more than half of those. Very many of them still remain in constructive and positive use for suitable alternative employment—so to speak. The number of people attending Church of England Sunday worship services is mercifully not subjected to anything equivalent to the Whips' Office in this House. Nevertheless, the numbers—without whipping—are tending to increase Sunday by Sunday.

Mr. Tony Banks: What criteria are adopted by the commissioners when they consider alternative uses for redundant churches? Would using a church for bingo or as a McDonald's hamburger restaurant be acceptable to the commissioners? One or two churches in my area are so affected.

Mr. Alison: If the hon. Gentleman would like to make positive proposals, the Church Commissioners, who are always after making a reasonable profit on their assets to the benefit of the retired clergy, would consider sympathetically anything that the hon. Gentleman might propose. The hon. Gentleman would have to exercise his usual discretion and wisdom so as not to make any really untoward proposals for alternative use.

Ordination Trends

58. **Mr. John Marshall:** To ask the right hon. Member for Selby, as representing the Church Commissioners, what are the implications for the future expenditure of the Commissioners of the trend in ordinations during the past five years.

Mr. Alison: There is no clear trend in ordinations to suggest any significant change in the balance of the commissioners' expenditure in future years. The figure for 1988 male ordinations was the highest since 1971, while the relatively low figure anticipated for 1990 is likely to be partly balanced by the increased number of women entering the ministry.

Mr. Marshall: Does my right hon. Friend agree that the increasing number of women entering the ministry should be given full rights and that we should have women priests able to perform every function?

Mr. Alison: In the light of the difficulties encountered by the Clergy Ordination Measure in July, it would be tempting providence to take a position on a measure concerning the ordination of women as priests before that has even been determined in the General Synod.

Mr. Heffer: Is the right hon. Gentleman aware that many of us believe that those are matters which should be settled only within the Church and should not be matters for discussion in the House of Commons, especially as hon. Members belong to many denominations and religions? They could take decisions on issues which are not really their concern, but the concern of people like me who are members of the Church. Is he also aware that many of us who hold very strong catholic opinions in the

Church do not go along with some of those people who say that all Anglo-Catholics are opposed to the ordination of women? We are not.

Mr. Alison: The hon. Gentleman is a well-known and loyal Anglican. He will agree that the reality probably is that a substantial number of the solemnisations of marriages, both Christian and secular, that take place in churches are subject to clergy who, because of the establishment of the Church of England, are authorised to register and solemnise matrimony in a sacred environment. That makes it evident that public interest in Church of England matters should properly be considered not only in the General Synod but in this House where distinguished laymen such as the hon. Gentleman can express an opinion.

Research

59. **Mr. Harry Greenway:** To ask the Right hon. Member for Selby as representing the Church Commissioners, what is spent by the Church Commissioners for research undertaken by committees of the General Synod; where that money is spent; and if he will make a statement.

Mr. Alison: The commissioners do not fund research for the General Synod, but I will willingly assist my hon. Friend in securing the relevant information from the General Synod, if he wishes.

Mr. Greenway: Is my right hon. Friend aware of the report of the Bishop of St. Albans' committee on the merits and shortcomings of the White Paper on broadcasting? Does he agree that the Broadcasting Bill should seek properly to secure and expand the place of Christian broadcasting in the same way as it does in respect of secular broadcasting?

Mr. Alison: Yes. I have seen the report of the Bishop of St. Albans, and while I do not agree with everything that it contains, I share my hon. Friend's hope that when the Broadcasting Bill comes before the House, at least as great an opportunity for the expansion of Christian broadcasting will be written into the Bill as that proposed for secular broadcasting.

HOUSE OF COMMONS

Telephone Costs

Mr. John Marshall: To ask the Lord President of the Council what is the annual cost to public funds of the House of Commons telephone system.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The figures for the Palace of Westminster for the past three years are given in appendix 1 of the first report of the Services Committee of this Session. These indicate an average charge for telephone services over that period of £1,434,125 per annum. Of that sum the average call charges for each year were £505,163. This House pays some 86 per cent. of the total bill, and, on that basis, the cost to public funds of those telephone services attributable to the House are £1,233,348 and £434,440, respectively.

Mr. Marshall: Will my right hon. and learned Friend confirm that a switch to Mercury could save the taxpayer between £50,000 and £75,000? Does my right hon. and learned Friend, whose policies of controlling Government expenditure and fostering competition formed the basis of our economic success in the early 1980s, agree that such a change would bring a worthwhile saving?

Sir Geoffrey Howe: I am more than content to accept the tribute offered by my hon. Friend. I remind him that when considering the precise proposals for making economies in public expenditure, one must consider not only the short, medium and long-term effects but the effects of changes proposed or made on the economy that one has in mind. All those matters were considered by the Services Committee in its report published earlier this year. It had reservations about the effect of the change at this stage on the quality and reliability of the service, the ease and speed with which faults might be reported and rectified, and the effect on the traditional relationship with the supplier, British Telecom. The matter can be reconsidered but it was fully examined by the Committee and the Sub-Committee.

Mr. Winnick: When international conferences take place in which this country is actively involved, is there not a case for right hon. and hon. Members being able to telephone, in this case, the Prime Minister, to tell her that her action has been disgraceful and deceitful. As a former Foreign Secretary——

Mr. Speaker: Order. That has little to do with this Question. Did I hear the hon. Member use the word "deceitful"? If so, will he withdraw it? I ask him to withdraw that allegation against the Prime Minister.

Mr. Winnick: I understood that it is a question for the Prime Minister and the House of Commons——

Mr. Speaker: Order. I ask the hon. Member to withdraw the word "deceitful".

Mr. Winnick: Other Commonwealth Prime Ministers have echoed what I have said. *[Interruption.]*

Mr. Speaker: Order. I am not concerned about the context. Will the hon. Member kindly withdraw that word? He knows that it is unparliamentary.

Mr. Winnick: The position—*[Interruption.]* If I am allowed to speak——

Mr. Speaker: Order. The hon. Gentleman knows that this is taking time out of Question Time. Will he kindly withdraw that word, please?

Mr. Winnick: I have said that I believe that the Prime Minister has been deceitful—*[Interruption.]*

Mr. Speaker: Order. I give the hon. Gentleman one final chance. Withdraw the word, please.

Mr. Winnick: If you, Mr. Speaker, wish me to withdraw since I am not allowed to use that word in the House of Commons, obviously I will do so.

Mr. Thurnham: Does my right hon. and learned Friend have any information about the number of fax machines that are connected to the telephone system? Will he ensure that no list of their numbers is published so that we do not get any junk fax on our fax machines.

Sir Geoffrey Howe: My hon. friend is right to draw attention to the fact that fax machines are playing a growing part in the communications system of the House of Commons. There are apparently about 135 lines now installed expressly for that purpose. I cannot go beyond that information at this stage.

Procedure Committee

62. **Mr. Allen:** To ask the Lord President of the Council what representations he has received regarding the Procedure Committee's outstanding proposals.

Sir Geoffrey Howe: Apart from exchanges following the business statement on 27 July and informal meetings with the Chairman of the Select Committee on Procedure, I have received no specific representations on the Committee's outstanding proposals.

Mr. Allen: Will the Leader of the House take this first opportunity to condemn the outrage of Prime Minister's Question Time now taking place in Kuala Lumpur with real Prime Ministers? Does he accept that he has some distinguished predecessors, for example Norman St. John-Stevas, now in another place, who introduced departmental Select Committees and his other predecessor who introduced televising of the House of Commons? When it comes to the right hon. and learned Gentleman's time to move on to another job, what would he wish to be remembered for?

Sir Geoffrey Howe: I shall be discharging my duties as Leader of the House as effectively as I can.

Mr. Latham: Will my right hon. and learned Friend ask the Procedure Committee to look at the motions on procedure which the hon. Member for Nottingham, North (Mr. Allen) lists on the Order Paper day after day? If we must continue to waste money printing those motions every day, perhaps we could debate them.

Sir Geoffrey Howe: I find that a great deal of our time is taken up by trying to keep abreast of the hon. Gentleman's motions on that subject.

Mr. Skinner: Does the Leader of the House agree that he and the Government administrators will have more than a little difficulty if, in the next Session, an embryo research Bill is introduced and amendments relating to abortion are tabled? Does he have it in mind that the Government will use a guillotine to stop the debate?

Sir Geoffrey Howe: The Bill that the hon. Gentleman envisages will possibly come before the House will be handled by Parliament in accordance with the full range of procedures available to both Houses.

Theft

63. **Mr. Harry Greenway:** To ask the Lord President of the Council if he will detail the cost of losses and thefts of House of Commons china and cutlery since his answer of 18 July 1988, *Official Report*, columns *786-87;* and if he will make a statement.

Sir Geoffrey Howe: Purchases of tableware for the financial period 1988-89 amounted to £52,289, which represents less than 2 per cent. of that year's turnover. The average cost per annum over the past five years is £38,066. The purchases were largely to cover general wear and tear. It is not possible to give any further breakdown.

Mr. Greenway: Is my right hon. and learned Friend aware of reports that House of Commons plates, cups, saucers and cutlery are to be found in all sorts of places? Will he consider arranging an amnesty for the return of those treasures, and will he keep the House informed of progress?

Sir Geoffrey Howe: My hon. Friend's pronouncement should encourage all hon. Members and others to ensure that such objects are returned as promptly as possible. I found no fewer than 17 cups in my own office this afternoon.

Mr. Allen: Was the amount lost in cutlery and other tableware equal to what has been gained by selling off the family silver? Is it also equivalent to the amount of money made by the Conservative party selling dinners in this place to its political friends?

Sir Geoffrey Howe: There appears to be no limit to the ingenuity of the hon. Gentleman's mind. His point has nothing to do with the question.

CHURCH COMMISSIONERS

No. 1 Millbank

60. **Mr. Thurnham:** To ask the right hon. Member for Selby, as representing the Church Commissioners, what further progress there has been in the building alterations at No. 1 Millbank; and if he will make a statement.

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): Work is progressing well and the new accommodation for commercial letting is expected to be complete at the beginning of 1990. The Church of England Pensions Board took up its new accommodation in the Millbank complex in July—without any House of Commons cutlery, plates or cups.

Mr. Thurnham: As I pass that building every day on my way from my flat to the House, I continue to take great interest in the progress of the work. Will my right hon. Friend remind the House of the cost of the work to date and of the estimate of the final completion costs?

Mr. Alison: The conversion is costing several million pounds. I am afraid that I cannot give the exact figure without notice. The building development is well up to schedule and will certainly be completed on time.

Points of Order

3.30 pm

Mr. Nigel Spearing (Newham, South): On a point of order, Mr. Speaker. I believe that you can confirm that, under Standing Orders relating to questions, it is within your discretion to permit a private notice or written question arising after the date of due notice for questions, which in your opinion is such that the Government should answer. If such a question arises and matters escalate after midday to a degree not apparent previously, is it possible for such a question to be tabled between midday and 3.30 pm or, as I expect, does the question have to be held over until 3.30 pm on the following day?

Mr. Speaker: If that occurs—when that occurs—I have no authority to grant a private notice question at short notice, but those facts would certainly be taken into account if a private notice question were submitted on the subsequent day.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. It arises out of Question Time when you gave an answer to my hon. Friend the Member for Walsall, North (Mr. Winnick) in which you said that he could not say that the Prime Minister had been deceitful, either in this country or abroad. I should like to ask whether that ruling is in "Erskine May" and whether we can say such things. If an hon. Member says that somebody is a liar, I accept that an hon. Member would then be brought to order. However, being deceitful is not quite the same thing as being a liar. People can lie without being deceitful and be deceitful without being liars. Many people in the House and elsewhere are deceitful, but are not necessarily liars.

I should therefore like to know the basis of the ruling that you have given, Mr. Speaker. Is it in "Erskine May"? What exactly is the position? If we continue along these lines, we shall end up not being able to say anything about anybody or about anything that they say or do, and that would be quite wrong in a parliamentary democracy. I understand that in a parliamentary democracy we can challenge Conservative Members in the same way that they can challenge us. I should like to know the precise basis for your ruling, Mr. Speaker.

Mr. Speaker: The hon. Gentleman has been here long enough to know that we in this House do not attribute dishonourable motives to each other—*[Interruption.]* Order. We are not televised yet, but I hope that we shall set a high standard in the words that we use about each other. "Deceitful" is an unparliamentary word.

Mr. Heffer: Is the basis of your ruling to be found in "Erskine May," Mr. Speaker? Does it say that in "Erskine May"?

Mr. Speaker: There is no longer a list of unparliamentary expressions in "Erskine May".

Mr. Tony Banks (Newham, North-West): There is a list——

Mr. Speaker: The hon. Gentleman had better have a look.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am not prepared to have an argument about it. We must keep high standards here and treat each other as right hon. and hon. Members of the House—on both sides.

Mr. Harry Cohen (Leyton): On a point of order, Mr. Speaker. I believe that my hon. Friend the Member for Newham, South (Mr. Spearing) was alluding to the need for an emergency debate on the London ambulance dispute, which has been escalated by the management. After the deadline for making representations to you, I received information that the management had taken the keys away from the vehicles belonging to my local ambulance service and will not put——

Mr. Speaker: Order. That is as may be, but I have nothing to add to what I have already said to the hon. Member for Newham, South (Mr. Spearing).

Mr. David Winnick (Walsall, North) *rose*——

Mr. Speaker: Order. I hope that we shall not pursue this matter as we have an enormous list of amendments on the Children Bill.

Mr. Winnick: On a point of order, Mr. Speaker. You know that I and other hon. Members observe your rulings and that we are trying to do so. Will you reflect on the ruling you gave a moment ago to my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) and what you said to me? I mentioned to you—perhaps you did not hear me because of the noise—that Commonwealth leaders use the same words that I used. If that word simply cannot be used, so be it, but since there is no list in "Erskine May", and since many people believe that the Prime Minister has been—I cannot use the word, according to you—I believe that on future occasions we should be able to speak our minds in a free Parliament and in a parliamentary democracy.

Mr. Speaker: I hope that the House too will reflect on the matter of parliamentary language. That certain words may be used outside this place is irrelevant. What we are concerned with in this House is keeping up our standards, and I hope that we shall. do so.

Mr. Alan Williams (Swansea, West): Further to the point of order raised by my hon. Friend the Member for Newham, South (Mr. Spearing) about private notice questions. As you have said, Mr. Speaker, we are coming towards the time when the House will be televised and, understandably, the public will expect the House of Commons to reflect the immediacy and urgency of situations as they are seen outside this place.

We have a myth, which we have all sustained over the years, that private notice questions are not asked unless they are granted. That leads people outside not to understand the extent to which hon. Members on both sides of the House try to pursue matters that are of great urgency, sometimes at a constituency level, but often at a national level. Might it not be time to question whether we need to sustain the illusion that unasked private notice questions have never been asked in the first place?

Mr. Speaker: If the right hon. Gentleman wants that to happen, he should take it to the Procedure Committee because it is the Procedure Committee that binds the Chair on this matter. I cannot go beyond what the Procedure Committee has recommended and the House has agreed.

Mr. Edward Leigh (Gainsborough and Horncastle): Further to that point of order, Mr. Speaker. Will you please make it quite clear that, once Parliament is televised, television will be the servant of Parliament and not Parliament the servant of television?

Mr. Speaker: I have used that phrase myself.

STATUTORY INSTRUMENTS, &c

Ordered,

That the draft Inter-American Development Bank (Seventh General Increase) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Greg Knight.]*

Orders of the Day

Children Bill *[Lords]*

As amended (in the Standing Committee), considered.

3.37 pm

Mr. Speaker: Before calling upon the Minister to move the order of consideration motion, I must draw the attention of the House to a printing error on the Amendment Paper. The amendments to new clause 34, which is printed on page 3173, will be found on page 3164.

Mr. Keith Vaz (Leicester, East): On a point of order, Mr. Speaker.

Mr. Speaker: Leave it for the moment.

The Minister for Health (Mr. David Mellor): I beg to move,

That the Bill, as amended, be considered in the following order, namely: Amendments relating to Clauses 1 to 14, Schedule 1, Clause 47, Schedule 4, Clauses 48 to 53, Schedule 5, Clauses 54 to 56, Schedule 6, new Schedule 6A, Clauses 57 to 59, Schedule 7, Clauses 60 to 63, Schedules 9 to 13, new Clauses 1, 23 and 20, remaining new Clauses, new Schedule 9A, Amendments relating to Clauses 15 to 26, Schedule 2, Clauses 27 to 33, Schedule 3, Clauses 34 to 46, Clauses 64 to 71, Schedule 8, Clauses 72 to 91 and the Title.

I should like to pay warm tribute to the officials of the House, who had to work exceptionally hard to produce the order of consideration for today having regard to the large number of amendments that have been tabled. I know that that necessitated a number of officials of the House, as well as officials of my Department, working through the night on Friday. I should like to express my gratitude and, I suspect, the gratitude of the House for that.

The motion endeavours to arrange our consideration so that a significant number of uncontentious and formal amendments are taken first.

Mr. Vaz: On a point of order, Mr. Speaker. I tried to attract your attention earlier, but you did not call me. My point relates to what the Minister has just said and the order in which the House will take the amendments. As you, Mr. Speaker, have said, there is an enormous number of amendments to the Bill. I am concerned about new clauses 13 and 5, which involve the child assessment orders and the child production notice. They are important clauses and, if we follow the selection that you have determined, we shall reach them by about 7 o'clock this evening. In view of the importance of the clauses and the statements made by the Minister last Saturday to the social services correspondent of *The Guardian* will it be possible to take those clauses out of the schedule you suggested and put them back until tomorrow?

Mr. Speaker: The order in which amendments are taken is not for me. It is in the Government's motion which is on the Order Paper. If the hon. Gentleman does not like that motion, he must vote against it.

Mr. Mellor: I hope that the hon. Gentleman will not feel it necessary to do that.

I was about to say that the motion, which has obviously been discussed through the usual channels, is an endeavour to reflect the significance of making progress

[Mr. Mellor]

with largely uncontentious amendments, followed by the opportunity, while the House is still fresh, to consider some issues, including the one raised by the hon. Member for Leicester, East (Mr. Vaz), which are more contentious and on which the House will no doubt want to spend some time.

In explaining to the House why there are so many amendments, I shall make three points. First, the Bill is a major consolidation and reform of both the private and public law relating to children. It is an important technical Bill on a matter which is unlikely to be the subject of further sustained parliamentary consideration for some time. Therefore, it is crucial that all the details are right, hence the large number of amendments, many of which, though I suspect purely formal and uncontentious, are vital. I apologise for the large number of amendments.

Secondly, the Bill has proceeded through both Houses of Parliament as a non-partisan measure and, therefore, the fact that when the Bill was considered in totality in Committee the Government offered a number of concessions to opinion among all parties means that a number of the amendments reflect agreements which were reached in Committee. While that has added to the work of the House, it is an ornament to Parliament rather than otherwise that the Committee stages have led to such a measure of consideration on Report.

Thirdly, one or two new issues have arisen, such as the follow-up to the Crookham Court school problems which have led to some amendments being tabled. It would have been remiss if we had not taken the opportunities offered to make changes in a part of the law which plainly gave rise to considerable public concern.

Question put and agreed to.

Clause 1

Welfare of the Child

The Solicitor-General (Sir Nicholas Lyell): I beg to move amendment No. 37, in page 1, line 11, at end insert—

'(A) In any proceedings in which any question with respect to the upbringing of a child arises, the court shall have regard to the general principle that any delay in determining the question is likely to prejudice the welfare of the child.'.

Mr. Speaker: With this it will be convenient to take Government amendments Nos. 40, 41 and 74.

The Solicitor-General: Following what my hon. and learned Friend the Minister for Health has said, I can add that these amendments are not contentious and I shall deal with them comparatively briefly unless hon. Members wish to ask questions about them. The effect of the amendments is to state as a general principle that the court is to regard any delay in proceedings about children as likely to prejudice the child's welfare. That is something about which the House will agree and I commend the amendments.

Mr. Vaz: The Solicitor-General invited questions on these technical amendments. Does he believe that the amendment pre-empts the debates that we shall hold later on family courts? Does he agree that if we had a family court, it would meet many of the criticisms of the delays that occur when the court system deals with cases affecting children?

3.45 pm

The Solicitor-General: I am sure that the steps that we propose to take and which we shall have an opportunity —I hope not much later—this afternoon to discuss fully will meet the hon. Gentleman's point.

Mr. Ian McCartney (Makerfield): My point is not so much a question as a contribution about an issue that causes me great anxiety. During the past decade, much of my work has concerned the delays involved in court hearings of children's cases—delays between hearings and subsequently in the appeals procedure.

When considering provision for a child's future welfare, it is vital that circumstances dividing the child from the wider family and that access, when appropriate, to the child by the parent during proceedings be taken into account. Unfortunately, either because of duplicity, pressure of work or lack of communication between parents, the representatives of parents, the wider family, the local authority and the court, in the period leading up to court proceedings there is often a vital breakdown in communications and in the link between the family and the child. When a final decision has been made by the courts that break often leads to an irreversible breakdown in relationships which can cause unnecessary anxiety for children and for the family, the parents, the wider family and especially grandparents.

I do not want to pre-empt future debates on clauses dealing with maintaining family links during proceedings, but will the Minister assure us that statutory instruments will be brought to the House laying down the responsibilities of the court and the local authority to maintain the link between the child and the wider family during proceedings? Such advice should set out the basic tasks that must be undertaken to ensure that the relationship continues for all practical purposes.

When proceedings are pending, parents and the wider family are often wholly excluded from communication with the child—they cannot celebrate birthdays, Christmas or other special events together; they cannot gain access for usual family activities, either. It is vital to lay down in legislative form certain other practical steps that the courts must take. Local authorities and courts must not be given options: we must set down clear duties for them to undertake in respect of maintaining the important link between the child in care and the authorities who are responsible for determining its future welfare.

In many instances, courts and local authorities should be empowered to expedite the following matters: facilities should be provided for preparing meals for children and giving babies a feed. Families should be able to take a child to and from school or nursery if the child is still attending during care proceedings. They should be able to go out on social outings to shops and cinemas and clinics and doctors. Families should be able to clean a child's room, make its bed, wash and iron its clothes, read to it and tell it stories. They should be able to help the child with reading or writing and with shopping for shoes and clothes, with or without the foster parents if the latter are involved in care proceedings. All these are vital in cases in which the courts have yet to decide whether long-term

separation from the family is in the interests of the child. In that preceding period the link must be maintained and carefully nurtured, along with the support of professional social workers under the guidance of the court.

It is also important when there is some measure of access to the child during proceedings, that prior to access facilities are provided to choose clothing and the other things that a child needs and which can be provided by a grandparent, another member of the family or a family friend. Those are minimum standards that require to be set down, and without them the situation will remain as it is now.

Efforts have been made to amend the clause. When delays take place—sometimes for legitimate and at other times for not so legitimate reasons—the break-up of the family begins and gathers pace, and further anxieties and pressure are brought to bear on the child and there is extreme pressure on the family. That is unacceptable, given that part of the whole ethos of social work in most cases is to try to retain the link between the family and the child. Even if at the end of the day the court makes a determination order for either a short or a long period, the child will not live in the family context.

At some stage during the passage of the Bill will the Minister provide clear advice to local authorities in court? Where, in specific circumstances, it is necessary to maintain the link with the family, will he set out clear instructions detailing the tasks that will have to be carried out on behalf of the court by the social services to maintain the vital family link?

The Solicitor-General: All those matters are covered at one point or another in the Bill. There may be an opportunity to debate some of them later today. The amendments before us deal with delay and the desirability of avoiding it wherever possible.

Amendment agreed to.

Clause 4

Acquisition of parental responsibility by father

The Solicitor-General: I beg to move amendment No. 268, in page 3, line 36, leave out subsections (2) and (3) and insert—

'(2) No parental responsibility agreement shall have effect for the purposes of this Act unless—

(a) it is made in the form prescribed by regulations made by the Lord Chancellor; and

(b) where regulations are made by the Lord Chancellor prescribing the manner in which such agreements must be recorded, it is recorded in the prescribed manner.'.

Mr. Speaker: With this it will be convenient to consider Government amendment No. 38.

The Solicitor-General: Again, these amendments deal with the question of the prescribed form for parental responsibility agreements and, in future, with methods of recording them as laid down as and when the Lord Chancellor comes to lay them down.

Amendment agreed to.

Amendment made: No. 38, in page 3, line 42, after 'may', insert 'only'.—*[The Solicitor-General.]*

Clause 5

Appointment of guardians

The Solicitor-General: I beg to move amendment No. 269,

That Clause 5 be divided into two Clauses, the first consisting of page 4, subsections 1-8 and page 5, subsections (16) and (17) and the second of page 4, subsections (9) to (15) on page 5.

Mr. Speaker: With this it will be convenient to consider Government amendments Nos. 274, 275, 277, 279, 280 and 282.

The Solicitor-General: The amendments are largely technical. They deal with the splitting of clause 5 into two parts with detailed provisions about the appointment of guardians and with amendments consequent upon the splitting of the clause and some other drafting amendments.

Amendment agreed to.

Amendments made:

No. 270, in page 4, line 4, leave out from '(1)' to end of line and insert

'Where an application with respect to a child is made to the court by any individual, the court may by order appoint that individual to be the child's'.

No. 271, in page 4, line 9, at end insert—

'(1A) The power conferred by subsection (1) may also be exercised in any family proceedings if the court considers that the order should be made even though no application has been made for it.'.

No. 272, in page 4, line 15 leave out 'is signed by the person making it' and insert

'is signed by the person making the appointment or—

(a) in the case of an appointment made by a will which is not signed by the testator, is signed at the direction of the testator in accordance with the requirements of section 9 of the Wills Act 1837; or

(b) in any other case, is signed at the direction of the person making the appointment, in his presence and in the presence of two witnesses who each attest the signature.'.

No. 273, in page 4, line 16, after 'a', insert 'child's'.

No. 274, in page 4, line 36, leave out 'subsection (2) or (3)' and insert 'section 5(2) or (3)'.

No. 275, in page 4, line 42 leave out 'subsection (2) or (3)' and insert 'section 5(2) or (3)'.

No. 276, in page 4, line 45, leave out 'by him' and insert '—

(a) by him; or

(b) at his direction, in his presence and in the presence of two witnesses who each attest the signature.'.

No. 277, in page 5, line 1, leave out 'subsection (2) or (3)' and insert 'section 5(2) or (3)'.

No. 278, in page 5, line 2, leave out from 'if' to end of line 3 and insert

', with the intention of revoking the appointment, the person who made it—

(a) destroys the instrument by which it was made; or

(b) has some other person destroy that instrument in his presence.'.

No. 279, in page 5, line 4, leave out 'subsection (2) or (3)' and insert 'section 5(2) or (3)'.

No. 280, in page 5, line 6, leave out 'subsection (2) or (3)' and insert 'section 5(2) or (3)'.

No. 281, in page 5, line 10, leave out subsection (14) and insert—

'(14) Where regulations are made by the Lord Chancellor prescribing the manner in which such disclaimers must be recorded, no such disclaimer shall have effect unless it is recorded in the prescribed manner.'.

[The Solicitor-General]

No. 282, in page 5, line 13, leave out 'this section' and insert 'section 5'.

No. 283, in page 5, line 14, at end insert—

'(a) on the application of any person who has parental responsibility for the child;

(b) on the application of the child concerned, with leave of the court; or

(c) in any family proceedings, if the court considers that it should be brought to an end even though no application has been made.'.

No. 284, in page 5, line 17, at end insert—

'(16A) Subject to any provision made by rules of court, no court shall exercise the High Court's inherent jurisdiction to appoint a guardian of the estate of any child.

(16B) Where rules of court are made under subsection (16A) they may prescribe the circumstances in which, and conditions subject to which, an appointment of such a guardian may be made.'.

No. 285, in page 5, line 18, after 'guardian', insert 'of a child'.—*[The Solicitor-General.]*

Clause 7

RESIDENCE, CONTACT AND OTHER ORDERS WITH RESPECT TO CHILDREN

Amendment made: No. 39, in page 6, line 17, leave out 'issue' and insert 'question'.—*[The Solicitor-General.]*

Clause 8

RESTRICTIONS ON MAKING SECTION 7 ORDERS

The Solicitor-General: I beg to move amendment No. 286, in page 7, line 12, at end insert—

'(5A) No court shall make any section 7 order which is to have effect for a period which will end after the child has reached the age of sixteen unless it is satisfied that the circumstances of the case are exceptional.'.

Mr. Speaker: With this it will be convenient to take Government amendment No. 147.

The Solicitor-General: These amendments provide that section 7 orders should not be made in relation to children over the age of 16 except in exceptional circumstances. This is obviously sensible. Amendment No. 147 simply corrects a slip. I commend the amendments to the House.

Amendment agreed to.

Clause 9

POWER OF COURT TO MAKE SECTION 7 ORDERS

The Solicitor-General: I beg to move amendment No. 287, in page 8, line 8, at end insert—

'(5A) A person who would not otherwise be entitled (under the previous provisions of this section) to apply for the variation or discharge of a section 7 order shall be entitled to do so if—

(a) the order was made on his application; or

(b) in the case of a contact order, he is named in the order.'.

This concerns the application for variations for section 7 orders. I commend it to the House.

Amendment agreed to.

Clause 10

GENERAL PRINCIPLES AND SUPPLEMENTARY PROVISIONS

Amendments made: No. 40, in page 8, line 30, leave out subsection (1).

No. 41, in page 8, line 36, leave out 'such a question' and insert

'any question of making a section 7 order, or any other qustion with respect to such an order,'.—*[The Solicitor General.]*

The Solicitor-General: I beg to move amendment No. 288, in page 9, line 24, leave out from 'made' to end of line 26 and insert—

'(ii) who is a parent of the child concerned;

(iii) who is not a parent of his but who has parental responsibility for him; or

(iv) with whom the child is living,'.

This amendment and the two in the next group extend the range of people obliged to comply with the conditions under section 7 orders to unmarried fathers and to anyone with whom the child is living. They fall well within the context of what we discussed in Committee, and I commend them to the House.

Amendment agreed to.

Clause 11

RESIDENCE ORDERS AND PARENTAL RESPONSIBILITY

Amendments made: No. 289, in page 9, line 38, leave out 'if he would not otherwise'.

No. 290, in page 9, line 38, leave out 'have that responsibility'.—*[The Solicitor-General.]*

The Solicitor-General: I beg to move amendment No. 42, in page 9 line 44, leave out

'or section 18 of the Adoption (Scotland) Act 1978'.

Mr. Speaker: With this it will be convenient to take Government amendments Nos. 43, 76 and 77.

The Solicitor-General: These amendments simply remove references to the Adoption (Scotland) Act 1878. It was thought more appropriate to deal with it elsewhere. I commend them to the House.

Amendment agreed to.

Amendment made: No. 43, in page 9, line 46 leave out 'or section 49 of the Act of 1978'.—*[The Solicitor-General.]*

Clause 13

ORDERS FOR FINANCIAL RELIEF WITH RESPECT TO CHILDREN

Amendment made: No. 291, in page 10, line 23, at end insert—

'(2) The powers of a magistrates' court under section 60 of the Magistrates' Courts Act 1980 to revoke, revive or vary an order for the periodical payment of money shall not apply in relation to an order made under Schedule 1.'.—*[The Solicitor-General.]*

Clause 14

FAMILY ASSISTANCE ORDERS

The Solicitor-General: I beg to move amendment No. 292, in page 11, line 13, at end insert—

'(7) A family assistance order shall not be made so as to require a local authority to make an officer of theirs available unless—

(a) the authority agree; or

(b) the child concerned lives or will live within their area.

(8) Where a family assistance order requires a probation officer to be made available, the officer shall be selected in accordance with arrangements made by the probation committee for the area in which the child lives or will live.

(9) If the selected probation officer is unable to carry out his duties, or dies, another probation officer shall be selected in the same manner.'.

This amendment deals with the selection of a local authority or probation official to befriend the person named in the family assistance order. I commend the amendment to the House.

Amendment agreed to.

Schedule 1

Financial Provision for Children

The Solicitor-General: I beg to move amendment No. 168, in page 82, line 3, leave out

'High Court, a county court or a magistrates'.

Mr. Speaker: With this it will be convenient to take Government amendments Nos. 365, 404 to 406, 318, 319, 169, 170, 366 and 367.

The Solicitor-General: These are drafting and tidying-up amendments consequential on others. I commend them to the House.

Amendment agreed to.

Amendments made: No. 365, in page 83, line 8, leave out

'the parents of the child'

and insert—

'(a) any parent making or securing the payments; and

(b) any parent to whom the payments are made or secured,'.

No. 404, in page 83, line 26, leave out 'or 2'.

No. 405, in page 83, line 34, at end insert—

'(2A) Where the court makes an order under paragraph 1 against a person who is not the father of the child, it shall record in the order that the order is made on the basis that the person against whom the order is made is not the child's father.'

No. 406, in page 83, leave out line 36 and insert—

'(a) in relation to a decision whether to exercise its powers under paragraph 1, any parent of the child;

(aa) in relation to a decision whether to exercise its powers under paragraph 2, the mother and father of the child;'.

No. 318, in page 84, line 2, leave out '£500' and insert '£1,000'.

No. 319, in page 85, line 9, leave out 'or 2'.

No. 169, in page 86, line 32, leave out

'High Court, a county court or a magistrates'.

No. 170, in page 88, line 4, leave out '(4)' and insert '(3)'.

No. 366, in page 89, line 5, leave out 'and;' and insert—

'(2) In this Schedule except paragraphs 2 and 15.

No. 367, in page 89, line 7, at end insert

'; and for this purpose any reference to either parent or both parents shall be construed as references to any parent of his and to all of his parents'.—*[The Solicitor-General.]*

Clause 47

Provision of Community Homes by Local Authorities

Mr. Mellor: I beg to move amendment No. 457, in page 45, line 27, leave out subsection (6).

Mr. Speaker: With this it will be convenient to take Government amendments Nos. 122, 459 and 164.

Mr. Mellor: These amendments tighten up the definitions of "voluntary home" and "voluntary organisation". I commend them to the House.

Amendment agreed to.

Clause 53

Registration and Regulation of Voluntary Homes

Amendments made: No. 122, in page 50, line 20, leave out

'in the case of a home or other institution which is supported wholly or partly by endowments'.

No. 459, in page 50, line 22, at end insert—

'(cc) any community home;'.—*[The Solicitor-General.]*

Mr. Mellor: I beg to move amendment No. 460, in page 50, line 23, leave out from 'institution' to '; or' in line 24 and insert

'provided, equipped and maintained by the Secretary of State'.

Mr. Speaker: With this it will be convenient to take Government amendments Nos. 458, 466, 469, 468, 140 and 141.

Mr. Mellor: These are purely drafting amendments.

Amendment agreed to.

Schedule 5

Registered Children's Homes

Mr. Mellor: I beg to move amendment No. 370, in page 113, line 1, leave out

'require the approval of the Secretary of State for the provision and'

and insert 'prohibit the'.

Mr. Speaker: With this it will be convenient to take Government amendments Nos. 371 to 373.

Mr. Mellor: These are substantive amendments, so I should say a word or two about them. They make an important but, I hope in the light of the debates that we had in Committee, a welcome change to the Secretary of State's regulatory power in connection with voluntary and registered children's homes. In both schedule 5 and schedule 6, the Bill makes provision for the Secretary of State by regulation to give his approval to the provision and use of accommodation for the purpose of restricting liberty in such homes.

Amendments were tabled in Committee designed to remove these powers and to replace them with the power to prohibit the provision of secure accommodation in voluntary and registered children's homes completely. At that time I explained that although the Secretary of State had no current intention to give his approval to the provision of secure accommodation in such homes, we thought it right to provide some flexibility in the arrangements should the need for such future provision become apparent.

4 pm

I undertook to consider the matter further. Having carefully considered the points made in Committee, I have concluded that the Bill should be amended and that the Secretary of State's power to approve the provision of

[Mr. Mellor]

secure accommodation in registered and voluntary homes should be replaced by a regulation-making power to prohibit the use of such accommodation.

Amendments Nos. 370 and 371 make the necessary changes in so far as they affect voluntary homes, and amendments Nos. 372 and 373 make comparable changes affecting registered children's homes. I think that the changes will be welcomed in the House.

Amendment agreed to.

Amendment made: No. 371, in page 113, line 3, leave out from 'homes' to end of line 6.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 199, in page 113, line 12, after 'on' insert 'or in charge of'.

Mr. Speaker: With this we shall discuss Government amendments Nos. 411, 205 and 206.

Mr. Mellor: These amendments amend the powers to make regulations in respect of voluntary and registered children's homes. I do not believe that they are controversial.

Amendment agreed to.

Amendment made: No. 411, in page 113, line 18, at end insert—

'Disqualification

7A. The Secretary of State may by regulation make provision with respect to the disqualification of persons in relation to voluntary homes of a kind similar to that made in relation to children's homes by section 58.'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 201, in page 113, leave out lines 19 to 27.

Mr. Speaker: With this we may discuss Government new clause 15.

Mr. Mellor: This is a substantive amendment and a substantial new clause. Their effect would be to clarify the powers of voluntary organisations to provide accommodation for children, mainly by bringing the powers together in one place.

New clause 15 sets out the powers of voluntary organisations to provide accommodation by placing the child with a family, a relative or others, in a home—for example, a voluntary or registered children's home—or by making other arrangements. The provisions are equivalent to those in clause 20 that deal with the placement of children by local authorities.

I hope that by bringing the powers together in one place, the effect of the new clause will be helpful to practitioners in what is otherwise a complex area.

Amendment agreed to.

Clause 54

Duties of Voluntary Organisations

Mr. Mellor: I beg to move amendment No. 123, in page 51, line 12, at end insert "and linguistic'.

Mr. Speaker: With this we may discuss Government amendments Nos. 129, 54, 407, 75 and 131.

Mr. Mellor: This formidable list of amendments deals with the welfare responsibilities of the local authority, voluntary organisation or person running a children's home who is looking after a child. They include a requirement to give due consideration to the religious persuasion, racial origin and cultural background of the child. An example of that can be found in clause 19(5)(c).

Hon. Members who sat through the Committee stage will be aware that the Commission for Racial Equality supported amendments that would add a reference to the child's language. I agreed in Committee that that point should be met and that is the intention of Government amendments Nos. 123, 129, 54 and 131. The child's linguistic background is quite likely to have a bearing on his development and on how he should be cared for, and I am only too happy to put that point into the Bill. I am sure that it will be welcome news to the House.

Amendment No. 75 is purely a drafting amendment, changing a reference to religious creed to "religious persuasion". The word "persuasion" is generally used in the Bill; "creed" must have slipped in through an oversight.—

Amendment agreed to.

Clause 55

Duties of local authorities

Mr. Mellor: I beg to move amendment No. 124, in page 51, line 23, at end insert—

'(2A) The Secretary of State may make regulations—

(a) requiring every child who is accommodated within a local authority's area, by or on behalf of a voluntary organisation, to be visited by an officer of the authority—

(i) in prescribed circumstances; and

(ii) on specified occasions or within specified periods; and

(b) imposing requirements which must be met by any local authority, or officer of a local authority, carrying out functions under this section.'.

The intention of the amendment is to enable the Secretary of State to regulate the exercise by local authorities of their general duty in clause 55 to visit children in their area who are accommodated by or on behalf of voluntary organisations.

Amendment agreed to.

Clause 56

Children not to be cared for and accommodated in unregistered children's homes

Amendment made: No. 125, in page 52, line 25, leave out subsection (3).—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 126, in page 52, line 37, leave out subsection (5) and insert—

'(4A) A child is not cared for and accommodated in a children's home when he is cared for and accommodated by—

(a) a parent of his;

(b) a person who is not a parent of his but who has parental responsibility for him; or

(c) any relative of his.'.

Mr. Speaker: With this we may take Government amendment No. 127.

Mr. Mellor: The amendments tighten up the definition of a children's home in clause 56: they are drafting amendments.

Amendment agreed to.

Amendment made: No. 458, in page 53, line 1, leave out from 'home' to '; or' in line 2 and insert

'provided, equipped and maintained by the Secretary of State'.—*[Mr. Mellor.]*

Amendment No. 407 is intended to deal with the concern expressed by the hon. Member for Monklands, West (Mr. Clarke) and others that some local authorities needed to take better account of the ethnic composition of their areas and make greater efforts to recruit day and foster carers from ethnic minority families. The amendment requires local authorities to have regard to the different racial groups of children in need in their areas when they are providing day care services or encouraging applications from potential foster parents. I hope that it will be a welcome amendment.

Mr. Mellor: I beg to move amendment No. 301, in page 53, line 6, leave out from beginning to 'and' in line 7.

Mr. Speaker: With this we may take Government amendment No. 313.

Mr. Mellor: The amendments are concerned with the definition of a children's home. Amendment No. 301 is part of the package of new measures to which I referred when moving the motion for the order of consideration, aimed at safeguarding the welfare of children in independent schools. The amendment extends the definition of a children's home to include all independent schools which provide accommodation for not more than 50 pupils and which are not approved for special education. The requirement has been removed that at least one of the children being accommodated must be looked after by a local authority. All such independent schools, in addition to being registered with the Department of Education and Science, will now have to register with the local authority within whose boundaries they lie. As regards independent schools, the definition of a children's home will mirror that of a residential care home.

Ms. Hilary Armstrong (Durham, North-West): May I make it clear that the amendment, in a sense, technically "sorts out" clause 56, while the new clause that we shall be debating later spells out the implications for independent schools?

Mr. Mellor: The hon. Lady is quite right. The amendment deals with the special arrangements for very small schools with fewer than 50 pupils. As I have said, the Bill as originally drafted required one of the children to be looked after by a local authority if such a school was to be within the definition of a children's home. Now any such school, whether or not any single pupil is placed there by a local authority, will fall within that definition, and so will have to be registered with the local authority.

The arrangements made for independent schools more generally do not involve registration but involve certain inspection arrangements with which we shall deal later. The proposal is part of a package, so I thought it right to refer to it as a part of the careful reconsideration that we have been giving that section of the Bill, in the light of discussions in Committee and of certain matters that were the subject of television programmes and, I think, a good deal of public concern a couple of months ago.

Amendment agreed to.

Amendments made: No 127, in page 53, leave out from beginning of line 10 to end of line 30 and insert—

'(7A) A child shall not be treated as cared for and accommodated in a children's home when—

(a) any person mentioned in subsection (4A)(a) or (b) is living at the home; or

(b) the person caring for him is doing so in his personal capacity and not in the course of carrying out his duties in relation to the home.'.

No. 128, in page 53, line 40, at end insert—

'(15) Schedule 6A shall have effect for the purpose of setting out the circumstances in which a person may foster more than three children without being treated as carrying on a children's home.'.—*[Mr. Mellor.]*

Schedule 6

REGISTERED CHILDREN'S HOMES

Mr. Mellor: I beg to move amendment No. 202, in page 114, line 4, at end insert—

'(4A) Before deciding whether or not to grant an application a local authority shall comply with any prescribed requirements.

(4B) Regulations made for the purposes of sub-paragraph (4A) may, in particular, make provision as to the inspection of the home in question.'.

Mr. Speaker: With this we may take Government amendments Nos. 203 and 204.

Mr. Mellor: Amendment No. 202 provides that, in considering applications for registration of registered children's homes, regulations may require a local authority to comply with certain requirements, including carrying out an inspection of a home. Although it is unlikely that any authority would register a home without first inspecting it, the Bill as drafted did not require a pre-registration inspection. The amendment is properly tabled in that it provides power for a specific requirement to inspect to be included in regulations. I do not think that that will be a controversial matter.

Amendment No. 203 is a drafting amendment. Amendment No. 204 requires those running a registered home to supply information about facilities for persons to visit or otherwise to communicate with a child accommodated in a registered home. It mirrors the provisions in respect of voluntary homes already to be found in the Bill.

Mr. Dave Nellist (Coventry, South-East): I wonder whether I can take a couple of minutes of the Minister's time on this group of amendments. Without challenging your ruling, Mr. Speaker, may I say that you will be aware that on 30 June I tabled an amendment to this part of the Bill to seek an assurance from the Minister, and this seems the most appropriate group of amendments.

As I understand it, the amendments amend part VIII of the Bill dealing with the absence of state regulation of privately owned children's homes. It occurred to me and to those who have written to me, most notably Mr. John Harris of the department of applied social studies at Warwick university and Mr. Tom Hopkins of Coventry polytechnic, that, although this part of the Bill is not controversial and, in the words of the Minister, will be welcomed as it provides for pre-registration inspection by local authorities, its enactment will cause some concern. This part of the Bill, together with schedule 6, re-enacts certain amendments that the provisions of the Children's Homes Act 1982 had already raised but never implemented. My correspondence with academics in this field contains references to the Children Act 1975 raising similar questions. Because of the long process of enactment of certain sections it takes years for some of the changes to come about, if ever.

[Mr. Dave Nellist]

As I tried to discover with a couple of written questions earlier in the year, I want to know from the Minister the Government's intentions about the date of enactment. Although my hon. Friends and I have no detailed objection to this part of the Bill, and although we may not vote for the Bill itself, it is no good without a fairly specific date for these measures to be introduced.

In an amendment which was not in order and to which I shall not refer at length, I suggested that six months was a reasonable time. Within the ambit of this group of amendments, will the Minister give an assurance to the House, and through me to my constituents, that the beneficial aspects of part VIII will be introduced by a certain date—for example, some time next year—so that local authorities will know when they are to have that extra power and plan how to regulate that sector?

Finally, the Registered Homes Act 1984 contained parallel provisions dealing with adults rather than children. In parts of my city, that seemed to lead to an explosion of privately-owned homes. In 1988, in certain British social work journals, an advertisement appeared stating:

"Exceptional opportunity in the private sector. Are you a qualified professional with a comprehensive knowledge in all aspects of community home with education? Are you ambitious, self-motivated and willing to contemplate a new challenge at executive level with optional equity/investment?

If the answers are yes, kindly contact us. We are an enterprising new CHE Company focusing our endeavours to combine the ultimate child care service with professional business methods."

I am all in favour of local authorities having powers to inspect and regulate children's homes. I am a little bit worried about the parallels between this Bill and the 1984 Act. When this part of the measure is brought into operation, does the Minister hope for an explosion of privately run children's homes along the lines of the advertisements that appeared in various British social work journals last year?

What will be the date for implementation of those parts of the Bill that we welcome, and will the Minister confirm or deny that this part of the Bill could be used to open more privately run children's homes—which would be less welcome to us?

4.15 pm

Mr. Mellor: It is some years since I was able to give the hon. Member for Coventry, South-East (Mr. Nellist) any parliamentary satisfaction. I am glad to be able to make my debut in that respect now by telling him that he is right——

Mr. Speaker: Order. I am sorry to interrupt the Minister. I am afraid I did not see the hon. Member for Makerfield (Mr. McCartney) rise. It might be convenient for the Minister to answer all questions together, as this is not a Committee stage.

Mr. McCartney: Thank you, Mr. Speaker, for protecting little people in this Chamber.

I seek some information from the Minister about the operation of the proposed regulations. I have served on a local authority social services committee and have dealt with quarterly and annual reviews of local authority facilities. As a member of that committee, I have found it difficult to carry out an assessment to the best of my abilities because very little information was provided about the ethos of a children's home—about contact with outside organisations, the number of children in a home at any time, and the types of learning difficulties in the home.

Is it intended that these regulations will require visits by local government officers from the department of social services, or is it intended that inspections should be incorporated with the current annual inspections that social services departments make on their own homes?

Will the Bill insist that local education authorities and social services departments be involved in developing welfare programmes in the homes? I ask that question, because I am interested in children with learning difficulties. Many children in homes have severe learning difficulties or severe physical handicaps so it is important that the ethos of a home should take account of them and, when trying to regulate the conduct of a home, it is important that the education department in each local authority gets involved and takes responsibility for developing the standards that apply to activities inside and outside the home.

Does the Minister believe that it is important to develop standards in the care provided in a children's home and in the programme for activities in the community? Many children in long-stay homes, whether run by the local authority or the private sector, require a home life, balanced by all the other activities that take place in the wider community.

Does the Minister intend to consider the ethos of a children's home and the activities that it develops in the wider community for the children in it?

For once, I am trying to be helpful to the Minister. I know that, when he comes to the Select Committee on Social Services, things can get aggressive on occasions. I shall raise some practical issues with him and attempt to tease out his attitude towards the specific problems of regulation of children's homes. Can he put more flesh on the bones, and tell the House how he envisages the role of the regulatory organisation in the development of a care policy in children's homes, and co-ordinating, with the voluntary sector and the education departments in each local authority?

Mr. Mellor: I shall continue my efforts to be helpful to the hon. Member for Coventry, South-East (Mr. Nellist) and then, as an encore, I shall try to be helpful to the hon. Member for Makerfield (Mr. McCartney).

I was saying to the hon. Member for Coventry, South-East that he was right to say that these provisions in the Bill replace the Children's Homes Act 1982. We intend to implement all the Bill, when it becomes an Act, in accordance with a strict timetable which we intend should lead to all provisions in the Bill being implemented by the autumn of 1991 at the latest. The hon. Gentleman will appreciate that the Bill is long and complex. However, we do not intend to leave any of its provisions lying around for years on end.

One of the purposes of the Bill has been to look through the whole corpus of children's law and to work out which parts of it we need in future, and which parts we do not need. The House would expect me to say that, having taken the trouble to put existing law into the Bill, we see it as having a role to play. We have no interest, therefore, in delaying its implementation. I hope that those comments are helpful to the hon. Member for Coventry, South-East.

I stress that one of the Bill's purposes is to regulate —often for the first time—aspects of the running of private children's homes. It is unlikely, therefore, to lead to an explosion in the number of such homes. The hon. Gentleman is concerned about undesirable developments, but the impact of regulation may be to control such developments, as is intended. From the debate on community care the other day, the hon. Gentleman knows that our intention is for community care to develop in a way that allows the best possible options to be pursued, whether those options come from the Health Service, local authorities, voluntary organisations or the private sector. In relation to children, any such application has to be examined in accordance with the strictest body of law and this body of law is far stricter than any that has gone before.

It is not part of our policy to see an explosion in the number of private children's homes. We know that the trend is moving away from children's homes of any kind towards fostering and adoption. One of my regular duties is to sign documents that, in effect, remove children's homes. If that means that many kids who would formerly have been brought up in institutions are being brought up in real homes, that is good and that is the direction in which we all seek to go.

I point out to the hon. Member for Makerfield that, as I said in Committee, it will be a major task under the Bill to draw up regulations. The aim of the regulations is to offer more guidance in a slightly less structured way than is possible in primary legislation and to try to ensure that that guidance is kept up to date and can be changed more readily. We intend to consult widely on the regulations and we shall welcome contributions from those who have experience in this area. In that light, I shall look at the hon. Gentleman's contribution. If he wants to write in more detail on those matters, I assure him that his comments will be taken into active consideration.

Mr. McCartney: I will take up the opportunity to make a contribution in writing about the regulations. If the regulations are to operate effectively, it is vital that there are clear contributions from local authority associations in particular and that there is an attempt by the Department of Health to work with them to produce workable regulations which will protect children's development in homes.

Mr. Mellor: The extent to which we have had open and sustained discussions on the Bill has been encouraging, and I am not the only person who thinks so. We intend to continue that process when we exercise our regulation-making powers. Obviously all the regulations will be brought before Parliament, if any hon. Member feels continuing concern on the matter.

Mr. Peter Hardy (Wentworth): I want to make a brief contribution which I believe is relevant to the debate in response to a comment made by the Minister a few moments ago.

It is not simply a question of the law being amended to ensure that the Bill is implemented. I received a letter this morning from the director of social services in my area who states that there are now difficulties in securing space in court timetables. I believe that he speaks for the vast majority of the directors of social services when he states that he is less than clear about how increased court capacity can be created to ensure that the intentions in the Bill are carried out. That point may not be particularly relevant to this clause. However, as we proceed through the final stages of the Bill, I should be obliged if the Minister would comment on that anxiety expressed by my director of social services.

I hope that at some point during the final stages of this Bill, we can discuss in some detail the other anxiety voiced by directors of social services, which is their belief that if the Bill is implemented in accordance with the Government's intentions and timetable, local authorities will require at least nine or 10 times the Government's estimate of the cost of the legislation.

Mr. Mellor: The hon. Gentleman's latter point will have to be discussed, in the usual way, with the local authority associations.

The hon. Gentleman's first point is important. One of the key aims of the Bill is to ensure that a readily understood and easily manageable body of law can lead to cases being put before the courts within as short a time scale as possible. Some very challenging timetables are set deliberately in the Bill and the power is taken for rules of court to put further flesh on those bones.

My hon. and learned Friend the Solicitor-General, who expects to participate in a later debate about the family courts, will want to take the opportunity to comment on some of the novel features of the Bill including, for the first time, the ability to move cases from one part of the jurisdiction to another. I know that my hon. and learned Friend will have heard the hon. Member for Wentworth (Mr. Hardy) and he will want to dilate further on it, as may the hon. Member for Wentworth. This is an important matter.

Amendment agreed to.

Amendments made: No. 203, in page 114, line 44, leave out 'above'.

No. 204, in page 117, line 29, at end insert—

'(dd) require the furnishing to the responsible authority of information as to the facilities provided for—

(i) the parents of children in such homes;

(ii) persons who are not parents of such children but who have parental responsibility for them; and

(iii) other persons connected with such children,

to visit and communicate with the children.'.

No. 372, in page 117, line 38, leave out

'require the approval of the Secretary of State for the provision'

and insert 'prohibit the'.

No 373, in page 117, line 40, leave out from 'homes' to end of line 43.

No. 205, in page 117, line 45, after 'on' insert 'or in charge of'.

No. 206, in page 117, line 46, at end insert—

'(k) make provision similar to that made by regulations under section 23.'.—*[Mr. Mellor.]*

New Schedule 6A

FOSTER PARENTS:

LIMITS ON NUMBER OF FOSTER CHILDREN

Interpretation

1. For the purposes of this Schedule, a person fosters a child if—

(a) he is a local authority foster parent in relation to the child;

(b) he is a foster parent with whom the child has been placed by a voluntary organisation; or

(c) he fosters the child privately.

The usual fostering limit

2. Subject to what follows, a person may not foster more than three children ("the usual fostering limit").

Siblings

3. A person may exceed the usual fostering limit if the children concerned are all siblings with respect to each other.

Exemption by local authority

4.—(1) A person may exceed the usual fostering limit if he is exempted from it by the local authority within whose area he lives.

(2) In considering whether to exempt a person, a local authority shall have regard, in particular, to—

(a) the number of children whom the person proposes to foster;

(b) the arrangements which the person proposes for the care and accommodation of the fostered children;

(c) the intended and likely relationship between the person and the fostered children;

(d) the period of time for which he proposes to foster the children; and

(e) whether the welfare of the fostered children (and of any other children who are or will be living in the accommodation) will be safeguarded and promoted.

(3) Where a local authority exempt a person, they shall inform him by notice in writing—

(a) that he is so exempted;

(b) of the children, described by name, whom he may foster; and

(c) of any condition to which the exemption is subject.

(4) A local authority may at any time by notice in writing—

(a) vary or cancel an exemption; or

(b) impose, vary or cancel a condition to which the exemption is subject,

and, in considering whether to do so, they shall have regard in particular to the considerations mentioned in sub-paragraph (2).

(5) The Secretary of State may make regulations amplifying or modifying the provisions of this paragraph in order to provide for cases where children need to be placed with foster parents as a matter of urgency.

Effect of exceeding fostering limit

5.—(1) A person shall cease to be treated as fostering and shall be treated as carrying on a children's home if—

(a) he exceeds the usual fostering limit; or

(b) where he is exempted under paragraph 4,—

(i) he fosters any child not named in the exemption; and

(ii) in so doing, he exceeds the usual fostering limit.

(2) Sub-paragraph (1) does not apply if the children concerned are all siblings in respect of each other.

Complaints etc.

6.—(1) Every local authority shall establish a procedure for considering any representations (including any complaint) made to them about the discharge of their functions under paragraph 4 by a person exempted or seeking to be exempted under that paragraph.

(2) In carrying out any consideration of representations under sub-paragraph (1), a local authority shall comply with any regulations made by the Secretary of State for the purposes of this paragraph.'.—*[Mr. Mellor.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 57

WELFARE OF CHILDREN IN CHILDREN'S HOMES

Mr. Mellor: I beg to move amendment No. 382, in page 53, line 41, leave out 'registered'.

Mr. Speaker: With this it will be convenient to discuss Government amendments Nos. 383 to 385, 326 and 467.

Mr. Mellor: The purpose of these amendments is to ensure that the provisions of clauses 57 and 58 will apply where appropriate, whether or not a private children's home is currently registered—for example during the period that an application for registration as a children's home is being considered by the local authority or where a home should be registered, but is not and where the welfare of the children in the home is in issue. I hope that that is a helpful clarification to the Bill.

Amendment agreed to.

Amendments made: No. 129, in page 54, line 22, at end insert 'and linguistic'.

No. 383 in page 54, line 25, leave out 'registered'.—*[Mr. Mellor.]*

Clause 58

PERSONS DISQUALIFIED FROM CARRYING ON, OR BEING EMPLOYED IN, REGISTERED HOMES

Amendments made: Nos. 384, in page 54, line 29, leave out 'registered'.

No. 385, in page 54, line 35, leave out 'registered'.—*[Mr. Mellor.]*

Schedule 7

PRIVATELY FOSTERED CHILDREN

Mr. Mellor: I beg to move amendment No. 325, in page 118, line 10, leave out from 'any' to 'is', in line 11, and insert—

'(i) parent of his;

(ii) person who is not a parent of his but who has parental responsibility for him; or

(iii) person who is a relative of his and who has assumed responsibility for his care,'.

Mr. Speaker: With this it will be convenient to discuss Government amendments Nos. 207 to 209, 412, 210, 211, 327, 212, 219, 386 and 387.

Mr. Mellor: The effect of these amendments is to tidy up and improve the powers of local authorities to safeguard the welfare of children who are privately placed with foster parents, that is where the decision to place and choice of foster parents have been made by a child's natural parents.

A number of the amendments provide typographical corrections and bring terminology into line with the rest of the Bill and introduce other technical amendments.

The amendments of substance reflect our further consideration of those measures in the light of representations from hon. Members, local authorities and other bodies, such as the Save the Children Fund, concerned with the welfare of those children. Local authorities' powers are extended by giving them the power to prohibit any private fostering placement where the foster parent or the accommodation is unsuitable, or where the placement is prejudicial to the child's welfare. I stress that, because some right hon. and hon. Members will have heard, as I did in the early hours of this morning while I was wallowing in my bath, an interview in which the regulations governing these placements were discussed.

4.30 pm

I am glad to make it clear that local authorities' powers are to be extended to give them the power to prohibit any private fostering placement where the parent or the

accommodation is unsuitable or the placement is prejudicial to the child's welfare. Previously, that power applied only where the local authority had not been properly notified of the placement. On reflection, that appeared to be too restrictive. Even where a placement has at first been deemed suitable by an authority, circumstances may change and the authority should be able to act to safeguard the child. There are important changes in the regulation-making power in respect of notification of fostering arrangements.

It is now clearly stated, for the avoidance of doubt, that parents and those with parental responsibility can be required to give the appropriate authority prior notice of a proposed fostering arrangement, subject only to the proviso that they are aware the child is to be fostered. That will be an important element of the regulations that we intend to make in accordance with those powers. Prior notice of a proposed placement is vital to enable authorities to investigate in advance the suitability of the proposed foster parents and placement.

It is essential that the authorities should be able to contact the child's parents. There are sad examples of parents who have behaved in an irresponsible manner by failing to keep in touch with their children or with foster parents. We shall also now be able to require foster parents to give notice when a person leaves or joins their household. That will be an additional safeguard against a privately fostered child being exposed to risks in a replacement.

There are particular anxieties about the welfare of west African children placed by their parents with white foster parents with insufficient regard to the children's race and culture.

We expect authorities, as part of their pre-placement inquiries and duty, to give advice to foster parents on the children's needs arising from their racial origin and cultural background.

That issue rightly arouses anxiety in hon. Members on both sides of the House. I am particularly grateful to my hon. Friend the Member for Mid-Kent (Mr. Rowe) for putting forward the points that I have mentioned most eloquently in Committee. I hope that my comments this afternoon will be of some comfort to him.

Mr. Andrew Rowe (Mid-Kent): I thank my hon. and learned Friend for taking such care to say that the number of west African children coming to this country and being placed with foster parents while their parents return to west Africa is still a cause for anxiety. Do I understand that one of the elements that will be considered when a placement is regarded as prejudicial to the child's welfare is the cultural background of that child? I am sure that that is what he meant.

Mr. Mellor: That is certainly what I meant.

Amendment agreed to.

Amendments made: No. 326, in page 118, line 13, leave out 'registered'.

No. 466, in page 118, line 19, leave out from 'but' to end of line 20 and insert

'provided, equipped and maintained by the Secretary of State.'

No. 207, in page 118, line 21, after '(1)' insert '(b) to (g)'.

No. 208, in page 118, line 41, leave out

'local authority for the area concerned'

and insert 'appropriate local authority'.

No. 209, in page 118, line 43, after 'be' insert 'privately'.

No. 412, in page 119, line 14, at end insert—

'(4A) A local authority may at any time vary any requirement, impose any additional requirement or remove any requirement.'.

No. 210, in page 119, line 15, leave out 'paragraph' and insert 'Schedule—

(a) "the appropriate local authority" means—

(i) the local authority within whose area the child is being fostered; or

(ii) in the case of a proposal to foster a child, the local authority within whose area it is proposed that he will be fostered;

and

(b) '.

No. 211, in page 119, line 27, leave out paragraph (b) and insert—

'(b) require any person who is—

(i) a parent of a child; or

(ii) a person who is not a parent of his but who has parental responsibility for a child,

and who knows that it is proposed that the child should be fostered privately, to notify the appropriate authority.'.

No. 327, in page 119, line 40, at end insert—

'(ff) require any person who is fostering a child privately to notify the appropriate authority in writing of any person who begins, or ceases, to be part of his household;'.

No. 212, in page 119, leave out lines 44 to 48.

No. 213, in page 120, line 5, leave out 'or'.

No. 214, in page 120, line 6, at end insert—

'(e) a refusal to make an exemption under paragraph 4 of Schedule 6A;

(f) a condition imposed in such an exemption; or

(g) a variation or cancellation of such an exemption,'.

No. 215, in page 120, line 9, leave out 'or prohibition' and insert ', prohibition, condition, variation or cancellation'.

No. 216, in page 120, line 10, leave out 'a requirement, the requirement' and insert

'—

(a) a requirement imposed under paragraph 6;

(b) a condition of an exemption imposed under paragraph 4 of Schedule 6A; or

(c) a variation or cancellation of such an exemption,

the requirement, condition, variation or cancellation.'.

No. 217, in page 120, line 22, at end insert—

'(5A) Where it allows an appeal against a refusal to make an exemption, a condition imposed in such an exemption or a variation or cancellation of such an exemption, the court may—

(a) make an exemption;

(b) impose a condition; or

(c) vary the exemption.

(5B) Any exemption made or varied under sub-paragraph (5A), or any condition imposed under that sub-paragraph, shall be deemed for the purposes of Schedule 6A (but not for the purposes of this paragraph) to have been made, varied or imposed under that Schedule.'.

No. 413, in page 120, line 23, leave out sub-paragraph (6).

No. 218, in page 120, line 24, at end insert—

'(6A) Nothing in sub-paragraph (1)(e) to (g) confers any right of appeal on—

(a) a person who is, or would be if exempted under Schedule 6A, a local authority foster parent; or

(b) a person who is, or would be if so exempted, a person with whom a child is placed by a voluntary organisation.'.

No. 219, in page 120, line 31, leave out 'as if'.—*[Mr. Mellor.]*

Clause 61

PERSONS DISQUALIFIED FROM BEING PRIVATE FOSTER PARENTS

Mr. Mellor: I beg to move amendment No. 461, in page 56, line 38, leave out 'the child' and insert

'any child who has been in his care'.

Madam Deputy Speaker (Miss Betty Boothroyd): With this, it will be convenient to take Government amendments Nos. 462, 258, 259, 463, 464, 260, 261, 264 to 267.

Mr. Mellor: This group of amendments deals with the disqualification of persons from providing day care to children under eight years of age and similar provisions to disqualify persons from acting as foster parents or from running voluntary or private children's homes. Broadly, they are people who have, among other things, committed offences, failed to register with the local authority, or failed to notify the presence of a disqualified person in their household. In other words, the amendments are directly relevant to the issues that were raised in the media this morning.

Again, I hope that the existence of these amendments and what I have said about them will be of further comfort to hon. Members who are concerned about this issue. Effective action is being taken in this Bill to apply proper regulations, particularly on sensitive matters, about disqualified persons. Obviously, who should have an influence over a child is a matter of intense concern to all of us.

Amendment agreed to.

Amendment made: No. 462, in page 56, line 40, leave out 'the' and insert 'any such'.—*[Mr. Mellor.]*

Clause 62

POWER TO PROHIBIT PRIVATE FOSTERING

Amendments made: No. 386, in page 57, line 20, leave out from 'privately' to end of line 21.

No. 387, in page 57, line 22, after '(2)' insert 'Where'.—*[Mr. Mellor.]*

Schedule 9

AMENDMENTS OF ADOPTION LEGISLATION

Mr. Mellor: I beg to move amendment No. 335, in page 124, line 11, leave out 'and'.

Madam Deputy Speaker: With this we will take Government amendments Nos. 336, 222, 415 to 417 and 223.

Mr. Mellor: These are consequential and technical changes to terminology used in the Bill.

Amendment agreed to.

Amendments made: No. 336, in page 124, line 12, after 'children', insert

'and children accommodated by health authorities and local education authorities or in residential care, nursing or mental nursing homes or in independent schools.'.

No. 222, in page 125, line 25, leave out 'subsection (7)' and insert 'subsections (7) and (8)'.

No. 415, in page 126, leave out lines 35 and 36 and insert

'after subsection (1) there shall be inserted the following subsections—

(1A) An application for such an adoption order shall not be made unless the person wishing to make the application has, within the period of two years preceding the making of the application, given notice as mentioned in subsection (1).

(1B) In subsections (1) and (1A) the references to the area in which the applicant or person has his home are references to the area in which he has his home at the time of giving the notice".'.

No. 416, in page 126, line 38, leave out from 'and' to end of line 40 and insert

'for the words "in the care of" there shall be substituted "looked after by".'

No. 417, in page 127, line 16, at end insert—

'(3) In subsection (5) of that section—

(a) for the word "receives" there shall be substituted "receive"; and

No. 469, in page 128, line 29, leave out from 'but' to end of line 30 and insert

'provided, equipped and maintained by the Secretary of State;'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 418, in page 129, line 9, leave out from 'children)' to end of line 30 and insert

'in subsection (1) for the words "subsections (4) and (6)" there shall be substituted "what follows".

(2) For subsections (3) to (7) of that section there shall be substituted—

"(3) Before supplying any information to an applicant under subsection (1), the Registrar General shall inform the applicant that counselling services are available to him—

(a) if he is in England and Wales—

(i) at the General Register Office;

(ii) from the local authority in whose area he is living;

(iii) where the adoption order relating to him was made in England and Wales, from the local authority in whose area the court which made the order sat; or

(iv) from any other local authority;

(b) if he is in Scotland—

(i) from the regional or islands council in whose area he is living;

(ii) where the adoption order relating to him was made in Scotland, from the council in whose area the court which made the order sat; or

(iii) from any other regional or islands council;

(c) if he is in Northern Ireland—

(i) from the Board in whose area he is living;

(ii) where the adoption order relating to him was made in Northern Ireland, from the Board in whose area the court which made the order sat; or

(iii) from any other Board;

(d) if he is in the United Kingdom and his adoption was arranged by an adoption society—

(i) approved under section 3,

(ii) approved under section 3 of the Adoption (Scotland) Act 1978,

(iii) registered under Article 4 of the Adoption (Northern Ireland) Order 1987,

from that society.

(4) Where an adopted person who is in England and Wales—

(a) applies for information under—

(i) subsection (1), or

(ii) Article 54 of the Adoption (Northern Ireland) Order 1987, or

(b) is supplied with information under section 45 of the Adoption (Scotland) Act 1978,

it shall be the duty of the persons and bodies mentioned in subsection (5) to provide counselling for him if asked by him to do so.

(5) The persons and bodies are—

(a) the Registrar General;

(b) any local authority falling within subsection (3)(a)(ii) to (iv);

(c) any adoption society falling within subsection (3)(d) in so far as it is acting as an adoption society in England and Wales.

(6) If the applicant chooses to receive counselling from a person or body falling within subsection (3), the Registrar General shall send to the person or body the information to which the applicant is entitled under subsection (1).

(7) Where a person—

(a) was adopted before 12th November 1975, and

(b) applies for information under subsection (1),

the Registrar General shall not supply the information to him unless he has attended an interview with a counsellor arranged by a person or body from whom counselling services are available as mentioned in subsection (3).

(8) Where the Registrar General is prevented by subsection (7) from supplying information to a person who is not living in the United Kingdom, he may supply the information to any body which—

(a) the Registrar General is satisfied is suitable to provide counselling to that person, and

(b) has notified the Registrar General that it is prepared to provide such counselling.

(9) In this section—

"a Board" means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972; and

"prescribed" means prescribed by regulations made by the Registrar General.'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 419 to 424.

Mr. Mellor: These amendments to schedule 9, which relates to the Adoption Act 1976, are largely technical changes to clarify the operation of adoption legislation throughout the United Kingdom.

Amendment agreed to.

Mr. Ronnie Fearn (Southport): I beg to move amendment No. 472, in page 129, leave out from line 32 to line 47 on page 130 and insert—

'51A.—(1) The Registrar General shall cause to be maintained a register to be called the Adoption Contact Register which shall be governed by regulations.

(2) The Register shall include adopted persons, their adoptive parents/guardians and relatives, adoptive parents/guardians only shall be able to register on behalf of a child under 18. At that age the adopted person may complete a new registration in his/her own right.

(3) In this section "relative" means any person other than an adoptive relative who is related to the adopted person by blood (including half blood) or marriage.

(4) A fee as prescribed may be charged for inclusion in the Register.

(5) An entry made on the Register may be amended on request.

(6) Any notice given under this section must be in such form as may be determined by the Registrar General.

(7) The holder of the Register shall facilitate contact or an exchange of information between persons on the Register, offering appropriate assistance.

(8) The Register shall not be open to public inspection or search, and the holder of the Register shall not supply any person with information entered in the Register, except in accordance with this section.

(9) The Register may be kept by means of a computer.

(10) In this section "prescribed" means prescribed by the Secretary of State.'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 337 to 339.

Mr. Fearn: Amendment No. 472 was tabled in response to a consortium of adoption support groups who have had a working party looking into the possibility of setting up an adoption contact register for some time now. They were naturally pleased when this measure was introduced as part of the Bill. However, they felt that the proposed operation of the service as outlined in paragraph 21 of schedule 9 will benefit few and have the potential to result in great distress for many individuals and their families. Their key concern is that the use of the expression "wishes to contact", which is used throughout the clause, is open to many interpretations, and they would like those words to be removed. There is concern also that no support services are offered to the person attempting to make contact. In the Bill as drafted, it is contact initiated by the adoptive person.

Potential users of the register require a more flexible service to meet their needs in a more sensitive way. There is great emotion and potential heartache, and in some cases there is potential for lives to be destroyed in this difficult matter, and we must be sure that adequate support services exist.

There was concern that the clause did not contain a minimum age limit, but I accept that Government amendments have properly addressed that problem. Government amendments have partly met the working party's concern that the register should provide for the exchange of non-identifying information and advice, but it is important also that there is an opportunity for adoptive parents and their families to exchange mutually useful information during the childhood of the adopted person.

Paragraph 21 includes operational detail which, in primary legislation, may prove to be restrictive. Therefore, the working groups would like to see the register governed by legislation. My amendment will meet the needs of those concerned in a more sensitive and appropriate manner. I should like the Minister to refer to the key concern, which is to remove the phrase "wishes to contact".

Mr. Mellor: I am grateful to the hon. Member for Southport (Mr. Fearn) for his recognition of the extent to which the changes made by the Government have had an impact on the area of concern that he has outlined. However, I am afraid that I cannot advise the House to accept his amendment.

The register will be held by the registrar general in circumstances where he will have no facilities for offering assistance to those who wish to make contact. However, the changes that we have introduced will enable people to make use of professional and other specialist services. As part of the administration of the scheme, the registrar general will inform all users of the services, such as the social services departments and other agencies, from whom advice and assistance may be obtained. Therefore, the registrar general will be of some assistance, but I am afraid that that assistance will be limited by the nature of the registrar general's operations. I do not believe that an expansion of those operations to meet the point that the hon. Gentlemen has raised can be justified. For the reasons that have already been given, it is not appropriate for the contact register to be used by children under 18.

[Mr. Mellor]

I hope that the hon. Gentleman will feel that a lot has been done to tighten up this area, and I hope that he will understand why I cannot invite the House to accept the amendment in the terms that he has tabled it.

Three amendments in this group are Government amendments and I shall refer to them briefly, the hon. Member for Southport having kindly commended some of them already. We want to improve the adoption contact register. It has been brought to our notice by groups and individuals who have a special interest in this provision that it would be more helpful if relatives seeking to contact an adopted person could offer, for the purposes of the contact register, the address of a third party who would act as an intermediary. The provisions as amended will therefore enable the registrar general to enter on the register, for transmission to an adopted person, an address at or through which a relative may be contacted, even though it is not the relative's own address. That will meet a practical point. Many relatives will no doubt be happy to give their own address, but care and sensitivity are needed where people are seeking knowledge of each other in these often delicate circumstances. Some people prefer to make a first approach through an intermediary with skill and experience in smoothing the path for both parties. These arrangements will also allow relatives to explain through a sympathetic intermediary that they prefer to restrict contact to, say, the exchange of information or letters, rather than a meeting. Some voluntary agencies, I am glad to say, have already expressed a willingness to provide their addresses and services and no doubt others will be equally willing.

The other amendments provide, as I have already explained, for use of the register to be restricted to people of 18 years old or more. That is the age limit for access by an adopted person to his original birth record, which we believe is the right approach.

Obviously, all those issues will, in due course, be part of a wider review of adoption law, but I cannot advocate any further changes until that point. I hope that the hon. Gentleman will not be offended if I do not invite the House to accept his amendment. I hope that he will take some comfort from the fact that, as he acknowledged in his speech, we have done a good deal to make the register workable and will keep under review the way that it works.

Mr. Fearn: I beg to ask leave to withdraw the amendment.

Amendment by leave, withdrawn.

Amendments made: No. 337, in page 130, line 4 at end insert

'has attained the age of 18 years and'.

No. 338, in page 130, line 18, after '(5)', insert

has attained the age of 18 years and'.

No. 339, in page 130, line 45, after 'marriage;' insert—

'(aa) "address" includes any address at or through which the person concerned may be contacted;'.

No. 419, in page 133, leave out lines 26 to 29.

No. 223, in page 133, line 43, leave out

'After section 72(1) there shall be inserted—'

and insert 'For section 72(1A) there shall be substituted the following subsections—'.

No. 420, in page 134, leave out lines 2 to 14 and insert—

'"(3) This Act extends to England and Wales only."'.

No. 421, in page 135, line 28, leave out from '"receive"' to end of line 30.

No. 422, in page 135, leave out lines 37 to 43 and insert—

'41. In section 45 (adopted children register)—

(a) for the words from "or an approved" in subsection (5) to the end of subsection (6) there shall be substituted—

"Board or adoption society falling within subsection (6) which is providing counselling for that adopted person.

(6) Where the Registrar General for Scotland furnishes an adopted person with information under subsection (5), he shall advise that person that counselling services are available—

(a) if the person is in Scotland—

(i) from the local authority in whose area he is living;

(ii) where the adoption order relating to him was made in Scotland, from the local authority in whose area the court which made the order sat; or

(iii) from any other local authority in Scotland;

(b) if the person is in England and Wales—

(i) from the local authority in whose area he is living;

(ii) where the adoption order relating to him was made in England and Wales, from the local authority in whose area the court which made the order sat; or

(iii) from any other local authority in England and Wales;

(c) if the person is in Northern Ireland—

(i) from the Board in whose area he is living;

(ii) where the adoption order relating to him was made in Northern Ireland, from the Board in whose area the court which made the order sat; or

(iii) from any other Board;

(d) if the person is in the United Kingdom and his adoption was arranged by an adoption society—

(i) approved under section 3;

(ii) approved under section 3 of the Adoption Act 1976; or

(iii) registered under Article 4 of the Adoption (Northern Ireland) Order 1987,

from that society.

(6A) Where an adopted person who is in Scotland—

(a) is furnished with information under subsection (5); or

(b) applies for information under—

(i) section 51(1) of the Adoption Act 1976; or

(ii) Article 54 of the Adoption (Northern Ireland) Order 1987,

any body mentioned in subsection (6B) to which the adopted person applies for counselling shall have a duty to provide counselling for him.

(6B) The bodies referred to in subsection (6A) are—

(a) any local authority falling within subsection (6)(a); and

(b) any adoption society falling within subsection (6)(d) so far as it is acting as an adoption society in Scotland.";

(b) in subsection (7)—

(i) for the word "under" there shall be substituted "from a local authority, Board or adoption society falling within";

(ii) for the words "or adoption society which is providing that counselling" there shall be substituted ", Board or adoption society"; and

(iii) after the word "authority" where it second occurs there shall be inserted ", Board"; and

(c) after subsection (9) there shall be inserted the following subsection—

"(10) In this section—

"Board" means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972; and

"local authority", in relation to England and Wales, means the council of a county (other than a

metropolitan county), a metropolitan district, a London borough or the Common Council of the City of London.".'.

No. 423, in page 136, leave out lines 38 to 41.

No. 424, in page 136, leave out from beginning of line 47 to end of line 10 on page 137.—*[Mr. Mellor.]*

Schedule 10

MINOR AMENDMENTS

The Solicitor-General: These are important amendments. Amendment No. 231 amends the Legal Aid Act to provide that civil legal aid is available for all civil proceedings in magistrates courts. Proceedings in the High Court and county court, including those under the Bill, automatically attract civil legal aid without the need for specific provision to be made. New clause 17 provides that civil legal aid is to be available for proceedings under the Bill——

Madam Deputy Speaker: Order. I wonder whether the hon. and learned Gentleman is dealing with the amendment that I called. I called amendment No. 341 and the other Government amendments listed with it.

The Solicitor-General: I apologise, Madam Deputy Speaker.

I beg to move amendment No. 341, in page 137, line 20, at end insert—

'The Education Act 1944 (c. 31)

3A. In section 40(1) of the Education Act 1944 (enforcement of school attendance), the words from "or to imprisonment" to the end shall cease to have effect.

The Marriage Act 1949 (c. 76)

3B. In section 3 of the Marriage Act 1949 (consent required to the marriage of a child by common licence or superintendent registrar's certificate), in subsection (1) for the words "the Second Schedule to this Act" there shall be substituted "subsection (1A) of this section".

(2) After that subsection there shall be inserted—

"(1A) The consents are—

(a) subject to paragraphs (b) to (d) of this subsection, the consent of—

(i) each parent (if any) of the child who has parental responsibility for him; and

(ii) each guardian (if any) of the child;

(b) where a residence order is in force with respect to the child, the consent of the person or persons with whom he lives, or is to live, as a result of the order (in substitution for the consents mentioned in paragraph (a) of this subsection);

(c) where a care order is in force with respect to the child, the consent of the local authority designated in the order (in addition to the consents mentioned in paragraph (a) of this subsection);

(d) where neither paragraph (b) nor (c) of this subsection applies but a residence order was in force with respect to the child immediately before he reached the age of sixteen, the consent of the person or persons with whom he lived or was to live, as a result of the order (in substitution for the consents mentioned in paragraph (a) of this subsection).

(1B) In this section 'guardian of a child', 'parental responsibility', 'residence order' and 'care order' have the same meaning as in the Children Act 1989."

The Births and Deaths Registration Act 1953 (c. 20)

.—(1) Sections 10 and 10A of the Births and Deaths Registration Act 1953 (registration of father, and re-registration, where parents not married) shall be amended as follows.

(2) In sections 10(1) and 10A(1) for paragraph (d) there shall be substituted—

"(d) at the request of the mother or that person on production of—

(i) a copy of a parental responsibility agreement made between them in relation to the child; and

(ii) a declaration in the prescribed form by the person making the request stating that the agreement was made in compliance with section 4 of the Children Act 1989 and has not been brought to an end by an order of a court; or

(e) at the request of the mother or that person on production of—

(i) a certified copy of an order under section 4 of the Children Act 1989 giving that person parental responsibility for the child; and

(ii) a declaration in the prescribed form by the person making the request stating that the order has not been brought to an end by an order of a court; or

(f) at the request of the mother or that person on production of

(i) a certified copy of an order under paragraph 1 of Schedule 1 to the Children Act 1989 which requires that person to make any financial provision for the child and which is not an order falling within paragraph 4(2A) of that Schedule; and

(ii) a declaration in the prescribed form by the person making the request stating that the order has not been discharged by an order of a court; or

(g) at the request of the mother or that person on production of—

(i) a certified copy of any of the orders which are mentioned in subsection (1A) of this section which has been made in relation to the child; and

(ii) a declaration in the prescribed form by the person making the request stating that the order has not been brought to an end or discharged by an order of a court."

(3) After sections 10(1) and 10A(1) there shall be inserted—

"(1A) The orders are—

(a) an order under section 4 of the Family Law Reform Act 1987 that that person shall have all the parental rights and duties with respect to the child;

(b) an order that that person shall have custody or care and control or legal custody of the child made under section 9 of the Guardianship of Minors Act 1971 at a time when such an order could only be made in favour of a parent;

(c) an order under section 9 of 11B of that Act which requires that person to make any financial provision in relation to the child;

(d) an order under section 4 of the Affiliation Proceedings Act 1957 naming that person as putative father of the child."

(4) In section 10(2) for the words "or (d)" there shall be substituted "to (g)".

(5) In section 10(3) for the words from "'relevant order'" to the end there shall be substituted "'parental responsibility agreement' has the same meaning as in the Children Act 1989".

(6) In section 10A(2), in paragraphs (b) and (c) for the words "paragraph (d)" in both places where they occur there shall be substituted "any of paragraphs (d) to (g)".'.

Amendment No. 341 is much less contentious and is less interesting. It contains amendments to schedule 10, which makes minor amendments to existing statutes.

Madam Deputy Speaker: With this, it will be convenient to consider Government amendments Nos. 229, 364 and 342.

4.45 pm

Mr. McCartney: Although the Solicitor-General said that this is a non-contentious issue, I believe that the Government have failed to take advantage of a real opportunity to deal with the important issue of child abduction. In June I introduced the Prevention of Child Abduction Bill, which has attracted support from hon. Members of all parties because of the growing incidence of that special crime which, in the main, involves members of the families concerned. There is great emotional stress as a result of the way in which more than 100 children per year are abducted illegally from the United Kingdom to all parts of the world. From hon. Members' records and from work with the voluntary sector, I estimate that more than 500 British citizens—young children—have been abducted from the United Kingdom and cannot be returned at the moment.

The Government are aware of this situation and are to be congratulated on participating in the development of the Hague convention, on the way in which it has been constructed, and on being one of the first Governments to be a signatory to it. In addition, they have provided legislation to enable it to have effect. However, despite the introduction of the Hague convention, there has been no abatement in the ability of people illegally to abduct young children from the United Kingdom and to fail to return them to their family homes. In many instances, the children are abducted to environments that are completely different in culture, language and geography from the communities in which they live and have their wider families in the United Kingdom.

I had hoped that during the summer the Government would give some thought to the arguments put forward in Committee by my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding). In Committee the Government gave a hint that they would consider the serious points made by my hon. Friend in our debates. However, since those debates, no practical amendments have been brought forward which provide even the hope that there might be some new legislation to protect children who are abused and exploited by abduction.

My Bill tried to introduce four basic criteria—three introducing new opportunities for the Government to take legislative action and the fourth relating to the Family Law Act 1986 and to amendments to make it more difficult for court proceedings to be disrupted and rendered meaningless by the activities of child abducters. The Government could have used the opportunity afforded by schedule 10 to amend the Family Law Act in relation to court proceedings.

The main priorities of my Bill were those raised in our Committee debates by my hon. Friend the Member for Newcastle-under-Lyme and dealt with the creation of a children's ombudsman to give legal aid, advice and assistance that would enable parents or guardians to retrieve children who have been illegally abducted from the United Kingdom. It also sought to provide advice on the prevention of abduction and to mediate between Governments and courts when children have been abducted. It would not apply only to the countries of the Hague convention because many of the children who have been abducted have been taken to countries that either do not recognise the convention or have not implemented it.

Although I am sad that the Government have missed an opportunity to deal with this problem, the Under-Secretary of State for Foreign and Commonwealth Affairs has now positively attempted to assist me, following my failure to gain parliamentary time for the Bill.

In August of this year, in response to cases in Italy, which has not implemented the Hague convention, the Foreign and Commonwealth Office accepted for the first time the need for mediation between the Governments and the courts of the United Kingdom and Italy. The Under-Secretary of State for Foreign and Commonwealth Affairs and his Italian counterpart have provided for mediation services in specific cases currently before the Italian courts or cases that should go before those courts because of the nature of the abduction from the United Kingdom to Italy. The measures taken by the Foreign and Commonwealth Office represent a major response from the Government because, until August, the Government had steadfastly refused to become involved in mediating in cases where children had been abducted from the United Kingdom.

The Home Office has some specific responsibilities in this connection and it has responded positively to talks with my hon. Friend the Member for Birmingham, Ladywood (Ms. Short), the hon. Member for Ealing Acton (Sir G. Young) and myself. Last week the Lord Chancellor, in discussion with the Minister of State, Home Office, proposed to assist the funding of the charity, Reunite, through the voluntary services unit. That charity counsels and assists families whose children have been abducted.

This summer two Government Departments have moved significantly in terms of how they perceive their role with regard to child abduction and in relation to providing practical assistance and resources to ensure that they carry out their roles on behalf of families whose children have been abducted.

When the amendments to the Bill were tabled I expected that the Minister would make practical propositions to bring into line certain court practices that undermine the concept of the Hague convention. The Family Law Act 1986 should have been amended today to ensure that it was obligatory on judges acting within the bounds of that Act to provide new arrangements for passports. As the law currently stands, if a court order is obtained for the temporary or long-term care and control of a child there is no way in which a child may be intercepted at a port or airport if it is abducted after the decision of the court. In many instances an abduction takes place even as the court is considering the long-term care of a child. An amendment to the Family Law Act under schedule 10 would require the court to ensure that passports are automatically surrendered prior to, during and after the court proceedings. It would also require that any court decision relating to those proceedings be recorded in the passport. Without such an amendment children will continue to be abducted prior to, during and after court proceedings.

I had also hoped that an amendment would be tabled under schedule 10 to establish a register of abducted children. Sad to say, we have no accurate record of how many children have been abducted from the United Kingdom and we must rely on information provided either to the Foreign and Commonwealth Office by distraught parents or from self-help groups such as Reunite, which have been approached by the parents. Every time we

discuss this issue we receive communications from parents whose children have been abducted and who are unable to seek help and advice or who do not realise that such help and advice is available from Reunite and the social services departments.

If the Minister cannot introduce substantial amendments today I hope that he will consider finding time in the Session to introduce a substantial Bill that will take account of the considerable and unacceptable level of child abduction from the United Kingdom. Without such Government commitment throuth the Department of Health we shall continue, week in, week out, to see children taken from the custody of United Kingdom courts and scattered throughout the world. They have no opportunity of being returned to the United Kingdom.

I have met mothers who last saw their children when they were two and they are now eight, nine or 10. I have met mothers who cannot communicate on the telephone with their children because those children have been so long out of the family environment that they cannot speak in the mother tongue. All those individual cases amount to a scandalous situation. For all the might of the state, such as the social services departments and the police authorities, and despite all the resources at our disposal, we cannot protect a small, but vulnerable, group of children.

I hope that the Minister will respond positively because without such a response the small and significant steps that have been taken by the Foreign and Commonwealth Office and the Home Office will be washed away and we shall be back here next year when another 120 children will have been abducted. We will then have to add those children to the 500 plus already abducted from the United Kingdom.

I hope that the Minister will respond positively and give a commitment that, for once, he will make practical suggestions to assist those families who suffer unbelievable emotional stress. Those families do not know where to turn and they cannot see any light at the end of the tunnel. I hope that the Minister will give a commitment that legislation will be introduced in the new Session to end the crime of child abduction.

Mr. Tim Devlin (Stockton, South): I support what the hon. Member for Makerfield (Mr. McCartney) has said. Further legislation is required, but, for several reasons, I do not feel that the Bill is the appropriate vehicle for the sort of changes advocated by the hon. Gentleman.

It is worth noting that the hon. Gentleman in his short intervention overlooked to say that most of the children abducted from this country are abducted by one of their parents. In certain of those cases it would be draconian to say to one parent who has saved up for a considerable time to take the child on holiday that he or she cannot be allowed to take that child for fear that he may not come back. That is a difficult matter. Children who are already under court orders, such as wardship, are subject to legislation preventing them from being abducted from the jurisdiction of the court. I am sure that the Solicitor-General will refer to that when he answers the hon. Member for Makerfield.

The difficulty is that many countries are not signatories to the Hague convention. Since I served on the Standing Committee a number of people have written airmail letters to me with colourful stamps from exotic parts of the world complaining of just this problem. I draw the attention of the House to Mr. Rait, a former constituent of mine, who is currently in South Africa. He has made a number of applications to the South African courts for access to his two young daughters who were taken there by their South African mother. The courts have repeatedly refused him any contact or access to the children. I know of other children in countries such as Tunisia and Egypt who have lived in those countries for five or six years, and who, as the hon. Member for Makerfield said, can no longer speak English.

This is a subject of considerable concern to all of us. From the correspondence I have seen this summer from the Lord Chancellor's Department and the Foreign Office, I can assure the hon. Gentleman that the matter is under consideration. These difficult issues must be resolved before any further progress is made, but I do not think that the Bill is the appropriate vehicle for the measures advocated by the hon. Gentleman.

Mr. Robert Hughes (Aberdeen, North): The issue of child abduction is full of complications and it is a legal labyrinth. It seems that no matter what legislation is in place there is a lack of will to try to resolve the position. For nearly as long as I have been a Member of this House I have been concerned with abductions to Spain—I know of two cases, but I will not mention them in any detail —as Spain is a difficult country with which to get such matters resolved.

I pay tribute to those who, with me, over the years have fought hard to obtain an international convention. There are now two such conventions in place, one European and the other the Hague convention, which makes it clear that where parents are separated or divorced and the child is given into the custody of one of the parents, the country in which the primary wardship of custody was given is the one in which the child must remain.

However, often, with the best will in the world, courts allow the husband or wife access to the child. We would not wish to destroy that accessibility. However, too often, after a quite legitimate access weekend or couple of days, the next thing the parent with custody knows is that he or she receives a telephone call from Spain and the spouse says, "Ha, ha, I'm in Spain. I've got our son or daughter with me. What are you going to do about it?"

5 pm

Under the terms of the Hague and the international conventions, the next step should be straightforward. The child should be immediately returned. In the two cases to which I referred the child would be returned to Scotland. However, the difficulty arises because Spain, while a signatory to the two conventions, has not passed its own domestic legislation to give effect to the conventions. Therefore, one is stymied.

When these issues are raised with the Foreign and Commonwealth Office, its representatives say that it is nothing to do with them but a matter for the Lord Chancellor's Department. However, those at the Lord Chancellor's Department say that there is nothing that they can do because the issue is an internal matter for Spain and they cannot compel Spain to ratify the conventions by passing domestic legislation.

As my hon. Friend the Member for Makerfield (Mr. McCartney) said, these are heart rending matters in which parents sometimes do silly things. In one case I know an attempt was made to re-abduct the child back from Spain. The attempt went wrong but, having failed, it could be

[Mr. Robert Hughes]

used in the Spanish courts against the child's parent when she tried to use Spain's legal channels because, apparently, there would be no other redress.

The Government must act more strongly. I do not accept that the Foreign Office has no locus in this matter. It should press hard on this issue. At every opportunity Ministers should press the Government to deal with these matters. It is no use having international conventions which are not worth the paper they are written on.

I understand that there is to be a meeting quite soon —I think at the end of this week or next week—either in the Hague or Amsterdam at which these matters may be pursued. I am not sure if representatives of the Lord Chancellor's Department will be present or whether it is purely an officials meeting. Whoever is present I hope that they will use the strongest terms to insist that the Spanish Government must honour their responsibilities.

Those of us who have been involved during this long period have consistently been told when we have sought to meet the Spanish ambassador to discuss these issues that he cannot meet us because they are matters of purely domestic legislation. I do not accept that. This is a European and international matter. I hope that the strong message will go forth from every quarter of this House that hon. Members believe family abductions of this sort are intolerable. They are bad for children, bad for parents and bad for international recognition. I hope that we shall say clearly to the Spanish Government that they should bring about domestic legislation and sort out the matters because great human tragedies have not only happened already, but will lie in store for future generations of children unless we act vigorously and with certainty.

The Solicitor-General: I well understand the strength of feeling which this short debate has provoked. The hon. Member for Makerfield (Mr. McCartney) will appreciate that the amendments for which he calls in legislative form are outside the scope of the Bill. However, I hope to say something positive to him, to my hon. Friend the Member for Stockton, South (Mr. Devlin) and to the hon. Member for Aberdeen, North (Mr. Hughes) who contributed to this debate and has such a deep knowledge of the subject.

My hon. Friend the Member for Stockton, South and the hon. Member for Aberdeen, North put their fingers on one of the primary aspects of the problem: enforcement. The hon. Member for Aberdeen, North referred to the Hague and the European conventions. The United Kingdom is a party to both conventions on the recognition, enforcement and return of children taken abroad. The Government take every opportunity to encourage other Governments to sign, ratify and put into effect such conventions.

As the hon. Member for Aberdeen, North rightly said, there is a meeting this week at the Hague to review the working of the Hague convention. The United Kingdom will be represented at the meeting and will discuss shortfalls in the operation of the convention. I shall write to the representatives who are to attend the meeting to draw to their attention the strength of feeling in today's debate and what has been said about the need for action, to strengthen their hand in the discussions. It will be readily recognised that the Government cannot force foreign Governments to sign or operate the conventions.

Mr. McCartney: There is one way in which practical measures can be taken even without primary legislation: the advice which could be given to judges in relation to the interpretation of present legislation. Often, a judge has to use his discretion about rescinding passports, and identifying in passports that care proceedings have taken place. In almost every case in my case files and those of other hon. Members, when the judge has discretion he fails to utilise it. Despite court orders having been made and despite the decisions of the court, abductions still take place. Therefore, even without primary legislation could the Government give a commitment that the Lord Chancellor's Department will give clear and unequivocal advice to judges about the marking of passports and asking for passports to be given to the courts during proceedings? Provisions for that already exist in current legislation; the tragedy is that the courts are not utilising them.

The Solicitor-General: We shall certainly take careful note of what the hon. Member for Makerfield said, ponder on it and see how the matter might be taken forward.

Mr. Robert Hughes: Is the Solicitor-General aware that provisions exist which state that when there is a clear custody order no child should be removed from the United Kingdom but that nevertheless people slip through the net? Will he have discussions with the Home Office to consider a system whereby every port of exit is told about custody orders? It is known that the Home Office operates a stop list of people coming in so there should be no problem about the machinery to make every immigration office aware of the court order. Could the Solicitor-General institute a mechanism whereby as soon as a court order is given on custody it is made known to immigration officials? In that way perhaps we could stop some of the abductions.

The Solicitor-General: I would not like to comment off the cuff about the practicality of such a measure. There could be formidable practical difficulties, but I take note of what the hon. Gentleman says. I shall write to him and refer the matter to the Home Office.

Amendment agreed to.

Mr. Mellor: I beg to move amendment No. 224, in page 139, line 31, leave out from 'in' to end of line 33 and insert 'local authority accommodation.

(1A) A residence requirement shall designate the local authority who are to receive the child or young person and that authority shall be the authority in whose area the child or young person resides.

(1B) The court shall not impose a residence requirement without consulting the designated authority first.'.

Madam Deputy Speaker: With this it will be convenient to take Government amendment No. 225.

Mr. Mellor: The effect of amendment No. 224 is to make it clear that the responsibility of the designated authority is to receive the child, not just to provide the child with accommodation. Amendment No. 225 is a consequential amendment.

Amendment agreed to.

Amendment made: No. 225, in page 140, leave out lines 34 and 35.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 226, in page 141, line 6, at end insert—

'22A. For section 23 of that Act (remand to care of local authorities etc.) there shall be substituted—

"*Remand to local authority accommodation, committal of young persons of unruly character, etc.*

23.—(1) Where a court—

(a) remands or commits for trial a child charged with homicide or remands a child convicted of homicide; or

(b) remands a young person charged with or convicted of one or more offences or commits him for trial or sentence,

and he is not released on bail, then, unless he is a young person who is certified by the court to be of unruly character, the court shall remand him to local authority accommodation.

(2) A court remanding a person to local authority accommodation shall designate the authority who are to receive him and that authority shall be the authority in whose area it appears to the court that—

(a) he resides; or

(b) the offence or one of the offences was committed.

(3) Where a person is remanded to local authority accommodation, it shall be lawful for any person acting on behalf of the designated authority to detain him.

(4) The court shall not certify a young person as being of unruly character unless—

(a) he cannot safely be remanded to local authority accommodation; and

(b) the conditions prescribed by order made by the Secretary of State under this subsection are satisfied in relation to him.

(5) Where the court certifies that a young person is of unruly character, it shall commit him—

(a) to a remand centre, if it has been notified that such a centre is available for the reception from the court of such persons; and

(b) to a prison, if it has not been so notified.

(6) Where a young person is remanded to local authority accommodation, a court may, on the application of the designated authority, certify him to be of unruly character in accordance with subsection (4) (and on so doing he shall cease to be remanded to local authority accommodation and subsection (5) of this section shall apply).

(7) For the purposes of subsection (6), "a court" means—

(a) the court which remanded the young person; or

(b) any magistrates' court having jurisdiction in the place where that person is for the time being,

and in this section "court" and "magistrates' court" include a justice.

(8) This section has effect subject to—

(a) section 37 of the Magistrates' Courts Act 1980 (committal to the Crown Court with a view to a sentence of detention in a young offender institution); and

(b) section 128(7) of that Act (remands to the custody of a constable for periods of not more than three days),

but section 128(7) shall have effect in relation to a child or young person as if for the reference to three clear days there were substituted a reference to twenty-four hours."

22B.—(1) In section 32 of that Act (detention of absentees), for subsection (1A) there shall be substituted the following subsections—

"(1A) If a child or young person is absent, without the consent of the responsible person—

(a) from a place of safety to which he has been taken under section 16(3) of this Act; or

(b) from local authority accommodation—

(i) in which he is required to live under section 12AA of this Act; or

(ii) to which he has been remanded under section 23(1) of this Act,

he may be arrested by a constable anywhere in the United Kingdom or Channel Islands without a warrant.

(1B) A person so arrested shall be conducted to—

(a) the place of safety;

(b) the local authority accommodation; or

(c) such other place as the responsible person may direct,

at the responsible person's expense.

(1C) In this section 'the responsible person' means the person who made the arrangements under section 16(3) of this Act or, as the case may be, the authority designated under section 12AA or 23 of this Act."

(2) In subsection (2B) of that section for the words "person referred to in subsection (1A)(a) or (b) (as the case may be) of this section" there shall be substituted 'responsible person.'.

Madam Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 227, 228, 232, 234, 235 and 238; Government new clause 12; and Government amendments Nos. 70, 409, 490, 71 and 121.

Mr. Mellor: This is a formidable group, but I think that I can boil it down for the House. The amendments fall into two parts: the first group is intended to clarify and consolidate the provisions for young people charged with a criminal offence who are on remand or have been detained by the police while awaiting a court hearing.

The second group consists of technical Government amendments.

Mr. David Hinchliffe (Wakefield): I want to raise one point on new clause 12. Perhaps I have misinterpreted its contents; if so, I should appreciate the Minister's advice.

New clause 12 deals with the provision of accommodation for children in police protection or detention or on remand, and requires that local authorities shall themselves make provision for the reception of such children. Can the Minister clarify whether the new clause accepts the existing practice under which many local authorities do not provide such facilities themselves but use other authorities' accommodation? As I read it, the new clause will certainly involve a great deal of expenditure for local authorities which do not now directly provide these facilities. I hope that I am correct in assuming that they can continue to use the facilities of adjoining authorities or those of authorities in the same region, as facilitated under the regional planning procedures. I should be grateful for the Minister's advice and help on that.

Mr. Mellor: That is a perfectly reasonable point. As far as I am aware, there is no interference in what is, for the reasons described by the hon. Member for Wakefield (Mr. Hinchliffe), a perfectly sensible way for local authorities to pool their resources. If there is any difficulty about that in the event I shall write to him, but I know of nothing that impedes the continuation of these common sense arrangements.

Amendment agreed to.

Amendments made: No. 227, in page 141, line 8, after 'ages)' insert '—

(a) in paragraph (a),'.

No. 228, in page 141, line 9, at end insert—

'; and

(b) in paragraph (e) for the words "section 23(2) or (3)" there shall be substituted "section 23(4) to (6)".

23A. In section 70(1) of that Act (interpretation)—

(a) after the definition of "local authority" there shall be inserted—

"'local authority accommodation' means accommodation provided by or on behalf of a local authority (within the meaning of the Children Act 1989)"; and

(b) in the definition of "reside" for "12(4) and (5)" there shall be substituted "12B(1) and (2)".

23B. In section 73 of that Act (extent, etc.)—

(a) in subsection (4)(a) for "32(1), (3) and (4)" there shall be substituted "32(1) to (1C) and (2A) to (4)"; and

[Mr. Mellor]

(b) in subsection (6) for "32(1), (1A)" there shall be substituted "32(1) to (1C)".'.

No. 229, in page 141, line 46, leave out second 'marriage' and insert 'family'.

No. 364, in page 141, line 46, at end insert—

' . In section 52(1) of that Act (interpretation), in the definition of "child of the family", for the words "has been boarded-out with those parties" there shall be substituted "is placed with those parties as foster parents".'.—*[Mr. Mellor.]*

5.15 pm

Mr. Mellor: I beg to move amendment No. 230, in page 142, line 2, at end insert—

'THE EDUCATION ACT 1981 (C. 60.)

26A. The following section shall be inserted in the Education Act 1981, after section 3—

"*Provision outside England and Wales for certain children.*

3A.—(1) A local authority may make such arrangements as they think fit to enable any child in respect of whom they maintain a statement under section 7 to attend an establishment outside England and Wales which specialises in providing for children with special needs.

(2) In subsection (1) above "children with special needs" means children who have particular needs which would be special educational needs if those children were in England and Wales.

(3) Where an authority make arrangements under this section with respect to a child, those arrangements may, in particular, include contributing to or paying—

(a) fees charged by the establishment;

(b) expenses reasonably incurred in maintaining him while he is at the establishment or travelling to or from it;

(c) those travelling expenses;

(d) expenses reasonably incurred by any person accompanying him while he is travelling or staying at the establishment.

(4) This section is not to be taken as in any way limiting any other powers of a local education authority.".'.

Madam Deputy Speaker: With this it will be convenient to discuss Government amendment No. 369, Government amendment new clause 26 and Government amendment No. 368.

Mr. Mellor: I am glad to see my hon. Friend the Member for Salisbury (Mr. Key) in his place, because amendment No. 230 fulfils the Government's undertaking in Committee to bring forward a new clause to deal with an important matter related to the public interest in the Budapest Peto institute for severely brain damaged children. Although I have taken over this matter to produce an amendment for the benefit of the Government draftsman, the authorship of the concept belongs to my hon. Friend, and I hope that, if he catches your eye, Madam Deputy Speaker, he will be able to talk about it later.

This useful amendment puts beyond doubt the legal basis for the existing arrangements whereby some local education authorities in England and Wales make a contribution to the costs of certain placements abroad for children with special educational needs. The amendment is particularly designed to enable local education authorities to support children at the Peto institute, because in recent years both that institute and the principles of conductive education as practised there have attracted the attention of many parents of handicapped children, especially the parents of those with cerebral palsy.

Large numbers of British parents have taken their children to the institute. Such trips are very expensive for the children and for the parents, who often have to live for several months on end in Budapest. The Peto approach has inspired a number of British educational institutions, but at present conductive education is not widely available here. As the House knows, we are trying to do something about that with our support for the Birmingham centre and by means of other discussions that are in hand, but until parents feel that it is not necessary to take their children to Budapest we want to make it possible for British families to go there without suffering undue financial hardship.

It is also important that parents be able to learn how to carry back to Britain the methods that they learn. For that purpose the amendment allows local education authorities to contribute to parents' expenses.

I have visited the Peto institute and been deeply impressed by the work there and deeply moved by some of the things I saw, so it gives me particular pleasure to be associated with the amendment.

I should like to deal briefly with the other amendments in the group. Amendment No. 369 will take effect when Royal Assent is given to the Bill, as will the commencement provisions in amendment No. 368, which we have already dealt with. It is a short-term measure to amend the Child Care Act 1980 until that Act is repealed by the Bill. The amendment will improve the position of the unmarried father whose child is in care. For certain purposes, references to a child's parents in the 1980 Act will include both parents, whether or not married to each other at the time of the child's birth.

I commend these amendments and the new clause to the House.

Mr. Tom Clarke (Monklands, West): I echo the opening remarks of the hon. and learned Gentleman about the manner in which our discussions were conducted in Committee and about the positive way in which both sides of the House have approached these matters. I trust that the point that I am about to make will not be regarded as politically controversial, but it is important that it should be made.

Of course, we welcome the Government's view of the Peto institute and consider the Minister's recommendation reasonable, but one question is begging to be asked. It is the one that many people are bound to put to hon. Members—that perhaps we should ask ourselves why these facilities and this research are not more widely available here in Great Britain. I unreservedly accept the work being done in the Peto institute, and I know that my hon. Friends agree that, in the absence of such facilities in this country, it is absolutely right that they should be accessible to children from Britain. Although I fully appreciate that much research is going on in Birmingham, we have evidence that children in need of conductive education, and their parents, have to travel many miles to, for example, the brain injuries rehabilitation and development centre at Chester which, as far as I can tell, is a first-class institute recognised by the Welsh Office. In time it hopes to be recognised by the Scottish Office and the Department of Education and Science.

The BIRD institute has not developed to the extent that the Peto institute has. Although I welcome the Minister's wish to ensure that local authorities can feel that resources should be made available for the Peto institute, the urgent

question that I have asked remains. I hope that the House will agree that this country urgently needs to be able to provide the services and research which are so brilliantly performed by the Peto institute.

Mr. Robert Key (Salisbury): I congratulate and thank my hon. and learned Friend the Minister for Health on and for his amendment which he promised in Committee. I recognise its substance as that of the one that I introduced in Committee and I am grateful to the Government for honouring their commitment.

Shortly after I introduced the new clause in Committee many people who had got hold of the wrong end of the stick wrote to me from all around the country. I sought to remove a discrimination against groups of parents and education authorities who thought that the Peto institute was the right thing for some children. I also sought to remove the uncertainty which undoubtedly faced education and local authorities, some of which felt able to finance children travelling overseas while others felt that they were prohibited from doing so. I did not say or intend at any stage that everyday work being carried out in institutions in almost every health district in this country was in any way devalued by what I was seeking to do. I think that that is now generally accepted, and I certainly hope that it is.

During the summer I and my hon. Friend the Member for Southampton, Test (Mr. Hill) visited the Cedars school at Southampton which carries out remarkable work with cerebral palsy and spina bifida children. There are such schools all over Britain and there is one in my constituency, the Kestrel unit at Odstock hospital. I have also visited physiotherapy departments in our hospitals which are doing everyday, normal, professional work for such children. Nothing that the House is doing in, I hope, accepting the amendment in any way devalues such work. We are simply saying that this must be a step forward until such time as we can provide further help in Britain.

Mr. Rowe: Does my hon. Friend agree that as we become more integrated in Europe it is likely that there will be considerable exchanges of expertise and more centres of excellence on both sides of the Channel? Does he agree that that is an admirable innovation?

Mr. Key: That is right. Of course, the amendment allow not only exchanges with the Peto institute but, perhaps, with many other institutions and methods in Europe and throughout the world.

I welcome the comments of the hon. Member for Monklands, West (Mr. Clarke) and agree entirely with what he said. There are many research projects for evaluating the work of the Peto institute and other methods of treating and alleviating the symptoms of children. Such projects would repay a great deal more work and more money. Times are hard for some of the schools. I know of one in Hampshire that approached the local education authority, but it was decided that there was not enough money for the scheme. There is much scope for more money to be spent on research.

I have been involved for many years in special education. Perhaps not many people know about such education unless they are directly involved. However, such work is exciting and I urge the Minister to give special attention to the research needs of special education. I welcome the proposals in the amendment and hope that they will make a substantial difference to the lives of the families as well as to the children who will go to the Peto institute in Hungary.

Mr. Frank Doran (Aberdeen, South): My constituency contains the Raeden centre which is funded by the local authority and does a tremendous amount of work. It recently sent a team to Hungary to the Peto institute to see it in operation. The members of the team came back incredibly frustrated by what they had seen of the work being carried out there in comparison with what is done in Aberdeen. As they saw it, the only difference was the amount of money being poured into the Peto institute.

It causes me a certain amount of frustration when I hear the Minister speak about supporting British people with unfortunate children who deserve all the help that they can get. The amendment will encourage them to look for help in Budapest. However, we are not doing such people a service by raising their hopes that there is some miracle cure somewhere while at the same time denying the tremendous work that is carried out in this country. I would rather see the resources channeled to institutes such as those mentioned by the hon. Member for Salisbury (Mr. Key) and to the one in my constituency.

My frustration was increased when I recently heard the Under-Secretary of State for Scotland, the hon. Member for Stirling (Mr. Forsyth), talking about the input proposed by the Scottish Education Department to encourage parents to go to the Peto institute. The hon. Gentleman ignores the institute in my constituency that I have mentioned and which is under his Department's direct control and authority. At the same time he attempts to make political capital out of the magic that seems to surround the word "Peto". We do not intend to divide the House on the amendment, but we need to emphasise that there are facilities in Britain that need to be encouraged and which are not encouraged by the amendment.

Mr. Hinchliffe: Like other hon. Members, I have been engaged in raising money for young people to go to the Peto institute. One of my constituents, Sabrina Archbold, has made great strides since being there. It annoys me that in this day and age we have to raise money for as basic a right as children such as Sabrina to learn to walk. I see the Government giving money to people who have every advantage in life and it makes me angry when we have to come down to scraping up money from raffles and other events.

Let me make it clear that I have no doubt about the sincerity of the hon. Member for Salisbury (Mr. Key) on this issue. I listened to him in Committee and I understand perfectly the points that he has made, although I appreciate that they have been misunderstood by some people outside. I agree with my hon. Friend the Member for Monklands, West (Mr. Clarke) who expressed concern about why in all this time and in view of the tremendous advances made at Peto we have not been able to carry out work in this country along the same lines. I suspect that one of the reasons is a lack of will and effort at Government level.

I am slightly worried about the implications of the amendment. I understand the principle that it sets out, but I can foresee people coming to the Government and saying, "Why do you not do something about it?" and being told to go to the local authority. They will say that the local authority can do something about it and will

[Mr. Hinchliffe]

advise people to go to the local council for assistance. It is yet another case of powers and duties being given to local authorities when the financial back-up needed to carry out such duties will not be there.

We all know that the poll tax will cause local budgets to become even tighter and issues such as this will add to the burden. As my hon. Friend the Member for Aberdeen, South (Mr. Doran) said, people's hopes will be built up, but at the end of the day nothing may come of them.

Another point which stems directly from the Archbold case in my constituency is that families are not assisted by the policies of the Department of Social Security. In the Archbold case, the husband, who was unemployed at the time, took the young lady to Peto while the mother stayed at home with the other child. He was penalised in that he lost benefit because he was not available for work. The local office of the Department interpreted the law quite correctly, but adopted an unsympathetic attitude when it could have been a little more flexible in the application of the rules and could have helped the family to take the action which was greatly in the interests of their daughter.

Mr. Mellor: I shall respond briefly to some of the interesting points that have been made. While the hon. Member for Monklands, West (Mr. Clarke) was speaking, one of the rather sinister machines in the Chamber swung round and focused on the back of his head. I am sure that when television arrives here people will be delighted to know that the hon. Gentleman has a truly monastic tonsure. I hope that that will vindicate the decision of the House to introduce television cameras.

I remember asking myself the question about the availability here of the kind of treatment that is available at Peto. I went there as a Foreign Office Minister, little thinking that I would subsequently have responsibility in this area. I watched an eight-year-old British girl who had been in the Peto institute for just a month walking across the room with the assistance of guide ropes. For seven years and 11 months in the United Kingdom she had not been able to walk a step but after one month at the Peto institute she was able to walk. I shall not forget in a hurry the look of triumph on that child's face.

Most British visitors who have been to the institute come back and say, "Why not here?". The answer is somewhat complex. First of all, there has been a genuine commitment here to the British principles of doing things. As the hon. Member for Aberdeen, South (Mr. Doran) made clear, those principles have yielded good results in a significant number of cases. One or two British schools offer what they used to call conductive education, but they have acknowledged, in the aftermath of the publicity that has been attached to the work of the Peto institute, that what they offer is not conductive education as devised at Peto. However, we need to acknowledge that a good range of institutions exists in the United Kingdom which offer considerable opportunities to severely handicapped children.

5.30 pm

There is no doubt that the Peto institute has a particular success in encouraging mobility in a number of severely brain-damaged youngsters. It has been criticised by some British experts for placing what they see as too much emphasis on mobility, and too little on intellectual development. My conviction was then, and remains, that the work that is done at Peto, involving as it does physical mastery, can lead on to all manner of other challenges. The extent of the achievement of some of the youngsters there is, of itself, a significant stimulus to other achievements. That is why considerable steps forward are being taken on the development of conductive education in the United Kingdom.

For example, the Birmingham centre is training, in the context of a co-operation agreement with the Peto institute, a range of young British people as conductors. Unfortunately, as a result of the inevitable limitation on the ability of the Peto institute to train people from other countries, the number of conductors that can be trained at any one time is limited. It amounts to about 10 a programme. The foundations of an institue within the United Kingdom are being laid. That will follow on the Peto institute and should not—I say to the hon. Member for Aberdeen, South—be seen as in any sense opposing other United Kingdom institutes. It should be seen as broadening the amount of different kinds of care, treatment and education that are on offer. Needless to say, substantial resources are going to all of these.

Quite a lot of work is going on at the moment in discussion with the Hungarians about strengthening our links with the Peto institute, and I hope that, in due course, that will lead to substantial further development of the principles of conductive education in this country.

Mr. Tom Clarke: I was grateful for the Minister's advice about the possibility of a certain television image, which is not entirely inappropriate for an hon. Member representing Monklands, West, although I do not know whether my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) would agree.

I remind the Minister that I referred to my visit to the BIRD institute at Chester in the constituency of my hon. Friend the Member for Alyn and Deeside (Mr. Jones), who has just joined us. While I was there, I met some constituents of my hon. Friend the Member for Aberdeen, South (Mr. Doran), and others who had come from Dundee. They had a long distance to travel. That underlines a point that a number of hon. Members have made and that I hope that the Minister will take on board, which is that whatever research there may be, and there should be some, it is essential that more resources are provided.

Mr. Mellor: I understand what the hon. Gentleman says. While these centres of excellence have to be established in places that, unfortunately, require people to travel long distances, I know that my hon. Friend the Minister with special responsibility for the disabled keeps under review the various efforts that go on in both the public and voluntary sectors. We wish to see both a growth in provision and a growth in variety of provision. There is no doubt that, for reasons that relate not to resources but to logistics, it will take some time before the United Kingdom has an institute that can cope with the demand for the kind of work that is done at Peto.

Furthermore, not all youngsters are suitable for the work that is done at Peto. They have to be assessed and where they are suitable and a place can be found, this is a modest but significant way to assist them. As the hon. Member for Wakefield (Mr. Hinchliffe) said, there are voluntary subscriptions to help people with the fares, and

that is proper. As I understand it, the Spastics Society also makes contributions. However, if a local authority—we should remember we are talking about local authorities with budgets of tens of millions and sometimes hundreds of millions of pounds—wishes to make a contribution, it is right and proper that it should do so. That is what my hon. Friend's amendment secures.

Dame Elaine Kellett-Bowman (Lancaster): Two weeks ago, I returned from a visit to the Peto institute. I can make a point about its capacity to train. It is limited in the number of children that it has there, and it cannot train more conductors than it has children to train them on. It takes 15 years to train a conductor properly. When I was there, a team from the Spastics Society was also there, being trained in some of the institute's methods of education.

Mr. Mellor: I am glad to hear that because at one time there were difficulties in reconciling some members of the Spastics Society to the work being done there. I am glad that that has been resolved.

The Hungarians have plans for an international institute, which would focus international interest on the Peto. There are discussions between the two Governments about a British contribution to that. We are alive to the many benefits of the work done there. I am glad that my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) was impressed. I do not know anybody who has been there who does not carry a memory of it for long after other memories have faded. I hope that we shall be able to develop equivalent facilities here, that will enable us to keep close to the exciting and pioneering work that has been going on at Peto since the war. Those who are critical about the developments should remember that if we have taken some time to catch up, others beside the present team of Ministers need to ask themselves why. The time has come for us to take a step forward, and that is what we are trying to do. I commend the amendments to the House.

Amendment agreed to.

Amendment made: No. 342, in page 142, line 2, at end insert—

'The Child Abduction Act 1984 (c. 37)

26B.—(1) Section 1 of the Child Abduction Act 1984 (offence of abduction by parent, etc.) shall be amended as follows.

(2) For subsections (2) to (4) there shall be substituted—

"(2) A person is connected with a child for the purposes of this section if—

(a) he is a parent of the child; or

(b) in the case of a child whose parents were not married to each other at the time of his birth, there are reasonable grounds for believing that he is the father of the child; or

(c) he is a guardian of the child; or

(d) he is a person in whose favour a residence order is in force with respect to the child; or

(e) he has custody of the child.

(3) In this section 'the appropriate consent', in relation to a child, means—

(a) the consent of each of the following—

(i) the child's mother;

(ii) the child's father, if he has parental responsibility for him;

(iii) any guardian of the child;

(iv) any person in whose favour a residence order is in force with respect to the child;

(v) any person who has custody of the child; or

(b) the leave of the court granted under or by virtue of any provision of Part II of the Children Act 1989; or

(c) if any person has custody of the child, the leave of the court which awarded custody to him.

(4) A person does not commit an offence under this section by taking or sending a child out of the United Kingdom without obtaining the appropriate consent if—

(a) he is a person in whose favour there is a residence order in force with respect to the child, and

(b) he takes or sends him out of the United Kingdom for a period of less than one month.

(4A) Subsection (4) above does not apply if the person taking or sending the child out of the United Kingdom does so in breach of an order under Part II of the Children Act 1989."

(3) In subsection (5) for the words from "but" to the end there shall be substituted—

"(5A) Subsection (5)(c) above does not apply if—

(a) the person who refused to consent is a person—

(i) in whose favour there is a residence order in force with respect to the child; or

(ii) who has custody of the child; or

(b) the person taking or sending the child out of the United Kingdom is, by so acting, in breach of an order made by a court in the United Kingdom."

(4) For subsection (7) there shall be substituted—

"(7) For the purposes of this section—

(a) 'guardian of a child', 'residence order' and 'parental responsibility' have the same meaning as in the Children Act 1989; and

(b) a person shall be treated as having custody of a child if there is in force an order of a court in the United Kingdom awarding him (whether solely or jointly with another person) custody, legal custody or care and control of the child."

(5) In subsection (8) for the words from "or voluntary organisation" to "custodianship proceedings or" there shall be substituted "detained in a place of safety, remanded to a local authority accommodation or the subject of".

26C.—(1) In section 2 of that Act (offence of abduction of child by other persons), in subsection (1) for the words from "Subject" to "above" there shall be substituted "Subject to subsection (3) below, a person, other than one mentioned in subsection (2) below".

(2) For subsection (2) of that section there shall be substituted—

"(2) The persons are—

(a) where the father and mother of the child in question were married to each other at the time of his birth, the child's father and mother;

(b) where the father and mother of the child in question were not married to each other at the time of his birth, the child's mother; and

(c) any other person mentioned in section 1(2)(c) to (e) above.

(3) In proceedings against any person for an offence under this section, it shall be a defence for that person to prove—

(a) where the father and mother of the child in question were not married to each other at the time of his birth—

(i) that he is the child's father; or

(ii) that, at the time of the alleged offence, he believed, on reasonable grounds, that he was the child's father; or

(b) that, at the time of the alleged offence, he believed that the child had attained the age of sixteen."

26D. At the end of section 3 of that Act (construction of references to taking, sending and detaining) there shall be added "and

(d) references to a child's parents and to a child whose parents were (or were not) married to each other at the time of his birth shall be construed in accordance with section 1 of the Family Law Reform Act 1987 (which extends their meaning)."

26E.—(1) The Schedule to that Act (modifications of section 1 for children in certain cases) shall be amended as follows.

(2) in paragraph 1(1) for the words "or voluntary organisation" there shall be substituted "within the meaning of the Children Act 1989".

(3) For paragraph 2(1) there shall be substituted—

[Mr. Mellor]

"(1) This paragraph applies in the case of a child who is—

(a) detained in a place of safety under section 16(3) of the Children and Young Persons Act 1969; or

(b) remanded to a local authority accommodation under section 23 of that Act."

(4) In paragraph 3(1)—

(a) in paragraph (a) for the words "section 14 of the Children Act 1975" there shall be substituted "section 18 of the Adoption Act 1976"; and

(b) in paragraph (d) for the words "section 25 of the Children Act 1975 or section 53 of the Adoption Act 1958" there shall be substituted "section 55 of the Adoption Act 1976".

(5) In paragraph 3(2)(a)—

(a) in sub-paragraph (i), for the words from "order or," to "Children Act 1975" there shall be substituted "section 18 order or, if the section 18 order has been varied under section 21 of that Act so as to give parental responsibility to another agency", and

(b) in sub-paragraph (ii), for the words "(c) or (e)" there shall be substituted "or (c)".

(6) At the end of paragraph 3 there shall be added—

"(3) Sub-paragraph (2) above shall be construed as if the references to the court included, in any case where the court is a magistrates' court, a reference to any magistrates' court acting for the same area as that court".

(7) For paragraph 5 there shall be substituted—

"5. In this Schedule—

(a) 'adoption agency' and 'adoption order' have the same meaning as in the Adoption Act 1976; and

(b) 'area', in relation to a magistrates' court, means the petty sessions area (within the meaning of the Justices of the Peace Act 1979) for which the court is appointed.".'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 343, in page 142, line 2, at end insert—

'The Foster Children (Scotland) Act 1984 (c.56)

26F. In section 1 of the Foster Children (Scotland) Act 1984 (definition of foster child)—

(a) for the words "he is- (a)" there shall be substituted "(a) he is"; and

(b) the words "for a period of more than 6 days" and the words from "The period" to the end shall cease to have effect.

26G. In section 2(2) of that Act (exceptions to section1), for paragraph (f) there shall be substituted—

"(f) if he has been in that person's care for a period of less than 28 days and that person does not intend to undertake his care for any longer period."

26H. In section 7(1) of that Act (persons disqualified from keeping foster children)—

(a) the word "or" at the end of paragraph (e) shall be omitted; and

(b) after paragraph (f) there shall be inserted "or

(g) he is disqualified from fostering a child privately (within the meaning of the Children Act 1989) by regulations made under section 61 of that Act,".'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 344, 354 and 358.

Mr. Mellor: These are technical amendments to the Foster Children (Scotland) Act 1984.

Amendment agreed to.

Amendment made: No. 369, in page 142, line 2, at end insert—

'The Child Care Act 1980 (c.5)

26AA. Until the repeal of the Child Care Act 1980 by this Act takes effect, the definition of "parent" in section 87 of that Act shall have effect as if it applied only in relation to Part I and sections 13, 24, 64 and 65 of that Act (provisions excluded by section 2(1)(f) of the Family Law Reform Act 1987 from the application of the general rule in that Act governing the meaning of references to relationships between persons).'.—*[Mr. Mellor.]*

The Solicitor-General: I beg to move amendment No. 231, in page 142, line 8, at end insert—

'The Legal Aid Act 1988 (c. 34)

27A. In paragraph 2 of Part I of Schedule 2 to the Legal Aid Act 1988 (proceedings in magistrates' courts to which the civil legal aid provisions of Part IV of the Act apply), the following sub-paragraph shall be added at the end—

"(g) proceedings under the Children Act 1989".'.

Madam Deputy Speaker: With this it will be convenient to take Government amendment No. 239, Government new clause 17 and Government amendment No. 64.

The Solicitor-General: These are important amendments about legal aid, which I was overhasty in seeking to reach but which deserve the attention of the House. Government amendment No. 231 amends the Legal Aid Act to provide that civil legal aid is available for all civil proceedings under the Bill in a magistrates court. Proceedings at the High Court and the county court, including those under the Bill, automatically attract civil legal aid without the need for specific provision to be made.

Amendment No. 239 will repeal all the provisions under the Legal Aid Act that are no longer required as a consequence of the Bill.

New clause 17 provides that civil legal aid is to be available for proceedings under the Bill, and this clause, in conjunction with amendments Nos. 64, 231 and 239 and powers already available under the Legal Aid Act, will permit this.

A report of the Law Society's annual conference that appeared in *The Times* on Saturday highlighted my next point, when Sir Stephen Brown, president of the Family Division, said that there will be concern to ensure that the Legal Aid Board can grant legal aid swiftly, particularly in care cases. He emphasised that this was essential, and said that he hoped very much that it would come about, because otherwise all the hard work that had gone into the legislation would not be put into effect.

We are concerned to ensure that the Legal Aid Board can grant legal aid swiftly, particularly in care cases. Therefore, the Government intend to waive the merits test for those who are automatically parties in care proceedings to grant legal aid in advance of the means test and to waive the means test entirely for children who are the subject of a care application. The clause also makes a number of tidying up provisions consequent on this repeal. Where a child is to be put in secure accommodation, this clause ensures that he must be granted legal aid if he wishes it without any merits test, as now, and without a means test. Proceedings relating to the supervision orders under the Children and Young Persons Act 1969, which are criminal in character and are not being repealed by the Bill, will also attract criminal legal aid under the clause.

These are important amendments, and although I do not need to dwell on them I wish to draw them to the attention of the House. I take this opportunity to note that in the report of the Law Society annual conference proceedings, Sir Stephen Brown, the president of the Law Society—and this is a trailer for a debate that we shall reach shortly—interestingly said that the Bill would set up what would be, in essence, a family court. There is a great deal of truth in what he said, but we shall come to that matter later.

The legal aid provisions are important and I commend them to the House.

Mr. Doran: When I consider new legislation such as new clause 17, I am often struck by the thought that it is somewhat pedantically drawn. I assume that there must be a motive for including local authorities in subsection (2), which excludes them from applying for legal aid. Is the reason for that simply that the Solicitor-General is anticipating that most local authorities will fail the means test?

The Solicitor-General: The new clause naturally ensures only that legal aid is available to individuals for proceedings under the Bill. It would not be appropriate for it to be available to local authorities, as the amendment naturally makes clear.

Mr. Vaz: Although we welcome the amendments, especially those relating to the extension of representation, I am concerned about one matter. The Solicitor-General will recall that we both sat on the Legal Aid Bill Committee, when I was concerned about the same matter —that is, the amount of resources available for legal aid. It is all very well amending legislation to provide for representation, but if the legal aid system is starved of resources and if the eligibility limits remain unchanged, the numbers of people who can gain through the amendment will be limited. What assurances can the Solicitor-General give us about a new Government attitude towards the provision of greater resources to the legal aid system?

The Solicitor-General: I do not think that the problem is simply a matter of resources. We have debated the question of resources on a number of occasions and, as the hon. Gentleman knows, the resources devoted to legal aid have been rising very quickly indeed. I do not think that the question of eligibility applies because those who need it are entitled to it under the amendment.

Amendment agreed to.

Schedule 11

Consequential Amendments

Madam Deputy Speaker: I wish to make a correction to the next group of amendments. The lead amendment is No. 243, and we shall be debating an additional Government amendment, No. 426, with the amendments grouped with the lead amendment. It comes after Government amendment No. 346.

The Solicitor-General: I beg to move amendment No. 243, in page 143, line 16, leave out sub-paragraph (b) and insert—

'(b) for the definition of legal guardian there shall be substituted—

"'legal guardian', in relation to a child or young person, means a guardian of a child as defined in the Children Act 1989".'

Madam Deputy Speaker: With this we may discuss Governments amendments Nos. 347, 425, 245, 346, 426, 348 to 350, 246, 427, 247, 433 and 434.

The Solicitor-General: These are consequential amendments to existing legislation and I commend them to the House.

Mr. Hardy: It is appropriate to raise an area of anxiety at this point in our debate. Although the amendments are consequential, consequences flow from them, one of which is causing real concern to the professionals involved in child welfare. It is almost inevitable that the consequence of the amendments and of the Bill will be greatly to increase the need for guardians ad litem. There will have to be significant increases in the numbers of people available to fill that role.

The Minister will recognise that in most, and probably all, parts of the country there are already difficulties in finding people to serve in that capacity. The panels concerned with those appointments are already stressed and the task is difficult. It is possible that the change in the law, especially the amendment to the 1933 Act, will substantially increase demand.

The Minister may prefer to comment on that matter, which could be a serious problem, on another occasion during the debate. However, I felt it appropriate to raise the matter and point out that the amendments before us could create real difficulties. I know that a number of directors of social services are extremely anxious. I hope that the Minister can offer the House and those responsible for such appointments some relief from their serious anxiety.

The Solicitor-General: The hon. Gentleman is right—there are other opportunities to debate this important matter.

Amendment agreed to.

5.45 pm

Mr. Mellor: I beg to move amendment No. 244, in page 143, line 19, at end insert—

'The Education Act 1944 (c.31)

7A.—(1) Section 40 of the Education Act 1944 (enforcement of school attendance) shall be amended as follows.

(2) For subsection (2) there shall be substituted—

"(2) Proceedings for such offences shall not be instituted except by a local education authority.

(2A) Before instituting such proceedings the local education authority shall consider whether it would be appropriate, instead of or as well as instituting the proceedings, to apply for an education supervision order with respect to the child."

(3) For subsections (3) and (4) there shall be substituted—

"(3) The court—

(a) by which a person is convicted of an offence under section 37 of this Act; or

(b) before which a person is charged with an offence under section 39 of this Act,

may direct the local education authority instituting the proceedings to apply for an education supervision order with respect to the child unless the authority, having consulted the appropriate local authority, decide that the child's welfare will be satisfactorily safeguarded even though no education supervision order is made.

(3A) Where, following such a direction, a local education authority decide not to apply for an education supervision order they shall inform the court of the reasons for their decision.

(3B) Unless the court has directed otherwise, the information required under subsection (3A) shall be given to the court before the end of the period of eight weeks beginning with the date on which the direction was given.

(4) Where—

(a) a local education authority apply for an educational supervision order with respect to a child who is the subject of a school attendance order; and

(b) the court decides that section 33(3) of the Children Act 1989 prevents it from making the order;

the court may direct that the school attendance order shall cease to be in force."

(4) After subsection (4) there shall be inserted

"(5) In this section—

'appropriate authority' has the same meaning as in section 33(9) of the Children Act 1989; and

'education supervision order' means an education supervision order under that Act."

7B. In section 71 of that Act (complaints with respect to independent schools), the following paragraph shall be added after paragraph (d), in subsection (1)—

"(e) there has been a failure, in relation to a child provided with accommodation by the school, to comply with the duty imposed by section *(Welfare of children accommodated in independent schools)* of the Children Act 1989 (welfare of children accommodated in independent schools);"

7C. After section 114(1C) of that Act (interpretation) there shall be inserted the following subsections—

"(1D) 'Parent', in relation to a child or young person, includes any person—

(a) who is not a parent of his but who has parental responsibility for him, or

(b) who has care of him,

except for the purposes of the enactments mentioned in subsection (1E) of this section, where it only includes such a person if he is an individual.

(1E) The enactments are—

(a) sections 5(4), 15(2) and (6), 31 and 65(1) of the Education (No. 2) Act 1986; and

(b) sections 53(8), 54(2), 58(5)(k), 60 and 61 of the Education Reform Act 1988.

(1F) For the purposes of subsection (1D) of this section—

(a) 'parental responsibility' has the same meaning as in the Children Act 1989; and

(b) in determining whether an individual has care of a child or young person any absence of the child or young person at a hospital or boarding school and any other temporary absence shall be disregarded."'

Madam Deputy Speaker: With this we may discuss Government amendments Nos. 248, 186 to 190, 192, 194, 471 and 198.

Mr. Mellor: These are drafting and technical amendments relating to education supervision orders and provisions in the Education Acts.

Amendment agreed to.

Amendments made: No. 347, in page 143, leave out lines 27 to 45.

No. 425, in page 143, line 45, at end insert—

'THE RESERVE AND AUXILIARY FORCES (PROTECTION OF CIVIL INTERESTS) ACT 1951 (C.65)

For section 2(1)(d) of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (cases in which leave of the appropriate court is required before enforcing certain orders for the payment of money), there shall be substituted—

"(d) an order for alimony, maintenance or other payment made under sections 21 to 33 of the Matrimonial Causes Act 1973 or made, or having effect as if made, under Schedule 1 to the Children Act 1989".'.

No. 245, in page 144, line 6, at end insert—

'THE ADMINISTRATION OF JUSTICE ACT 1960 (C.65)

. In section 12 of the Administration of Justice Act 1960 (publication of information relating to proceedings in private), in subsection (1) for paragraph (a) there shall be substituted—

"(a) where the proceedings—

(i) relate to the exercise of the inherent jurisdiction of the High Court with respect to minors;

(ii) are brought under the Children Act 1998; or

(iii) otherwise relate wholly or mainly to the maintenance or upbringing of a minor;".'

No. 232, in page 144, line 12, at end insert—

'THE CRIMINAL JUSTICE ACT 1967 (C.80)

. In section 67(1A)(c) of the Criminal Justice Act 1967 (computation of sentences of imprisonment passed in England and Wales) for the words "in the care of a local authority" there shall be substituted "remanded to local authority accommodation".'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 470, in page 144, line 19, leave out from '1989' to end of line 21.

Madam Deputy Speaker: With this we may discuss Government amendments Nos. 345, 241, 428 to 432, 351 and 435.

Mr. Mellor: These are technical amendments that update existing legislation to take account of changes in the Bill and to ensure consistency between public Acts of Parliament.

Amendment agreed to.

Amendments made: No. 344, in page 144, line 28, leave out

'In section 21(3) of the Social Work (Scotland) Act 1968'

and insert—

'In section 2(2) of the Social Work (Scotland) Act 1968 (matters referred to social work committee) after paragraph (j) there shall be inserted—

"(k) section 17 and Part X of the Children Act 1989,".

13A. In section 5(2)(c) of that Act (power of Secretary of State to make regulations) for the words "and (j)" there shall be substituted "to (k)".

13B. In section 21(3) of that Act.'.

No. 345, in page 145, column 2, leave out lines 18 to 29 and insert—

'Functions under Part III of the Act (local authority support for children and families).	
Care and Supervision.	
Protection of Children.	
Functions in relation to community homes, voluntary homes and voluntary organisations, registered children's homes, private arrangements for fostering children, child minding and day care for young children.	
Inspection of children's homes on behalf of Secretary of State.	
Research and returns of information.	
Functions in relation to children accommodated by health authorities and local education authorities or in residential care, nursing or mental nursing homes or in independent schools.'.	

No. 241, in page 146, line 3, leave out from 'Tribunals)' to end of line 6 and insert

'for paragraph 4 there shall be substituted—

"Registration of voluntary homes and children's homes under the Children Act 1989.	4. Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984.".'.

No. 346, in page 146, line 14, at end insert—

'The Employment of Children Act 1973 (c. 24)

24a.—(1) In section 2 of the Employment of Children Act 1973 (supervision by education authorities), in subsection 2(a) for the words "guardian or a person who has actual custody of" there shall be substituted "any person responsible for".

(2) After that subsection there shall be inserted—

"(2A) For the purposes of subsection (2)(a) above a person is responsible for a child—

(a) in England and Wales, if he has parental responsibility for the child or care of him; and

(b) in Scotland, if he is his guardian or has actual custody of him.".'.

No. 426, in page 146, line 14, at end insert—

"The Domicile and Matrimonial Proceedings Act 1973 (c. 45)

24B.—(1) In Schedule 1 to the Domicile and Matrimonial Proceedings Act 1973 (proceedings in divorce etc. stayed by reference to proceedings in other jurisdiction), paragraph 11(1) shall be amended as follows—

(a) at the end of the definition of "lump sum" there shall be added "or an order made in equivalent circumstances under Schedule 1 to the Children Act 1989 and of a kind mentioned in paragraph 1(2) of that Schedule";

(b) in the definition of "relevant order", at the end of paragraph (b), there shall be added "or an order made in equivalent circumstances under Schedule 1 to the Children Act 1989 and of a kind mentioned in paragraph 1(2)(a) or (b) of that Schedule";

(c) in paragraph (c) of that definition, after the word "children)" there shall be inserted "or a section 7 order under the Children Act 1989"; and

(d) in paragraph (d) of that definition for the words "the custody, care or control" there shall be substituted "care".

(2) In paragraph 11(3) of that Schedule—

(a) the word "four" shall be omitted; and

(b) for the words "the custody of a child and the education of a child" there shall be substituted "or any provision which could be made by a section 7 order under the Children Act 1989".'.

No. 348, in page 146, line 23, leave out 'In section 7(2)' and insert '—(1) Section 7(2)'.

No. 349, in page 146, line 24, after 'Act')' insert 'shall be amended as follows.

(2) For paragraph (c) there shall be substituted—

"(c) in any proceedings relating to adoption, the marriage of any minor, the exercise of the inherent jurisdiction of the High Court with respect to minors or the provision by any person of accommodation, care or schooling for minors;

(cc) in any proceedings brought under the Children Act 1989;".'.

(3)'

No. 350, in page 146, leave out lines 28 to 30.

No. 246, in page 146, line 30, at end insert—

"THE DOMESTIC PROCEEDINGS AND MAGISTRATES' COURTS ACT 1978 (C.22)

26A. For section 8 of the Domestic Proceedings and Magistrates' Courts Act 1978 (orders for the custody of children) there shall be substituted—

"Restrictions on making of orders under this Act: welfare of children

8. Where an application is made by a party to a marriage for an order under section 2, 6 or 7 of this Act, then, if there is a child of the family who is under the age of eighteen, the court shall not dismiss or make a final order on the application until it has decided whether to exercise any of its powers under the Children Act 1989 with respect to the child."

26B. In section 19(3A)(b) (interim orders) for the words "subsections (2) and" there shall be substituted "subsection".

26C. For section 20(12) of that Act (variation and revocation of orders for periodical payments) there shall be substituted—

"(12) An application under this section may be made—

(a) where it is for the variation or revocation of an order under section 2, 6, 7 or 19 of this Act for periodical payments, by either party to the marriage in question; and

(b) where it is for the variation of an order under section 2(1)(c), 6, or 7 of this Act for periodical payments to or in respect of a child, also by the child himself, if he has attained the age of sixteen."

26D.—(1) For section 20A of that Act (revival of orders for periodical payments) there shall be substituted—

"Revival of orders for periodical payments

20A.—(1) Where an order made by a magistrates' court under this Part of this Act for the making of periodical payments to or in respect of a child (other than an interim maintenance order) ceases to have effect—

(a) on the date on which the child attains the age of sixteen, or

(b) at any time after that date but before or on the date on which he attains the age of eighteen,

the child may apply to the court which made the order for an order for its revival.

(2) If on such an application it appears to the court that—

(a) the child is, will be or (if an order were made under this subsection) would be receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not while in gainful employment, or

(b) there are special circumstances which justify the making of an order under this subsection.

the court shall have power by order to revive the order from such date as the court may specify, not being earlier than the date of the making of the application.

(3) Any order revived under this section may be varied or revoked under section 20 in the same way as it could have been varied or revoked had it continued in being."

26E. In section 23(1) of that Act (supplementary provisions with respect to the variation and revocation of orders) for the words "14(3), 20 or 21" there shall be substituted "20" and for the words "section 20 of this Act" there shall be substituted "that section".

26F.—(1) In section 25 of that Act (effect on certain orders of parties living together), in subsection (1)(a) for the words "6 or 11(2)" there shall be substituted "or 6".

(2) In subsection (2) of that section—

(a) in paragraph (a) for the words "6 or 11(2)" there shall be substituted "or 6"; and

(b) after paragraph (a) there shall be inserted "or".

26G. In section 29(5) of that Act (appeals) for the words "sections 14(3), 20 and 21" there shall be substituted "section 20".

26H. In section 88(1) of that Act (interpretation)—

(a) in the definition of "child", for the words from "an illegitimate" to the end there shall be substituted "a child whose father and mother were not married to each other at the time of his birth"; and

(b) in the definition of "child of the family", for the words "being boarded-out with those parties" there shall be substituted "placed with those parties as foster parents".'.

No. 427, in page 146, line 30, at end insert—

'The Magistrates' Courts Act 1980 (c.43)

26I.—(1) In section 59(2) of the Magistrates' Courts Act 1980 (periodical payments through justices' clerk) for the words "the Guardianship of Minors Act 1971 and 1973" there shall be substituted "(or having effect as if made under) Schedule 1 to the Children Act 1989".

(2) For section 62(5) of that Act (payments to children) there shall be substituted—

"(5) In this section references to the person with whom a child has his home—

(a) in the case of any child who is being looked after by a local authority (within the meaning of section 19 of the Children Act 1989), are references to that local authority; and

(b) in any other case, are references to the person who, disregarding any absence of the child at a hospital or boarding school and any other temporary absence, has care of the child.".'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 233, in page 146, line 37, at end insert—

Page 146, line 37, at end insert—

'( ) In section 41 of that Act (wards of court), the following subsection shall be inserted after subsection (2)—

"(2A) Subsection (2) does not apply with respect to a child who is the subject of a care order (as defined by section 89 of the Children Act 1989.)".'.

Madam Deputy Speaker: With this we shall discuss Government amendments Nos. 410, 146, 395, 148 to 150.

Mr. Mellor: This group of amendments mainly concern the effect of care and supervision orders and their interaction with other orders.

Amendment agreed to.

Amendments made: No. 247, in page 146, leave out lines 40 and 41 and insert—

"(ii) the exercise of the inherent jurisdiction of the High Court with respect to minors, the maintenance of minors and any proceedings under the Children Act 1989, except proceedings solely for the appointment of a guardian of a minor's estate".'.

No. 428, in page 146, line 41, at end insert—

'The Armed Forces Act 1981 (c. 55)

27A. In section 14 of the Armed Forces Act 1981 (temporary removal to, and detention in, place of safety abroad or in the United Kingdom of service children in need of care and control), in subsection (9A) for the words "the Children and Young Persons Act 1933, the Children and Young Persons Act 1969" there shall be substituted "the Children Act 1989".'.

No. 429, in page 146, line 41, at end insert—

'The Civil Jurisdiction and Judgments Act 1982 (c.27)

27B. In paragraph 5(a) of Schedule 5 to the Civil Jurisdiction and Judgments Act 1982 (maintenance and similar payments excluded from Schedule 4 to that Act) for the words "section 47 or 51 of the Child Care Act 1980" there shall be substituted "paragraph 21 of Schedule 2 to the Children Act 1989".'.

No. 430, in page 146, line 43, after '28.' insert—

'.—(1) For section 27 of the Mental Health Act 1983 (children and young persons in care of local authority) there shall be substituted the following section—

'Children and young persons in care

27. Where—

(a) a patient who is a child or young person is in the care of a local authority by virtue of a care order within the meaning of the Children Act 1989; or

(b) the rights and powers of a parent of a patient who is a child or young person are vested in a local authority by virtue of section 16 of the Social Work (Scotland) Act 1968,

the authority shall be deemed to be the nearest relative of the patient in preference to any person except the patient's husband or wife (if any)."

(2) Section 28 of that Act (nearest relative of minor under guardianship, etc.) is amended as mentioned in sub-paragraphs (3) and (4).

(3) For subsection (1) there shall be substituted—

"(1) Where—

(a) a guardian has been appointed for a person who has not attained the age of eighteen years; or

(b) a residence order (as defined by section 7 of the Children Act 1989) is in force with respect to such a person,

the guardian (or guardians, where there is more than one) or the person named in the residence order shall, to the exclusion of any other person, be deemed to be his nearest relative."

(4) For subsection (3) there shall be substituted—

"(3) In this section "guardian" does not include a guardian under this Part of this Act.".28A'.

No. 431, in page 146, line 43, leave out

'the Mental Health Act 1983'

and insert 'that Act'.

No. 432, in page 146, line 46, at end insert—

'The Mental Health (Scotland) Act 1984 (c.36)

28A. For section 54 of the Mental Health (Scotland) Act 1984 (children and young persons in care of local authority) there shall be substituted the following section—

"Children and young persons in care of local authority

54. Where—

(a) the rights and powers of a parent of a patient who is a child or young person are vested in a local authority by virtue of section 16 of the Social Work (Scotland) Act 1968; or

(b) a patient who is a child or young person is in the care of a local authority by virtue of a care order made under the Children Act 1989,

the authority shall be deemed to be the nearest relative of the patient in preference to any person except the patient's husband or wife (if any).'.".'.

No. 351, in page 146, line 46, at end insert—

'The Registered Homes Act 1984 (c.23)

.—(1) In section 1(5) of the Registered Homes Act 1984 (requirement of registration) for paragraphs (d) and (e) there shall be substituted—

"(d) any community home, voluntary home or children's home within the meaning of the Children Act 1989."

(2) In section 39 of that Act (preliminary) for paragraphs (a) and (b) there shall be substituted—

"(a) the Children Act 1989."

The Matrimonial and Family Proceedings Act 1984 (c.42)

. In section 38(2)(b) of the Matrimonial and Family Proceedings Act 1984 (transfer of family proceedings from High Court to county court) after the words "a ward of court" there shall be inserted "or any other proceedings which relate to the exercise of the inherent jurisdiction of the High Court with respect to minors".'.

No. 234, in page 147, line 6, leave out from '(6)' to end of line 7 and insert

'for the words from "make arrangements" to the end there shall be substituted "secure that the arrested juvenile is moved to local authority accommodation".

( ) After that subsection there shall be inserted—

"(6A) In this section 'local authority accommodation' means accommodation provided by or on behalf of a local authority (within the meaning of the Children Act 1989).

(6B) Where an arrested juvenile is moved to local authority accommodation under subsection (6) above, it shall be lawful for any person acting on behalf of the authority to detain him.".'.

No. 235, in page 147, line 9, at end insert—

'30A. In section 39(4) of that Act (responsibilities in relation to persons detained) for the words "transferred to the care of a local authority in pursuance of arrangements made" there shall be substituted "moved to local authority accommodation".

30B. In Schedule 2 to that Act (preserved powers of arrest) in the entry relating to the Children and Young Persons Act 1969 for the words "Sections 28(2) and" there shall be substituted "Section".'.

No. 433, in page 147, line 13, at end insert—

'The Child Abduction and Custody Act 1985 (c. 60)

31A.—(1) In sections 9(a) and 20(2)(a) of the Child Abduction and Custody Act 1985 (orders with respect to which court's powers suspended), for the words "any other order under section 1(2) of the Children and Young Persons Act 1969" there shall be substituted "a supervision order under section 28 of the Children Act 1989".

(2) At the end of section 27 of that Act (interpretation), there shall be added—

"(4) In this Act a decision relating to rights of access in England and Wales means a decision as to the contact which a child may, or may not, have with any person."

(3) In Part I of Schedule 3 to that Act (orders in England and Wales which are custody orders for the purposes of the Act), for paragraph 1 there shall be substituted—

"1. The following are the orders referred to in section 27(1) of this Act—

(a) a care order under the Children Act 1989 (as defined by section 28(11) of that Act, read with section 89(1) and Schedule 12);

(b) a residence order (as defined by section 7 of the Act of 1989); and

(c) any order made by a court in England and Wales under any of the following enactments—

(i) section 9(1), 10(1)(a) or 11(a) of the Guardianship of Minors Act 1971;

(ii) section 42(1) or (2) or 43(1) of the Matrimonial Causes Act 1973;

(iii) section 2(2)(b), 4(b) or (5) of the Guardianship Act 1973 as applied by section 34(5) of the Children Act 1975;

(v) section 8(2)(a), 10(1) or 19(1)(ii) of the Domestic Proceedings and Magistrates Courts Act 1978;

(vi) section 26(1)(b) of the Adoption Act 1976.".

No. 434, in page 148, line 9, at end insert—

'The Family Law Act 1986 (c. 55)

35A.—(1) The Family Law Act 1986 shall be amended as follows.

(2) Subject to paragraphs 35B to 35J, in Part I—

(a) for the words "custody order", in each place where they occur, there shall be substituted "Part I order";

(b) for the words "proceedings with respect to the custody of", in each place where they occur, there shall be substituted "Part I proceedings with respect to"; and

(c) for the words "matters relating to the custody of", in each place where they occur, there shall be substituted "Part I matters relating to".

(3) For section 42(7) (general interpretation of Part I) there shall be substituted—

"(7) In this Part—

(a) references to Part I proceedings in respect of a child are references to any proceedings for a Part I order or an order corresponding to a Part I order and include, in relation to proceedings outside the United Kingdom, references to proceedings before a tribunal or other authority having power under the law having effect there to determine Part I matters; and

(b) references to Part I matters are references to matters that might be determined by a Part I order or an order corresponding to a Part I order."

35B.—(1) In section 1 (orders to which Part I of the Act of 1986 applies), in subsection (1)—

(a) for paragraph (a) there shall be substituted—

"(a) a section 7 order by a court in England and Wales under the Children Act 1989, other than an order varying or discharging such an order"; and

(b) for paragraph (d) there shall be substituted the following paragraphs—

"(d) an order made by a court in England and Wales in the exercise of the inherent jurisdiction of the High Court with respect to children—

(i) so far as it gives care of a child to any person or provides for contact with, or the education of, a child; but

(ii) excluding an order varying or revoking such an order;

(e) an order made by the High Court in Northern Ireland in the exercise of its jurisdiction relating to wardship—

(i) so far as it gives care and control of a child to any person or provides for the education of or access to a child; but

(ii) excluding an order relating to a child of whom care or care and control is (immediately after the making of the order) vested in the Department of Health and Social Services or a Health and Social Services Board."

(2) In subsection (2) of that section, in paragraph (c) for "(d)" there shall be substituted "(e)".

(3) For subsections (3) to (5) of that section there shall be substituted—

"(3) In this Part, 'Part I order'—

(a) includes any order which would have been a custody order by virtue of this section in any form in which it was in force at any time before its amendments by the Children Act 1989; and

(b) (subject to sections 32 and 40 of this Act) excludes any order which would have been excluded from being a custody order by virtue of this section in any such form."

35C. For section 2 there shall be substituted the following sections—

"Jurisdiction: general.

2.—(1) A court in England and Wales shall not have jurisdiction to make a section 1(1)(a) order with respect to a child in or in connection with matrimonial proceedings in England and Wales unless the condition in section 2A of this Act is satisfied.

(2) A court in England and Wales shall not have jurisdiction to make a section 1(1)(a) order in a non-matrimonial case (that is to say, where the condition in section 2A of this Act is not satisfied) unless the condition in section 3 of this Act is satisfied.

(3) A court in England and Wales shall have jurisdiction to make a section 1(1)(d) order unless—

(a) the condition in section 3 of this Act is satisfied, or

(b) the child concerned is present in England and Wales on the relevant date and the court considers that the immediate exercise of its powers is necessary for his protection.

Jurisdiction in or in connection with matrimonial proceedings

2A.—(1) The condition referred to in section 2(1) of this Act is that the matrimonial proceedings are proceedings in respect of the marriage of the parents of the child concerned and—

(a) the proceedings—

(i) are proceedings for divorce or nullity of marriage, and

(ii) are continuing;

(b) the proceedings—

(i) are proceedings for judicial separation,

(ii) are continuing,

and the jurisdiction of the court is not excluded by subsection (2) below; o

(c) the proceedings have been dismissed after the beginning of the trial but—

(i) the section 1(1)(a) order is being made forthwith, or

(ii) the application for the order was made on or before the dismissal.

(2) For the purposes of subsection (1)(b) above, the jurisdiction of the court is excluded if, after the grant of a decree of judicial separation, on the relevant date, proceedings for divorce or nullity in respect of the marriage are continuing in Scotland or Northern Ireland.

(3) Subsection (2) above shall not apply if the court in which the other proceedings there referred to are continuing has made—

(a) an order under section 13(6) or 21(5) of this Act (not being an order made by virtue of section 13(6)(a)(i)), or

(b) an order under section 14(2) or 22(2) of this Act which is recorded as being made for the purpose of enabling Part I proceedings to be taken in England and Wales with respect to the child concerned.

(4) Where a court—

(a) has jurisdiction to make a section 1(1)(a) order in or in connection with matrimonial proceedings, but

(b) considers that it would be more appropriate for Part I matters relating to the child to be determined outside England and Wales,

the court may by order direct that, while the order under this subsection is in force, no section 1(1)(a) order shall be made by any court in or in connection with those proceedings."

35D.—(1) In section 3 (habitual residence or presence of child concerned) in subsection (1) for "section 2" there shall be substituted "section 2(2)".

(2) In subsection (2) of that section for the words "proceedings for divorce, nullity or judicial separation" there shall be substituted "matrimonial proceedings".

35E.—(1) In section 6 (duration and variation of Part I orders), for subsection (3) there shall be substituted the following subsections—

"(3) A court in England and Wales shall not have jurisdiction to vary a Part I order if, on the relevant date,

[Mr. Mellor]

matrimonial proceedings are continuing in Scotland or Northern Ireland in respect of the marriage of the parents of the child concerned.

(3A) Subsection (3) above shall not apply if—

(a) the Part I order was made in or in connection with proceedings for divorce or nullity in England and Wales in respect of the marriage of the parents of the child concerned; and

(b) those proceedings are continuing.

(3B) Subsection (3) above shall not apply if—

(a) the Part I order was made in or in connection with proceedings for judicial separation in England and Wales;

(b) those proceedings are continuing; and

(c) the decree of judicial separation has not yet been granted."

(2) In subsection (5) of that section for the words from "variation of" to "if the ward" there shall be substituted "variation of a section 1(1)(d) order if the child concerned".

(3) For subsections (6) and (7) of that section there shall be substituted the following subsections—

"(6) Subsection (7) below applies where a Part I order which is—

(a) a residence order (within the meaning of the Children Act 1989) in favour of a person with respect to a child,

(b) an order made in the exercise of the High Court's inherent jurisdiction with respect to children by virtue of which a person has care of a child, or

(c) an order—

(i) of a kind mentioned in section 1(3)(a) of this Act,

(ii) under which a person is entitled to the actual possession of a child,

ceases to have effect in relation to that person by virtue of subsection (1) above.

(7) Where this subsection applies, any family assistance order made under section 14 of the Children Act 1989 with respect to the child shall also cease to have effect.

(8) For the purposes of subsection (7) above the reference to a family assistance order under section 14 of the Children Act 1989 shall be deemed to include a reference to an order for the supervision of a child made under—

(a) section 7(4) of the Family Law Reform Act 1969,

(b) section 44 of the Matrimonial Causes Act 1973,

(c) section 2(2)(a) of the Guardianship Act 1973,

(d) section 34(5) or 36(3)(b) of the Children Act 1975, or

(e) section 9 of the Domestic Proceedings and Magistrates' Courts Act 1978;

but this subsection shall cease to have effect once all such orders for the supervision of children have ceased to have effect in accordance with Schedule 12 to the Children Act 1989."

35F. For section 7 (interpretation of Chapter II) there shall be substituted—

"*Interpretation of Chapter II*

7. In this Chapter—

(a) 'child' means a person who has not attained the age of eighteen;

(b) 'matrimonial proceedings' means proceedings for divorce, nullity of marriage or judicial separation;

(c) 'the relevant date' means in relation to the making or variation of an order—

(i) where an application is made for an order to be made or varied, the date of the application (or first application, if two or more are determined together), and

(ii) where no such application is made, the date on which the court is considering whether to make or, as the case may be, vary the order; and

(d) 'section 1(1)(a) order' and 'section 1(1)(d) order' mean orders falling within section 1(1)(a) and (d) of this Act respectively."

35G. In each of the following sections—

(a) section 11(2)(a) (provisions supplementary to sections 9 and 10),

(b) section 13(5)(a) (jurisdiction ancillary to matrimonial proceedings),

(c) section 20(3)(a) (habitual residence or presence of child),

(d) section 21(4)(a) (jurisdiction in divorce proceedings, etc.), and

(e) section 23(4)(a) (duration and variation of custody orders),

for "4(5)" there shall be substituted "2A(4)".

35H. In each of the following sections—

(a) section 19(2) (jurisdiction in cases other than divorce, etc.),

(b) section 20(6) (habitual residence or presence of child), and

(c) section 23(5) (duration and variation of custody orders),

for "section 1(1)(d)" there shall be substituted "section 1(1)(e)".

35I. In section 34(3) (power to order recovery of child) for paragraph (a) there shall be substituted—

"(a) section *(Enforcement of residence orders)* of the Children Act 1989".

35J.—(1) In section 42 (general interpretation of Part I), in subsection (4)(a) for the words "has been boarded out with those parties" there shall be substituted "is placed with those parties as foster parents".

(2) In subsection (6) of that section, in paragraph (a) after the word "person" there shall be inserted "to be allowed contact with or".'.

No. 435, in page 148, line 14, at end insert—

'Amendments of local Acts

.—(1) Section 16 of the Greater London Council (General Powers) Act 1981 (exemption from provisions of Part IV of the Act of certain premises) shall be amended as follows.

(2) After paragraph (g) there shall be inserted—

"(gg) used as a children's home as defined in section 56 of the Children Act 1989".

(3) In paragraph (h)—

(a) for the words "section 56 of the Child Care Act 1980" there shall be substitued "section 53 of the Children Act 1989";

(b) for the words "section 57" there shall be substituted "section 53"; and

(c) for the words "section 32" there shall be substitued "section 47".

(4) In paragraph (i), for the words "section 8 of the Foster Children Act 1980" there shall be substituted "section 60 of the Children Act 1989".

.—(1) Section 10(2) of the Greater London Council (General Powers) Act 1984 (exemption from provisions of Part IV of the Act of certain premises) shall be amended as follows.

(2) In paragraph (d)—

(a) for the words "section 56 of the Child Care Act 1980" there shall be substituted "section 53 of the Children Act 1989";

(b) for the words "section 57" there shall be substituted "section 53"; and

(c) for the words "section 31" there shall be substituted "section 47".

(3) In paragraph (e), for the words "section 8 of the Foster Children Act 1980" there shall be substituted "section 60 of the Children Act 1989".

(4) In paragraph (1) for the words "section 1 of the Children's Homes Act 1982" there shall be substituted "section 56 of the Children Act 1989".'.—*[Mr. Mellor.]*

Schedule 12

Transitional Provisions

The Solicitor-General: I beg to move amendment No. 436, in page 148, leave out lines 17 to 26 and insert—

'Pending Proceedings, Etc.

1.—(1) Subject to sub-paragraph (4), nothing in any provisions of this Act (other then the repeals mentioned in

sub-paragraph (2)) shall affect any proceedings which are pending immediately before the commencement of that provision.

(2) The repeals are those of—

(a) section 42(3) of the Matrimonial Causes Act 1973 (declaration by court that party to marriage unfit to have custody of children of family); and

(b) section 38 of the Sexual Offences Act 1956 (power of court to divest person of authority over girl or boy in cases of incest).

(3) For the purposes of the following provisions of this Schedule, any reference to an order in force immediately before the commencement of a provision of this Act shall be construed as including a reference to an order made after that commencement in proceedings pending before that commencement.

(4) Sub-paragraph (3) is not to be read as making the order in question have effect from a date earlier than that on which it was made.

(5) An order under section *(Evidence given by, or with respect to, children)* (3) may make such provision with respect to the application of the order in relation to proceedings which are pending when the order comes into force as the Lord Chancellor considers appropriate.

2. Where, immediately before the day on which part IV comes into force, there was in force an order under section 3(1) of the Children and Young Persons Act 1963 (order directing a local authority to bring a child or young person before a juvenile court under section 1 of the Children and Young Persons Act 1969), the order shall cease to have effect on that day.

Custody Orders, Etc.

Cessation of declarations of unfitness, etc.

3. Where, immediately before the day on which Parts I and II come into force, there was in force—

(a) a declaration under section 42(3) of the Matrimonial Causes Act 1973 (declaration by court that party to marriage unfit to have custody of children of family); or

(b) an order under section 38(1) of the Sexual Offences Act 1956 divesting a person of authority over a girl or boy in a case of incest;

the declaration or, as the case may be, the order shall cease to have effect on that day.

Family Law Reform Act 1987 (c. 42)

Conversion of orders under section 4

4. Where, immediately before the day on which Parts I and II come into force, there was in force an order under section 4(1) of the Family Law Reform Act 1987 (order giving father parental rights and duties in relation to a child), then, on and after that day, the order shall be deemed to be an order under section 4 of this Act giving the father parental responsibility for the child.

Orders to which paragraphs 6 to 11 apply

5.—(1) In paragraphs 6 to 11 "an existing order" means any order which—

(a) is in force immediately before the commencement of Parts I and II;

(b) was made under any enactment mentioned in sub-paragraph (2);

(c) determines all or any of the following—

(i) who is to have custody of a child;

(ii) who is to have care and control of a child;

(iii) who is to have access to a child;

(iv) any matter with respect to a child's education or upbringing; and

(d) is not an order of a kind mentioned in paragraph 15(1).

(2) The enactments are—

(a) the Domestic Proceedings and Magistrates' Courts Act 1978;

(b) the Children Act 1975;

(c) the Matrimonial Causes Act 1973 ;

(d) the Guardianship of Minors Acts 1971 and 1973;

(e) the Matrimonial Causes Act 1965;

(f) the Matrimonial Proceedings (Magistrates' Courts) Act 1960.

(3) For the purposes of this paragraph and paragraphs 6 to 11 "custody" includes legal custody and joint as well as sole custody but does not include access.

Parental responsibility of parents

6.—(1) Where—

(a) a child's father and mother were married to each other at the time of his birth; and

(b) there is an existing order with respect to the child,

each parent shall have parental responsibility for the child in accordance with section 2 as modified by sub-paragraph (3).

(2) Where—

(a) a child's father and mother were not married to each other at the time of his birth; and

(b) there is an existing order with respect to the child,

section 2 shall apply as modified by sub-paragraphs (3) and (4).

((3) The modification is that for section 2(8) there shall be substituted—

"(8) The fact that a person has parental responsibility for a child does not entitle him to act in a way which would be incompatible with any existing order or any order made under this Act with respect to the child".

(4) The modifications are that—

(a) for the purposes of section 2(2), where the father has custody or care and control of the child by virtue of any existing order, the court shall be deemed to have made (at the commencement of that section) an order under section 4(1) giving him parental responsibility for the child; and

(b) where by virtue of paragraph (a) a court is deemed to have made an order under section 4(1) in favour of a father who has care and control of a child by virtue of an existing order, the court shall not bring the order under section 4(1) to an end at any time while he has care and control of the child by virtue of the order.

Persons who are not parents but who have custody or care and control

7.—(1) Where a person who is not the parent or guardian of a child has custody or care and control of him by virtue of an existing order, that person shall have parental responsibility for him so long as he continues to have that custody or care and control by virtue of the order.

(2) Where sub-paragraph (1) applies, Parts I and II shall have effect as modified by this paragraph.

(3) The modifications are that—

(a) for section 2(8) there shall be substituted—

"(8) The fact that a person has parental responsibility for a child does not entitle him to act in a way which would be incompatible with any existing order or with any order made under this Act with respect to the child";

(b) at the end of section 9(4) there shall be inserted—

"(c) any person who has custody or care and control of a child by virtue of any existing order"; and

(c) at the end of section 31(1)(c) there shall be inserted—

"(c) where immediately before the care order was made there was an existing order by virtue of which a person had custody or care and control of the child, that person."

Persons who have care and control

8.—(1) Sub-paragraphs (2) to (6) apply where a person has care and control of a child by virtue of an existing order, but they shall cease to apply when that order ceases to have effect.

(2) Section 5 shall have effect as if—

(a) for any reference to a residence order in favour of a parent or guardian there were substituted a reference to any existing order by virtue of which the parent or guardian has care and control of the child; and

(b) for subsection (8) there were substituted—

"(8) Subsections (1) and (6) do not apply if the existing order referred to in paragraph (b) of those subsections was one by virtue of which a surviving parent of the child also had care and control of him."

(3) Section 9 shall have effect as if for subsection (5)(c)(i) there were substituted—

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"(i) in any case where by virtue of an existing order any person or persons has or have care and control of the child, has the consent of that person or each of those persons".

(4) Section 18 shall have effect as if for subsection (9)(a) there were substituted "who has care and control of the child by virtue of an existing order."

(5) Section 20 shall have effect as if for subsection (4)(c) there were substituted—

"(c) where the child is in care and immediately before the care order was made there was an existing order by virtue of which a person had care and control of the child, that person."

(6) In Schedule 1, paragraphs 1(1) and 14(1) shall have effect as if for the words "in whose favour a residence order is in force with respect to the child" there were substituted "who has been given care and control of the child by virtue of an existing order".

Persons who have access

9.—(1) Sub-paragraphs (2) to (4) apply where a person has access by virtue of an existing order.

(2) Section 9 shall have effect as if after subsection (5) there were inserted—

"(5A) Any person who has access to a child by virtue of an existing order is entitled to apply for a contact order."

(3) Section 14(2) shall have effect as if after paragraph (b) there were inserted—

"(bb) any person who has access to the child by virtue of an existing order."

(4) Sections *(Child assessment orders)* (11), 38(10) and 40(10) shall have effect as if in each case after paragraph (d) there were inserted—

"(dd) any person who has been given access to him by virtue of an existing order."

Enforcement of certain existing orders

10.—(1) Sub-paragraph (2) applies in relation to any existing order which, but for the repeal by this Act of—

(a) section 13(1) of the Guardianship of Minors Act 1971;

(b) section 43(1) of the Children Act 1975; or

(c) section 33 of the Domestic Proceedings and Magistrates' Courts Act 1978,

(provisions concerning the enforcement of custody orders) might have been enforced as if it were an order requiring a person to give up a child to another person.

(2) Where this sub-paragraph applies, the existing order may, after the repeal of the enactments mentioned in sub-paragraph (1)(a) to (c), be enforced under section *(Enforcement of residence orders)* as if—

(a) any reference to a residence order were a reference to the existing order; and

(b) any reference to a person in whose favour the residence order is in force were a reference to a person to whom actual custody of the child is given by an existing order which is in force.

(3) In sub-paragraph (2) "actual custody", in relation to a child, means the actual possession of his person.

Discharge of existing orders

11.—(1) The making of a residence order or a care order with respect to a child who is the subject of an existing order discharges the existing order.

(2) Where the court makes any section 7 order (other than a residence order) with respect to a child to whom any existing order is in force, the existing order shall have effect subject to the section 7 order.

(3) The court may discharge an existing order which is in force with respect to a child—

(a) in any family proceedings relating to the child or in which any question arises with respect to the child's welfare; or

(b) on the application of—

(i) any parent or guardian of the child;

(ii) the child himself; or

(iii) any person named in the order.

(4) A child may not apply for the discharge of an existing order except with the leave of the court.

(5) The power in sub-paragraph (3) to discharge an existing order includes the power to discharge any part of the order.

(6) In considering whether to discharge an order under the power conferred by sub-paragraph (3) the court shall, if the discharge of the order is opposed by any party to the proceedings, have regard in particular to the matters mentioned in section 1(2).

GUARDIANS

Existing guardians to be guardians under this Act

12.—(1) Any appointment of a person as guardian of a child which—

(a) was made

(i) under sections 3 to 5 of the Guardianship of Minors Act 1971;

(ii) under section 38(3) of the Sexual Offences Act 1956; or

(iii) under the High Court's inherent jurisdiction with respect to children; and

(b) has taken effect before the commencement of section 5,

shall (subject to sub-paragraph (2)) be deemed, on and after the commencement of section 5, to be an appointment made and having effect under that section.

(2) Where an appointment of a person as guardian of a child has effect under section 5 by virtue of sub-paragraph (1)(a)(ii), the appointment shall not have effect for a period which is longer than any period specified in that order.

Appointment of guardian not yet in effect

13. Any appointment of a person to be a guardian of a child—

(a) which was made as mentioned in paragraph 12(1)(a)(i); but

(b) which, immediately before the commencement of section 5, had not taken effect,

shall take effect in accordance with section 5 (as modified, where it applies, by paragraph 8(2)).

Persons deemed to be appointed as guardians under existing wills

14. For the purposes of the Wills Act 1837 and of this Act any disposition by will and testament or devise of the custody and tuition of any child, made before the commencement of section 5 and paragraph 1 of Schedule 11, shall be deemed to be an appointment by will of a guardian of the child.

CHILDREN IN CARE

Children in compulsory care

15.—(1) Sub-paragraph (2) applies where, immediately before the day on which Part IV comes into force, a person was—

(a) in care by virtue of—

(i) a care order under section 1 of the Children and Young Persons Act 1969;

(ii) a care order under section 15 of that Act, on discharging a supervision order made under section 1 of that Act; or

(iii) an order or authorisation under section 25 or 26 of that Act;

(b) deemed, by virtue of—

(i) paragraph 7(3) of Schedule 5A to the Army Act 1955;

(ii) paragraph 7(3) of Schedule 5A to the Air Force Act 1955; or

(iii) paragraph 7(3) of Schedule 4A to the Naval Discipline Act 1957,

to be the subject of a care order under the Children and Young Persons Act 1969;

(c) in care—

(i) under section 2 of the Child Care Act 1980; or

(ii) by virtue of paragraph 1 of Schedule 4 to that Act (which extends the meaning of a child in care under section 2 to include children in care under section 1 of the Children Act 1948),

and a child in respect of whom a resolution under section 3 of the Act of 1980 or section 2 of the Act of 1948 was in force;

(d) a child in respect of whom a resolution had been passed under section 65 of the Child Care Act 1980;

(e) in care by virtue of an order under—

(i) section 2(1)(e) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960;

(ii) section 7(2) of the Family Law Reform Act 1969;
(iii) section 43(1) of the Matrimonial Causes Act 1973; or
(iv) section 2(2(b) of the Guardianship Act 1973;
(v) section 10 of the Domestic Proceedings and Magistrates' Courts Act 1978,

(orders having effect for certain purposes as if the child had been received into care under section 2 of the Child Care Act 1980);

(f) in care by virtue of an order made, on the revocation of a custodianship order, under section 36 of the Children Act 1975;

(g) in care by virtue of an order made, on the refusal of an adoption order, under section 26 of the Adoption Act 1976 or any order having effect (by virtue of paragraph 1 of the Schedule 2 to that Act) as if made under that section.

(2) Where this sub-paragraph applies, then, on and after the day on which Part IV commences—

(a) the order or resolution in question shall be deemed to be a care order;

(b) the authority in whose care the person was immediately before that commencement shall be deemed to be the authority designated in that deemed care order; and

(c) any reference to a child in the care of a local authority shall include a reference to a person who is the subject of such a deemed care order,

and the provisions of this Act shall apply accordingly, subject to paragraph 16.

Modifications

16.—(1) Sub-paragraph (2) only applies where a person who is the subject of a care order by virtue of paragraph 15(2) is a person falling within sub-paragraph (1)(a) or (b) of that paragraph.

(2) Where the person would otherwise have remained in care until reaching the age of nineteen, by virtue of—

(a) section 20(3)(a) or 21(1) of the Children and Young Persons Act 1969; or

(b) paragraph 7(5) (c)(i) of—

(i) Schedule 5A to the Army Act 1955;
(ii) Schedule 5A to the Air Force Act 1955; or
(iii) Schedule 4A to the Naval Discipline Act 1957,

this Act applies as if in section 81(8) for the word "eighteen" there were substituted "nineteen".

(3) Where a person who is the subject of a care order by virtue of paragraph 15(2) is a person falling within sub-paragraph (1)(b) of that paragraph, this Act applies as if section 85 omitted.

(4) Sub-paragraph (5) only applies where a child who is the subject of a care order by virtue of paragraph 15(2) is a person falling within sub-paragraph (1)(e) to (g) of that paragraph.

(5) Where a court, on making the order, or at any time thereafter, gave directions under—

(a) section 4(4)(a) of the Guardianship Act 1973; or

(b) section 43(5)(a) of the Matrimonial Causes Act 1973,

as to the exercise by the authority of any powers, those directions shall continue to have effect (regardless of any conflicting provision in this Act) until varied or discharged by a court under this sub-paragraph.

Children placed with parent etc. while in compulsory care

17.—(1) This paragraph applies where a child is deemed by paragraph 15 to be in the care of a local authority under an order or resolution which is deemed by that paragraph to be a care order.

(2) If, immediately before the day on which Part III comes into force, the child was allowed to be under the charge and control of—

(a) a parent or guardian under section 21(2) of the Child Care Act 1980; or

(b) a person who, before the child was in the authority's care, had care and control of the child by virtue of an order falling within paragraph 5,

on and after that day the provision made by and under section 20(5) shall apply as if the child had been placed with the person in question in accordance with that provision.

Orders for access to children in compulsory care.

18.—(1) This paragraph applies to any access order—

(a) made under section 12C of the Child Care Act 1980 (access orders with respect to children in care of local authorities); and

(b) in force immediately before the commencement of Part IV.

(2) On and after the commencement of Part IV, the access order shall have effect as an order made under section 31 in favour of the person named in the order.

19.—(1) This paragraph applies where, immediately before the commencement of Part IV, an access order made under section 12C of the Act of 1980 was suspended by virtue of an order made under section 12E of that Act (suspension of access orders in emergencies).

(2) The suspending order shall continue to have effect as if this Act had not been passed.

(3) If—

(a) before the commencement of Part IV; and

(b) during the period for which the operation of the access order is suspended, the local authority concerned made an application for its variation or discharge to an appropriate juvenile court, its operation shall be suspended until the date on which the application to vary or discharge it is determined or abandoned.

Children in voluntary care

20.—(1) This paragraph applies where, immediately before the day on which Part III comes into force—

(a) a child was in the care of a local authority—

(i) under the section 2(1) of the Child Care Act 1980; or

(ii) by virtue of paragraph 1 of Schedule 4 to that Act (which extends the meaning of references to children in care under section 2 to include references to children in care under section 1 of the Children Act 1948); and

(b) he was not a person in respect of whom a resolution under section 3 of the Act of 1980 or section 2 of the Act of 1948 was in force.

(2) Where this paragraph applies, the child shall, on and after the day mentioned in sub-paragraph (1), be treated for the purposes of this Act as a child who is provided with accommodation by the local authority under Part III, but he shall cease to be so treated once he ceases to be so accommodated in accordance with the provisions of Part III.

(3) Where—

(a) this paragraph applies; and

(b) the child, immediately before the day mentioned in sub-paragraph (1), was (by virtue of section 21(2) of the Act of 1980) under the charge and control of a person falling within paragraph 17(2)(a) or (b),

the child shall not be treated for the purposes of this Act as if he were being looked after by the authority concerned.

Boarded out children

21.—(1) Where, immediately before the day on which Part III comes into force, a child in the care of a local authority—

(a) was—

(i) boarded out with a person under section 21(1)(a) of the Child Care Act 1980; or

(ii) placed under the charge and control of a person, under section 21(2) of that Act; and

(b) the person with whom he was boarded out, or (as the case may be) placed, was not a person falling within paragraph 17(2)(a) or (b),

on and after that day, he shall be treated (subject to sub-paragraph (2)) as having been placed with a local authority foster parent and shall cease to be so treated when he ceases to be placed with that person in accordance with the provisions of this Act.

(2) Regulations made under section 20(2)(a) shall not apply in relation to a person who is a local authority foster parent by virtue of sub-paragraph (1) before the end of the period of twelve months beginning with the day on which Part III comes into force and accordingly that person shall for that period be subject—

(a) in a case falling within sub-paragraph (1)(a)(i), to terms and regulations mentioned in section 21(1)(a) of the Act of 1980; and

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(b) in a case within sub-paragraph (1)(a)(ii), to terms fixed under section 21(2) of that Act and regulations made under section 22A of that Act,

as if that Act has not been repealed by this Act.

Children in care to qualify for advice and assistance

22. Any reference in Part III to a person qualifying for advice and assistance shall be construed as including a reference to a person within the area of a local authority in question who is under twenty-one and who was, at any time after reaching the age of sixteen but while still a child—

(a) a person falling within—
  (i) any of paragraphs (a) to (g) of paragraph 15(1); or
  (ii) paragraph 20(1); or
(b) the subject of a criminal care order (within the meaning of paragraph 34).

Emigration of children in care

23. Where—

(a) the Secretary of State has received a request in writing from a local authority that he give his consent under section 24 of the Child Care Act 1980 to the emigration of a child in their care; but
(b) immediately before the repeal of the Act of 1980 by this Act, he has not determined whether or not to give his consent,

section 24 of the Act of 1980 shall continue to apply (regardless of that repeal) until the Secretary of State has determined whether or not to give his consent to the request.

Contributions for maintenance of children in care

24.—(1) Where, immediately before the day on which Part III of Schedule 2 comes into force, there was in force an order made (or having effect as if made) under any of the enactments mentioned in sub-paragraph (2), then, on and after that day—

(a) the order shall have effect as if made under paragraph 21(2) of Schedule 2 against a person liable to contribute; and
(b) Part III of Schedule 2 shall apply to the order, subject to the modifications in sub-paragraph (3).

(2) The enactments are—

(a) section 11(4) of the Domestic Proceedings and Magistrates' Courts Act 1978;
(b) section 26(2) of the Adoption Act 1976;
(c) section 36(5) of the Children Act 1975;
(d) section 2(3) of the Guardianship Act 1973;
(e) section 2(1)(h) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960,

(provisions empowering the court to make an order requiring a person to make periodical payments to a local authority in respect of a child in care).

(3) The modifications are that, in paragraph 21 of Schedule 2—

(a) in sub-paragraph (4), paragraph (a) shall be omitted;
(b) for sub-paragraph (6) there shall be substituted—

"(6) Where—

(a) a contribution order is in force;
(b) the authority serve a contribution notice under paragraph 20; and
(c) the contributor and the authority reach an agreement under paragraph 20(7) in respect of the contribution notice,

the effect of the agreement shall be to discharge the order from the date on which it is agreed that the agreement shall take effect"; and

(c) at the end of sub-paragraph (10) there shall be inserted—

"and

(c) where the order is against a person who is not a parent of the child, shall be made with due regard to—
  (i) whether that person had assumed responsibility for the maintenance of the child, and, if so, the extent to which and basis on which he assumed that responsibility and the length of the period during which he met that responsibility;
  (ii) whether he did so knowing that the child was not his child;
  (iii) the liability of any person to maintain the child."

Supervision Orders

Orders under section 1(3)(b) or 21(2) of the 1969 Act

25.—(1) This paragraph applies to any supervision order—

(a) made—
  (i) under section 1(3)(b) of the Children and Young Persons Act 1969; or
  (ii) under section 21(2) of that Act on the discharge of a care order made under section 1(3)(c) of that Act; and
(b) in force immediately before the commencement of Part IV.

(2) On and after the commencement of Part IV, the order shall be deemed to be a supervision order made under section 28 and—

(a) any requirement of the order that the child reside with a named individual shall continue to have effect while the order remains in force, unless the court otherwise directs;
(b) any other requirement imposed by the court, or directions given by the supervisor, shall be deemed to have been imposed or given under the appropriate provisions of Schedule 3.

(3) Where, immediately before the commencement of Part IV, the order had been in force for a period of more than six months, it shall cease to have effect at the end of the period of six months beginning with the day on which Part IV comes into force unless—

(a) the court directs that it shall cease to have effect at the end of a different period (which shall not exceed three years);
(b) it ceases to have effect earlier in accordance with section 81; or
(c) it would have ceased to have had effect earlier had this Act not been passed.

(4) Where sub-paragraph (3) applies, paragraph 6 of Schedule 3 shall not apply.

(5) Where, immediately before the commencement of Part IV, the order had been in force for less than six months it shall cease to have effect in accordance with section 81 and paragraph 6 of Schedule 3 unless—

(a) the court directs that it shall cease to have effect at the end of a different period (which shall not exceed three years); or
(b) it would have ceased to have had effect earlier had this Act not been passed.

Other supervision orders

26.—(1) This paragraph applies to any order for the supervision of a child which was in force immediately before the commencement of Part IV and was made under—

(a) section 2(1)(f) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960;
(b) section 7(4) of the Family Law Reform Act 1969;
(c) section 44 of the Matrimonial Causes Act 1973;
(d) section 2(2)(a) of the Guardianship Act 1973;
(e) section 34(5) or 36(3)(b) of the Children Act 1975;
(f) section 26(1)(a) of the Adoption Act 1976; or
(g) section 9 of the Domestic Proceedings and Magistrates' Courts Act 1978.

(2) The order shall not be deemed to be a supervision order made under any provision of this Act but shall nevertheless continue in force for a period of one year beginning with the day on which Part IV comes into force unless—

(a) the court directs that it shall cease to have effect at the end of a lesser period; or
(b) it would have ceased to have had effect earlier had this Act not been passed.

Place of Safety Orders

27.—(1) This paragraph applies to—

(a) any order or warrant authorising the removal of a child to a place of safety which—

(i) was made, or issued, under any of the enactments mentioned in subparagraph (2); and

(ii) was in force immediately before the commencement of Part IV; and

(b) any interim order made under section 23(5) of the Children and Young Persons Act 1963 or section 28(6) of the Children and Young Persons Act 1969.

(2) The enactments are—

(a) section 40 of the Children and Young Persons Act 1933 (warrant to search for or remove child);

(b) section 28(1) of the Children and Young Persons Act 1969 (detention of child in place of safety);

(c) section 34(1) of the Adoption Act 1976 (removal of protected children from unsuitable surroundings);

(d) section 12(1) of the Foster Children Act 1980 (removal of foster children kept in unsuitable surroundings).

(3) The order or warrant shall continue to have effect as if this Act had not been passed.

(4) Any enactment repealed by this Act shall continue to have effect in relation to the order or warrant so far as is necessary for the purposes of securing that the effect of the order is what it would have been had this Act not been passed.

(5) Sub-paragraph (4) does not apply to the power to make an interim order or further interim order given by section 23(5) of the Children and Young Persons Act 1963 or section 28(6) of the Children and Young Persons Act 1969.

(6) Where, immediately before section 28 of the Children and Young Persons Act 1969 is repealed by this Act, a child is being detained under the powers granted by that section, he may continue to be detained in accordance with that section but subsection (6) shall not apply.

Recovery of Children

28. The repeal by this Act of subsection (1) of section 16 of the Child Care Act 1980 (arrest of child absent from compulsory care) shall not affect the operation of that section in relation to any child arrested before the coming into force of the repeal.

29.—(1) This paragraph applies where—

(a) a summons has been issued under section 15 or 16 of the Child Care Act 1980 (recovery of children in voluntary or compulsory care); and

(b) the child concerned is not produced in accordance with the summons before the repeal of that section by this Act comes into force.

(2) The summons, any warrant issued in connection with it and section 15 or (as the case may be) section 16, shall continue to have effect as if this Act had not been passed.

30. The amendment by paragraph 22B of Schedule 10 of section 32 of the Children and Young Persons Act 1969 (detention of absentees) shall not affect the operation of that section in relation to—

(a) any child arrested; or

(b) any summons or warrant issued,

under that section before the coming into force of that paragraph.

Voluntary Organisations: Parental Rights Resolutions

31.—(1) This paragraph applies to a resolution—

(a) made under section 64 of the Child Care Act 1980 (transfer of parental rights and duties to voluntary organisations); and

(b) in force immediately before the commencement of Part IV.

(2) The resolution shall continue to have effect until the end of the period of six months beginning with the day on which Part IV comes into force unless it is brought to an end earlier in accordance with the provisions of the Act of 1980 preserved by this paragraph.

(3) While the resolution remains in force, any relevant provisions of, or made under, the Act of 1980 shall continue to have effect with respect to it.

(4) Sub-paragraph (3) does not apply to—

(a) section 62 of the Act of 1980 and any regulations made under that section (arrangements by voluntary organisations for emigration of children); or

(b) section 65 of the Act of 1980 (duty of local authority to assume parental rights and duties).

(5) Section 5(2) of the Act of 1980 (which is applied to resolutions under Part VI of that Act by section 64(7) of that Act) shall have effect with respect to the resolution as if the reference in paragraph (c) to an appointment of a guardian under section 5 of the Guardianship of Minors Act 1971 were a reference to an appointment of a guardian under section 5 of this Act.

Foster Children

32.—(1) This paragraph applies where—

(a) immediately before the commencement of Part VIII, a child was a foster child within the meaning of the Foster Children Act 1980; and

(b) the circumstances of the case are such that, had Parts VIII and IX then been in force, he would have been treated for the purposes of this Act as a child who was being provided with accommodation in a children's home and not as a child who was being privately fostered.

(2) If the child continues to be cared for and provided with accommodation as before, section 56(1) and (13) shall not apply in relation to him if—

(a) an application for registration of the home in question is made under section 56 before the end of the period of three months beginning with the day on which Part VIII comes into force; and

(b) the application has not been refused or, if it has been refused—

(i) the period for an appeal against the decision has not expired; or

(ii) an appeal against the refusal has been made but has not been determined or abandoned.

(3) While section 56(1) and (13) does not apply, the child shall be treated as a privately fostered child for the purposes of Part IX.

Nurseries and Child Minding

33.—(1) Sub-paragraph (2) applies where, immediately before the commencement of Part X, any premises are registered under section 1(1)(a) of the Nurseries and Child-Minders Regulation Act 1948 (registration of premises, other than premises wholly or mainly used as private dwellings, where children are received to be looked after).

(2) During the transitional period, the provisions of the Act of 1948 shall continue to have effect with respect to those premises to the exclusion of Part X.

(3) Nothing in sub-paragraph (2) shall prevent the local authority concerned from registering any person under section 64(1)(b) with respect to the premises.

(4) In this paragraph "the transitional period" means the period ending with—

(a) the first anniversary of the commencement of Part X; or

(b) if earlier, the date on which the local authority concerned registers any person under section 64(1)(b) with respect to the premises.

34.—(1) Sub-paragraph (2) applies where, immediately before the commencement of Part X—

(a) a person is registered under section 1(1)(b) of the Act of 1948 (registration of persons who for reward receive into their homes children under the age of five to be looked after); and

(b) all the children looked after by him as mentioned in section 1(1)(b) of that Act are under the age of five.

(2) During the transitional period, the provisions of the Act of 1948 shall continue to have effect with respect to that person to the exclusion of Part X.

(3) Nothing in sub-paragraph (2) shall prevent the local authority concerned from registering that person under section 64(1)(a).

(4) In this paragraph "the transitional period" means the period ending with—

(a) the first anniversary of the commencement of Part X; or

(b) if earlier, the date on which the local authority concerned registers that person under section 64(1)(a).

Children Accommodated in Certain Establishments

35. In calculating, for the purposes of section 77(1)(a) or 78(1)(a), the period of time for which a child has been accommodated any part of that period which fell before the day on which that section came into force shall be disregarded.

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Criminal Care Orders

36.—(1) This paragraph applies where, immediately before the commencement of section 80(2) there was in force an order ("a criminal care order") made—

(a) under section 7(7)(a) of the Children and Young Persons Act 1969 (alteration in treatment of young offenders etc.); or

(b) under section 15(1) of that Act, on discharging a supervision order made under section 7(7)(b) of that Act.

(2) The criminal care order shall continue to have effect until the end of the period of six months beginning with the day on which section 80(2) comes into force unless it is brought to an end earlier in accordance with—

(a) the provisions of the Act of 1969 preserved by sub-paragraph (3)(a); or

(b) this paragraph.

(3) While the criminal care order remains in force, any relevant provisions—

(a) of the Act of 1969; and

(b) of the Child Care Act 1980.

shall continue to have effect with respect to it.

(4) While the criminal care order remains in force, a court may, on the application of the appropriate person, make—

(a) a residence order;

(b) a care order or a supervision order under section 28;

(c) an education supervision order under section 33 (regardless of subsection (6) of that section); or

(d) an order falling within sub-paragraph (5),

and shall, on making any of those orders, discharge the criminal care order.

(5) the order mentioned in sub-paragraph (4)(d) is an order having effect as if it were a supervision order of a kind mentioned in section 12AA of the Act of 1969 (as inserted by paragraph 20 of Schedule 10), that is to say, a supervision order—

(a) imposing a requirement that the child shall live for a specified period in local authority accommodation; but

(b) in relation to which the conditions mentioned in subsection (4) of section 12AA are not required to be satisfied.

(6) The maximum period which may be specified in an order made under sub-paragraph (4)(d) is six months and such an order may stipulate that the child shall not live with a named person.

(7) Where this paragraph applies, section 5 of the Rehabilitation of Offenders Act 1974 (rehabilitation periods for particular sentences) shall have effect regardless of the repeals in it made by this Act.

(8) In sub-paragraph (4) "appropriate person" means—

(a) in the case of an application for a residence order, any person (other than a local authority) who has the leave of the court;

(b) in the case of an application for an education supervision order, a local education authority; and

(c) in any other case, the local authority to whose care the child was committed by the order.

Miscellaneous

Consents under the Marriage Act 1949

37.—(1) In the circumstances mentioned in sub-paragraph (2), section 3 of and Schedule 2 to the Marriage Act 1949 (consents to marry) shall continue to have effect regardless of the amendment of that Act by paragraph 3B of Schedule 10.

(2) The circumstances are that—

(a) immediately before the day on which paragraph 3B of Schedule 10 comes into force, there is in force—

(i) an existing order, as defined in paragraph 5(1); or

(ii) an order of a kind mentioned in paragraph 16(1); and

(b) section 3 of and Schedule 2 to the Act of 1949 would, but for this Act, have applied to the marriage of the child who is the subject of the order.

Children Act 1975

38. The amendments of other enactments made by the following provisions of the Children Act 1975 shall continue to have effect regardless of the repeal of the Act of 1975 by this Act—

(a) section 68(4), (5) and (7) (amendments of section 32 of the Children and Young Persons Act 1969); and

(b) in Schedule 3—

(i) paragraph 13 (amendments of Births and Deaths Registration Act 1953);

(ii) paragraph 43 (amendment of Perpetuities and Accumulations Act 1964);

(iii) paragraphs 46 and 47 (amendments of Health Services and Public Health Act 1968); and

(iv) paragraph 77 (amendment of Parliamentary and Other Pensions Act 1972).

Child Care Act 1980

39. The amendment made to section 106(2)(a) of the Children and Young Persons Act 1963) by paragraph 26 of Schedule 5 to the Child Care Act 1980 shall continue to have effect regardless of the repeal of the Act of 1980 by this Act.

Legal aid

40. The Lord Chancellor may by order make such transitional and saving provisions as appear to him to be necessary or expedient, in consequence of any provision made by or under this Act, in connection with the operation of any provisions of the Legal Aid Act 1988 (including any provision of that Act which is amended or repealed by this Act).'.

It may be for the convenience of the House if I mention that there is a printing error in this amendment. Paragraph 27(1)(a)(ii) refers to part IV, but it should read "Part V". I am moving the amendment with the incorporation of that correction.

It is a transitional amendment, which I commend to the House.

Amendment agreed to.

Schedule 13

REPEALS

The Solicitor-General: I beg to move amendment No. 236, in page 148, leave out line 39.

Madam Deputy Speaker: With this we may take Government amendments Nos. 250, 451, 452, 437, 251, 453, 254, 439, 440, 454, 255 and 266.

The Solicitor-General: Here again I need not detain the House. All the amendments repeal existing legislation in conformity with the general provisions of the Bill, and I commend them to the House.

Amendment agreed to.

Amendments made: No. 248, in page 148, line 42, at end insert—

'1944 c. 31.	The Education Act 1944.	In section 40(1), the words from "or to imprisonment" to the end. In section 114(1), the definition of parent.'.

No. 352, in page 148, line 46, column 3, at beginning insert—

'In section 3(1), the words "unless the child is subject to a custodianship order, when the consent of the custodian and, where the custodian is the husband or wife of a parent of the child, of that parent shall be required".

Section 78(1A).'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 237, in page 149, line 9, column 3, at end insert—

'Section 53(3).'.

Madam Deputy Speaker: With this we may take Government amendments Nos. 118 to 120.

Mr. Mellor: These are technical amendments concerning recovery orders and other powers to recover children in care, or those who are subject to emergency protection powers.

Amendment agreed to.

The Solicitor-General: I beg to move amendment No. 353, in page 149, line 10, at end insert—

'1964 c. 42	The Administration of Justice Act 1964	In section 38, the definition of "domestic court".'.

Madam Deputy Speaker: With this we may take new clause 1:

Family Courts

'(1) Within each county court and magistrates court there shall be created a family division which, together with the Family Division of the High Court, shall operate as a Family Court.

(2) The Lord Chancellor shall by rules of court specify the procedures to be followed in order to—

(a) identify the welfare of the child;

(b) avoid unnecessary formality;

(c) reduce delay and inconvenience to the public in resolution of family disputes;

(d) reduce the harm to children and families resulting from the court process and

(e) introduce conciliatory methods of dispute resolution.

(3) There shall be a welfare and conciliation service attached to the Family Court and it shall include—

(a) guardians *ad litem* and reporting officers;

(b) a family conciliation service in respect of children subject to proceedings under part two.

(c) social workers appointed to report to the court in proceedings under part two.

(4) This section shall come into force on such day as the Secretary of State may appoint, being not later than eighteen months after the Children Act receives Royal Assent.'.

Government new clause 18 and Government amendments Nos. 240 and 242.

The Solicitor-General: We now come to the debate that the House has been waiting for: the debate on the family court. In this debate will will discuss new clause 1, the Government's new clause 18 and, above all, the Government amendment incorporating new schedule 9A.

We had some interesting debates on the family court in Committee. Now we shall see how the Government's proposals match those of the Opposition—both those in new clause 1 and others that are not formally before us, but which we have had the opportunity to consider. I trailed our proposals a moment ago when speaking to amendments on legal aid, and mentioned the view of the president of the Family Division that the Bill, in essence, would set up a family court. I must qualify that to some extent because of the scope of the Bill, but I must also make it clear that there is much truth in what the president said about how far it is possible to create a family court in the context of the Bill.

When considering major reforms of this nature, it is essential to assess the extent to which jurisdictional changes can be of any significance unless and until we have got the substantive law right. My right hon. and noble Friend the Lord Chancellor has been making that point ever since he was appointed, and I have done the same in the House in questions to the Attorney-General, answering those who have supported the family courts campaign or the family courts lobby in one form or another.

It is now recognised that, if we are to make progress on procedural aspects, we must first make progress on substantive law. The Bill begins by creating a new and coherent body of child law, which applies in all relevant courts at every level. Let me explain how our proposals, embodied in new clause 18 and amendment No. 240, achieve what, to a great extent, are shared goals. I shall be interested to hear how the hon. Member for Monklands, West (Mr. Clarke) and others on both sides of the House reiterate their goals.

There is, I believe, widespread acceptance of the need for a properly supported specialist jurisdiction in family matters, encompassing the courts at all relevant levels. That includes the magistrates courts, the county courts and the High Courts, and it is the achievement of those goals within the scope of the Bill that we are about to debate.

It is, as I have said, essential to realise that whether we are discussing only matters relating to child law—as covered by the Bill—or the whole range of family law, including divorce, before we can gain any worthwhile benefit from a reform of court structures or from a unified jurisdiction we must create that unified body of law, applicable at all levels and to all relevant matters.

Mr. Vaz: Will the Solicitor-General give way?

The Solicitor-General: I shall do so in a moment.

I propose first to explain how we intend to achieve our goals, and then to demonstrate how they take their place in the Government's rolling programme of review and reform to which I referred in Committee and on Second Reading, and to which my right hon. and noble Friend the Lord Chancellor referred on Second Reading in the other place. We are dealing with children's law not in isolation —although we can go no further than is allowed by the scope of the Bill—but in the context of a general and rolling review of family law as a whole.

Mr. Robert Hughes: Will the Solicitor-General give way?

The Solicitor-General: I feel that it would be courteous for me to give way first to the hon. Member for Leicester, East (Mr. Vaz).

Mr. Vaz: No one in the House disagrees with the Solicitor-General's comment that this is an historic Bill, which will reform the substance of child care law. Does he agree, therefore, that now is the time to reform the

[Mr. Vaz]

procedure? If Parliament changes child care law radically, and we do not get the support structure right, the Bill will be completely ineffective.

The Solicitor-General: I agree to a considerable extent. That is what we are about to do—indeed, what we are in the process of doing.

Mr. Vaz: So we have a family court.

The Solicitor-General: The hon. Gentleman says, from a sedentary position, "So we have a family court", but it is essential to understand that family proceedings go much wider than proceedings on children. Important as the matters of public and private law dealt with in the Bill may be, the Bill—as must be obvious to everyone in the House and in the country—does not deal with the whole matter of divorce. If we are to have a family court, we must consider how that can encompass the whole area of family proceedings.

Our rolling programme takes what I submit is a first and major step towards what might be described as a family court, although—not least simply because of the scope of the Bill—it cannot go the whole length to create the family court. There is much more to it than the scope of the Bill. As we know, in proceedings relating to children the magistrates court has only a comparatively limited jurisdiction, and one has to jog about from one court to another at different levels, from the county court to the High Court, to exercise different powers.

6 pm

With this Bill we are in the business of creating, first, a single body of law and then a unified jurisdiction that runs through all courts. That is greatly to be welcomed, but it does not apply to other areas. For example, it does not apply to the whole concept of divorce, to domestic violence or to access or denial of access to the matrimonial home. Therefore, a great deal of careful review, which is under consideration by the Law Commission, among others, will need to be thought through to create a substantive body of law which is appropriate to all levels before we can take further steps in that direction.

Mr. Vaz: I do not wish to harass the Solicitor-General; I want to be fair to him and I follow his argument. He has referred to the rolling programme, and he has used the phrase, "the first step" which he used in Committee and he has sought the endorsement of the president of the Family Division for his proposals. If he is on a rolling programme, and bearing in mind the fact that it has taken about 100 years radically to reform the law governing children, what is his timetable? When can Parliament return again to discuss this crucial issue? How long will we have to wait for the second step?

The Solicitor-General: I shall develop that point later in my speech. The timetable is nothing like 100 years; I suggest that it is nothing like a decade. The programme is already in force. For example, the Law Commission is to report on a number of important matters next year. By the time we are digesting this legislation, which will have to be absorbed and implemented and which will require a great deal of training, we will find that thinking is moving forward faster than the hon. Member for Leicester, East (Mr. Vaz) realises, and possibly faster than his own pace of thinking, but I would not like to do him an injustice.

Mr. Robert Hughes: Will the family courts now being proposed be able to deal with so-called transracial adoptions, where social work practice with which I profoundly disagree takes for granted that if a child has any black parentage or grandparentage the placement should automatically be with a black family?

The Solicitor-General: I shall return to the way in which adoption links into this matter. However, when considering a unified jurisdiction in relation to children, and that is certainly not beyond the scope of our contemplation, we are considering a court which ought to be able to deal with that aspect. I shall give the hon. Gentleman a more precise answer when I have more detailed instructions.

In summary, the Children Bill provides for a single body of substantive child law, and thus it can and does go on to provide for a unified jurisdiction at whatever court level is appropriate for a particular case with swift and expert means to determine and adjust that level as circumstances require, with the same law and the same powers applying at every level. That means that a case that falls within the scope of the Bill may start in the magistrates court, as many cases do, but there may be other family proceedings, for example a divorce, which start in a High Court, or there may be proceedings which start or may be appropriate to go to the High Court, and can rapidly and readily be moved to the appropriate level.

The changes that the Bill will enact and further changes in the wider field of family law are based on and developed from existing structures designed to make the best use of, and to grow out of, existing resources. I refer not only to financial resources, where one starts from where one is today, but, much more importantly, to human resources. The resources of manpower and expertise that are currently available must be built on by way of training and selection. They will require time for absorption and for a formidable programme of selection and training, but I hope to convince the House that when implemented they will constitute a major step towards what I believe are our shared goals.

Turning in detail to a single code, our amendment allows us to create a single concurrent jurisdiction for children's cases in the Bill only because the Bill also creates a single code of substantive law applicable in all the courts. Talk of a single jurisdiction without such a code would be nonsense. I hope that I do not need to overstress the fact that without a code of law that can be applied at every level —and we do not have that until we enact the Bill, and we do not have it in relation to divorce proceedings, for example—it is quite pointless to set up a single jurisdiction. However, elsewhere on the statute book the applicable family law varies from court to court, with, for example, different rules relating to financial provision, domestic violence and rights to occupy the family home depending on the level of court in which a case is heard.

Other parts of the law, such as divorce, are either in a state of transition—I have already said that the Law Commission has a number of works in hand—or they are so carefully grafted on to the structure and constitution of the courts which presently deal with the matter as to make the reorganisation of the wider body of family law an

extremely complex task. For example, one can only commence a divorce case by a petition and no one has ever heard of a petition in a magistrates court; and one can only obtain an injunction out of the county court or out of the High Court as it is wholly inappropriate to the magistrates court. A number of procedures in the magistrates court are equally inappropriate to the higher courts. Having pointed that out, I should add that the job of creating a single body of law is in hand. The Law Commission has already issued discussion papers on domestic violence and the right to occupy the family home and on grounds for divorce. Final reports on both are expected next year and a joint review of adoption law by the Government and the Law Commission is also on foot, and that will be relevant to what the hon. Member for Aberdeen, North (Mr. Hughes) said.

As to financial provision, we shall take that on board in the rolling programme to which I shall refer in more detail later when I talk about the work that is going on between relevant Departments. However, it must be recognised that until the same law applies at all levels there can be no overall single family jurisdiction.

The next essential step towards our ultimate goal is to ensure that the courts hearing family proceedings are specialists. That theme has rightly come through all the campaigning and is certainly recognised by my noble Friend the Lord Chancellor and myself. The Government's new clause and schedule provide that, in the case of the magistrates, by creating the new magistrates family proceedings courts we shall meet that specialist need. When I mentioned the magistrates family proceedings court, the hon. Member for Leicester, East sought to pass that off as a mere change of name. I hope that he has thought more about it since, because it involves a great deal more than that.

The magistrates on the new family panels will receive special training on children's and family matters, which they do not receive today. The form of care proceedings which they, the county courts and the High Court will have jurisdiction to hear will differ significantly from those presently heard in the juvenile court. There is to be a move away from what is sometimes called, in rather inelegant jargon, orality—from having everything done by the spoken word—towards the parties being expected to disclose their case, and their evidence, in advance and in writing. I am glad to see the hon. Member for Ynys Môn (Mr. Jones) nodding assent because I think that he recognises, as I do, that early, clear disclosure in writing is of the greatest assistance when one is trying to clarify the real issues in a case and to shorten proceedings, and it concentrates the mind of the court that has to hear the case on the matters it has to determine.

Magistrates will be expected to read papers ahead of the hearing and to give reasons for their decisions. It is expected that the court will take a more active role in the case, ensure that unnecessary delays are avoided and, for example, use the guardians ad litem to ensure that all matters relevant to a case are investigated. The hon. Member for Wakefield (Mr. Hinchliffe) mentioned guardians ad litem and the Government have the issue under consideration.

Generally, it is intended that procedures in magistrates courts and superior courts in care-related cases should be brought into line as far as possible, or at least made compatible. That will ease the movement of cases between different levels of court.

In the High Court, cases will continue to be dealt with in the specialist Family Division. In the county courts, the great majority of orders will be made, as now in the case of divorce proceedings, by divorce county courts. The intention is to concentrate children's and other family proceedings in the hands of selected judges and registrars, many of whom will have had long experience in this area, either as practitioners or on the Bench, and who will have made a special study of such proceedings and built up expertise in family matters. Others who have shown an aptitude, willingness and personal interest in this type of case will be suitable for training. The Government are currently considering how best that can be arranged.

The next step that we would need to take would be to ensure that individual family proceedings within the single jurisdiction are dealt with at the right level. Until the same substantive law is applicable at all levels, that cannot happen. Now, as the Bill creates a single body of child law, it is possible to give the Lord Chancellor power to provide for the allocation of children's cases and some non-children's family cases within the concurrent jurisdiction and to consolidate them with proceedings about a child. We are making real progress towards the objectives set by those who are calling for a family court.

We intend to use the allocation powers in the amendment to specify where proceedings should start and to provide for the transfer of proceedings for three purposes. First, the powers will be used to ensure that, as far as practicable, all proceedings relating to a child and a family are consolidated and heard together.

If there are already family proceedings afoot, such as a divorce or maintenance dispute between parents, we intend that subsequent applications in respect of a child should usually be made to the court hearing those proceedings. If the proceedings are started in different courts, we intend to provide for transfer so that they can be heard together.

For example, if there is an application in a county court to adopt a child who is subject to a care order and the parents are applying to a magistrates family proceedings court to discharge that care order, the rules will ensure that the two applications can be heard together. This important need to consolidate proceedings which may affect the same child is why the powers in these amendments, unlike those which we considered in Committee on the present clause 82, now extend to family proceedings other than those covered by the Bill.

6.15 pm

In proceedings not centred around a child, the powers can be used only to consolidate them with proceedings that are. For example, we could require a divorce case to be started in the same county court in which the spouses were contesting an order about the child, but we could not transfer a divorce case where other family proceedings were unconnected with children. Unfortunately, to attempt to take powers to do that would be outside the scope of the present Bill.

Secondly, subject to rules aimed at consolidating them with other proceedings, care and supervision proceedings will be required to start in a magistrates family proceedings court. However, provision will be made for their transfer to a county court or to the High Court, if it were considered more appropriate for them to be heard by a superior court. In the amendment, we are taking power

[The Solicitor-General]

to prescribe criteria which will identify the cases which need to transfer up. Consultations and research are already in hand to enable us to draw up those criteria.

Complicated law or forensic complexity—for example, a case that involves a lot of contradictory medical evidence—are the sort of factors which are likely to affect transfer. We consider that it should be possible to transfer cases up or sideways to a court at the same level if the court seized of the case cannot hear it within a reasonable time. We passed an amendment without discussion or controversy that militates against delay in this kind of proceeding. If the court cannot hear a case within a reasonable time, or if the case needs to be expedited or to be heard over several days and the court cannot provide consecutive hearing days—as some courts, with the best will in the world, cannot—the provisions, which I hope we shall enact, will enable the system to divert the case to a court that can hear it promptly and which has all the necessary expertise.

At present, we intend that the magistrates or their clerk should be able to transfer a care case at any stage, but should they refuse to do so and should an aggrieved party wish, he will be able to apply to a county court registrar to pluck up the case if he considers that the statutory criteria are satisfied. That registrar can allocate the case either within a county court or to the High Court. I stress that there will not be a need for a further delay as another transfer procedure is gone through if the case merits a High Court hearing. It is recognised that there will be a need for administrative back-up and co-operation between the courts to run such a scheme for care-related cases. That need will be met through a central committee structure, under the aegis of the president of the Family Division.

The Government consider that it is important to have the flexibility that these powers confer so that transfer criteria and rules relating to where proceedings should be initiated can be altered if experience shows it to be desirable.

As I have already mentioned, we intend, initially, to require all local authority care applications to be made to a family proceedings court. If we find that most of them are subsequently transferred up to a county court, we may wish to allow care applications to be initiated in a county court, while providing for subsequent transfer down to a family proceedings court in appropriate cases.

Conciliation and what are often broadly called the support services need to be thought about separately. Conciliation has been the subject of a very comprehensive research project carried out by the conciliation unit at Newcastle university on the Government's behalf. The unit reported earlier this year, but those concerned with family matters in the Government have had comparatively little opportunity to consider its findings or the comments that have been made on them, because of their work on this Bill.

This is a subject which merits the most careful consideration and the thinking that we have been able to devote to it thus far has led us to the preliminary conclusion that the future of conciliation cannot be properly considered in isolation from the divorce law, on which the Law Commission will report next year.

The intrinsic relationship between the two can be demonstrated if one thinks about the options for change canvassed by the commission in its discussion paper on grounds for divorce, which was published earlier this year.

Mr. Devlin: I have listened carefully to what my hon. and learned Friend has said and I agree with much of it. What has concerned me in correspondence over the summer has been that the Government appear not to be willing to give any form of commitment about funding needs to existing conciliation services until such time as the Government make up their mind on the issue. That is of great concern to many good conciliation services that currently face financial crises which may not be solved and which may lead to some of the conciliation services going to the wall. May we have an undertaking that, while the Government consider these complex matters, proper funding will be made available for conciliation services so they are still there when the Government recognise that they are necessary?

The Solicitor-General: I shall let my hon. Friend develop that point a little more if he speaks later in the debate and I shall seek to answer him then. I want to develop the point about the intrinsic relationship between conciliation and child cases, and the whole question of family matters and divorce.

One option canvassed by the Law Commission was a system that would require parties to identify—this is an important point—the consequences of divorce and, if they still wished to divorce in the face of all the likely problems, generally to resolve those problems as a precondition to ending the marriage. That will strike a chord with many hon. Members, but such a system would be likely to put reconciliation, as well as conciliation, in the front of the process so that only real disputes ever reached the court and then only as a last resort.

The House will appreciate the difference between conciliation and reconciliation. Conciliation aims to enable the parties who are determined to break up the marriage, or who see no other option, and who regard it as irretrievably broken down to decide what will happen thereafter. Reconciliation, which those who are not used to the jargon often confuse with conciliation, is the idea of getting the parties to go back together and not to get divorced at all.

Arguably, conciliation might be structured and provided for under such a system in a very different way from that which has grown up round the present divorce system, in which the parties initiate the process by seeking a divorce from the court and by making bruising allegations at the outset, which often make conciliation and reconciliation much more difficult. The consequences, such as the custody of children and financial provision, are only then treated as ancillary issues to those opening steps. I throw those ideas out simply as food for thought for the House. We are indebted to the Law Commission for pointing them up. They show how important it is that we see the matter in the round before we achieve anything like the goal that a high proportion of us seek.

It is, of course, too soon to say whether divorce law should be reformed and, if so, how. I merely wish to demonstrate that it and conciliation must be considered together. That task is also to feature as an item in the rolling programme, which I have mentioned.

I shall now deal with the support services. The courts will need support if they are to carry out their functions both under the Bill and under any wider procedures the House may seek to enact in due course and which the Government may seek to bring forward. Those services include the provision of welfare reports, the work of the guardians ad litem, the work of reporting officers and the functions of the Official Solicitor in High Court cases. By virtue of clause 6, welfare reports are to be available to all courts in all children's proceedings, either from a probation officer or through a local authority, which may use one of its own officers or ask a voluntary organisation, such as the National Society for the Prevention of Cruelty to Children, or any other qualified person to prepare the report. Guardians ad litem are to be available in all the specified proceedings set out in clause 37(6), including applications for a care or supervision order, and are to be appointed unless the court thinks that it is unnecessary to do so to safeguard the child's welfare. Both clause 6 and clause 37 represent improvements on the present law, under which the courts do not always have power to call for welfare reports in children's cases and there is not the same near imperative on the court to appoint a guardian ad litem in care proceedings.

Mr. Hardy: It is relevant at this stage to ask whether the comments of the Solicitor-General make it clear that the Government understand that the implications of this legislation are that inevitably, even where the courts do not exercise the right to appoint, there will be a greater need for more guardians ad litem to be appointed under these arrangements. At present, there are serious difficulties in securing the appointment of a sufficient number of people for that role. What action does the Solicitor-General envisage will be taken to meet the need that arises from these provisions?

The Solicitor-General: The hon. Gentleman has intervened at the appropriate moment. The Government recognise that there is concern about the present arrangements which involve among others not only guardians ad litem, but probation officers, independent social workers, local authority social workers, and the Official Solicitor and his staff. It has been suggested that the functions they perform could be better organised, perhaps being centralised or even attached to the court. There is also the question of the overall level at which they are provided. Such reorganisation and redeployment of resources would be a major undertaking and the issue needs to be examined in detail before a decision is reached. That matter is also to be included in the rolling programme, where it can be examined in the context of the other changes under consideration.

I have referred to the rolling programme several times and I want to elaborate on it. It is a rolling programme to review family law and procedure and by now the House will want to know how it is to be carried forward. To give it reality, Ministers have agreed that the officials in all the relevant Departments will come together in an interdepartmental working party under the following terms of reference:

"The Working Party shall oversee a programme of work directed at improving all aspects of family law and business. In particular it shall

(a) consider the arrangements for the implementation and operation of the new scheme for children's cases under the Children Bill;

(b) draw together the management information requirement for operating and evaluating the effectiveness of the new scheme; and

(c) assess and monitor the resource consequences of the arrangements."

It will meet regularly and its first task, in addition to overseeing the implementation of this Bill, will be to decide on the detail of its work.

The programme will cover the areas of the substantive law I have already mentioned—domestic violence and rights to occupy the family home, financial provision and adoption. It will consider the linked issues of conciliation and divorce law reform, as well as the arrangements for providing support services such as guardians ad litem, welfare officers and the role of the Official Solicitor in family cases.

I hope that the House will see that the Bill makes formidable progress towards achieving a single and properly supported specialist family jurisdiction and in many aspects goes as far as is possible given its scope and progress in related areas, such as reform of the substantive law. I also hope that I have shown that there is little, if anything, in principle, as the debate will highlight in a moment——

Mr. Vaz: I am grateful to the Solicitor-General for giving way again and for setting out the criteria for the rolling programme. We are almost there in terms of an agreement. What is the timetable for the working party to consider establishing a unified family court system? Will it be one year or two? The Solicitor-General's list did not answer that. Will it be established at the start of the review or at the end? Will it happen before this Bill comes into effect?

The Solicitor-General: It is important to emphasise that this is a rolling programme. The programme will not start and stop. Many aspects are already under consideration. The Law Commission work is already well under way and it reports next year. The implementation of the provisions in the Bill will commence as soon as it reaches the statute book and much thought about its implementation has already begun. The programme will make progress in the immediate years ahead. To try to put an overall timetable on it would be foolish, but I emphasise that the programme is rolling and it will continue to roll.

6.30 pm

I hope that I have shown that there is very little, if anything, in principle between what those who seek a family court want and what could be achievable through the Bill and the programme to which the Government are committed. I suspect that successive Governments have been impeded in making progress in the family court issue over the years by the tendency to see the problem in institutional rather than functional terms and, therefore, to see the answer in setting up—at a stroke—some new gleaming steel and glass institution with different coloured robes called a family court without recognising all the steps necessary that would be involved and, most especially, the necessary reforms to the substantive law.

Our approach examines the problem in terms of functions and its component parts and then moves step by step to reform the many matters that will make up progress to a rationalised and improving system of law and procedures dealing with family disputes and breakdowns. I believe that that is the right way to approach the matter and the Bill makes a real advance.

Mr. Tom Clarke: I commend new clause 1 to the House with confidence because it represents the will of the House given any test that we have had so far of the views of hon. Members on both sides of the House. On Second Reading, apart from the Ministers who spoke, all hon. Members who referred to family courts supported the principle very firmly indeed. In Standing Committee we had a comprehensive discussion and hon. Members—apart from the Ministers—clearly and firmly supported the principle of family courts.

The hon. Members for Chislehurst (Mr. Sims) and for Stockton, South (Mr. Devlin) spoke particularly effectively about family courts, and I am sure that they will do so again if they catch your eye, Mr. Deputy Speaker. I remind the House of the views expressed by the hon. Member for Stockton, South who said, with a great deal of support from hon. Members on both sides:

"The Government will never have a better opportunity than they have now to introduce the long overdue system of family courts."—[*Official Report, Standing Committee B*, 8 June 1989, c. 423.]

The hon. Gentleman was right then and if he repeats those views he will be right tonight.

The Solicitor-General will be aware that I do not speak through any personal malice when I state that, notwithstanding his commitment to a working party which could have been announced earlier on Second Reading or in Standing Committee, the hon. and learned Gentleman gives me the impression that his proposal has much more to do with persuading Conservative Members not to support new clause 1 than it has with establishing the principle of family courts. I am sorry to have to tell the Solicitor-General this, but his proposal represents a pathetic little mouse of an offer in terms of realising family courts. It is a tragically lost opportunity.

Mr. Vaz: Does my hon. Friend share my disappointment about the fact that the Solicitor-General has announced this working party and the rolling programme, but he has not given an effective starting or finishing date? The programme has no timetable, so it is not much of a programme.

Mr. Clarke: I agree with my hon. Friend. The House will be aware that when my hon. Friend the Member for Leicester, East (Mr. Vaz) specifically asked the Solicitor-General whether he had a timetable in mind, he received a negative reply.

In the Government's new clause 18 there is no indication of the criteria that will be applied to decide where cases should begin their journey through the courts or the mechanisms which might be put in place to ensure their effective transfer. If some hon. Members mistakenly believe that the Solicitor-General is offering us something that is new, we should attach more importance to what the Solicitor-General said earlier when he said that the proposal was the best use of existing resources. All the advice that we have received is that the existing resources cannot begin to solve the problems and the objective of family courts could not be achieved within the limitation of existing resources.

Far from establishing family courts or offering hope for their realisation, the proposal might be an impediment to their creation. It is not simply a matter of the emperor having no clothes; if this proposal is the best that the Government can do for family courts, it seems that we have not yet had sight of the emperor. Even the promises about the Law Commission do not offer us that prospect.

Hon. Members will be aware of the history of this issue. Much time has been wasted in trying to achieve a form of family courts and many people will be extremely disappointed with the Government's statement tonight. We all recognise the input made by our former colleague, Mrs. Renée Short. She chaired the Select Committee on Social Services which reported in 1984 declaring that it was very enthusiastic about the prospect of establishing family courts. However, just as important, that Select Committee deplored the introduction of such a measure by dribs and drabs. My heavens, if the Government are making any kind of offer tonight, I am afraid that it represents dribs and drabs as against the very clear commitment made in new clause 1 that the measure would be introduced within 18 months.

The report produced by the Select Committee under the chairmanship of Mrs. Renée Short was influenced by the Scottish system which had been in operation for several years. Scottish Members will not pretend that we accept that the children's panels in Scotland represent everything that we want to achieve; they do not. The remarkable aspect of their activities is that, after 17 years, they are beginning to consider how they can develop on what has already been achieved. It is staggering that after all this time, and despite the Scottish experience identified by Renée Short, there is no element of informal hearings or family courts elsewhere in Britain. The Solicitor-General outlined the difficulties of adapting English law to the informal system that we support but, if it was not beyond the wit of the Scottish legal system to adapt and introduce a version of family courts and children's panels, surely the English and Welsh legal systems are not so hidebound that they could not achieve the same objective if there were the will.

Prior to the introduction of children's panels in Scotland I sat as a magistrate in the juvenile court. The major change represented by children's panels in Scotland should not be underestimated. I recall children of seven and eight years of age being paraded before great formal courts for having gone into a superstore and lifted a tin of luncheon meat when they thought no one was looking. The fear of being before such a court and its aura were appalling. As one who experienced and deplored that system and saw a dramatic change when family courts in the shape of children's panels were introduced, I have no doubts about the advantages of the new system, and I believe that the experience of those involved supports that submission.

We do not have to look to other parts of the United Kingdom as we discuss an English and Welsh Bill. Both Conservative and Opposition Members stated clearly their enthusiasm for the established success of family courts in Canada, New Zealand, the United States of America and Australia. We welcome informality, and accept that such courts already demonstrate that the welfare of the child is paramount. Above all, we welcome the non-adversarial nature of family courts and the genuine conciliation that is possible, as opposed to reconciliation—important though that may be.

Where children are involved as witnesses, people are brought together in an informal setting and made to feel that they have a vested interest in the success of the agreement reached. That historical success should not be

underestimated. Too often today professional lawyers see themselves as winners or losers. They seek a clear decision one way or the other and, sadly, when a child is involved, the prize to be won or lost is the welfare or future of that child. In view of the evidence that we have heard today, surely that is unacceptable.

Yet again, the Solicitor-General asks us to wait. This time he told us that a commission will be set up and in due course—at a date unknown, unless he clarifies it later in the debate—will produce a report. With great respect—

The Solicitor-General: It seems that the hon. Gentleman has misunderstood. The Law Commission has been working on the matter for more than a year and is due to report next year.

Mr. Clarke: I was referring specifically to the proposal for a working party. The Solicitor-General referred several times to a rolling programme. He did not give the impression that action would be taken urgently.

We have had the advantage of the recommendations of the Finer report for 15 years. Is that not enough time? How much longer are people—especially children and families—expected to wait? We have heard far too many excuses from the Lord Chancellor's Department, I accept, on whose behalf, the Solicitor-General is expected to speak. Five years ago we were told that there was uncertainty about costs. Three years ago we were advised to wait for the civil justice review—yet another review. Now we are asked to see how the legislation works out. Why?

6.45 pm

There is tremendous support for the concept of the family court. Baroness Faithfull, who follows our discussions with great interest, put up a noble fight. She is supported by the Family Courts Campaign, which is also to be highly commended. If their collective efforts as well as those of Barnardo's British Agencies' for Adoption and Fostering, British Association of Social Workers, Children's Legal Centre, Children's Society, Family Rights Group, National Children's Bureau, National Children's Homes, and a host of other informed bodies, has met with so little success, we are entitled to conclude that the influence of the Government's barristers is out of all proportion to their numbers and wisdom.

The Solicitor-General referred to the view of the president of the Family Division. There is a degree of vested interest, which does not suggest that the views of consumers have been taken on board. The Government's response to the call for family courts is woefully inadequate, and nothing that the Solicitor-General said changes that. It reveals a wilful misunderstanding of the nature of the path that the Government are being urged to tread.

Lord Denning said:

"While our substantive law has changed beyond all recognition . . . our procedural law remains embedded in the past . . . a hotch-potch of courts and procedures that have never been brought up to date."

Yet the Government's new clause 18 simply renames the domestic panel of the magistrates court and the business transacted there. It does nothing more than seek to establish concurrent jurisdiction for the five courts that deal with family matters and perhaps leave a marker for rules and regulations to facilitate transferring cases between the courts. The same criticism is true of Government amendment No. 353.

The Solicitor-General may feel that we are treating his commitment with some scepticism, but the Government's position reminds me of St. Augustine's prayer:

"Oh Lord, make me chaste, but not yet."

We have heard "not yet" for too long. The Opposition's new clause offers an alternative, unified system that would be served by adequate conciliation services and seeks to develop expertise among the judiciary, administrators and professionals. Above all, it would be organised to gain public confidence.

It is not without significance that the Society of County Secretaries has claimed:

"With a family court in being, we cannot see that the Cleveland situation could have developed."

The case for family courts is overwhelming and before we return the Bill to another place we should seize the opportunity that it offers in the interests of millions of our children. They are everybody's children. It is not simply a case of dismissing children who might appear before present courts or future family courts as being naughty or difficult—somebody else's children. They are the children of Great Britain. They are entitled to a sympathetic ear and, in many cases, entitled to make their contribution to solving the problems that are being discussed. We are considering their futures.

Not to deal with this matter in a positive way would be to betray the honest bipartisan approach that has characterised the passage of the Bill in both Houses. It would also represent a betrayal of the intelligent and thoughtful work of the Committee and of the other place. It would be a betrayal of the professionals who are active in this matter, and a betrayal of the expectations of the House and of the citizens whose interests we seek to promote. In that spirit I commend new clause 1 to the House and look forward to its unanimous approval.

Mrs. Elizabeth Peacock (Batley and Spen): I and many other people in this country have studied family courts for many years. They will play an important part in future family welfare. Each year, there are about 670,000 petitions and applications on what may be termed family issues. That means that more than 2 million people come into contact with some aspects of family law each year. That contact is almost inevitably confused and confusing, because proceedings can take place simultaneously in several courts. My hon. and learned Friend the Solicitor-General referred to that point in his opening remarks. For example, a wife who is married to a violent man may bring proceedings in the magistrates court for an exclusion order and, at the same time, petition for divorce in the county court. The local authority may already have taken care proceedings in the juvenile court and may have made the woman's children wards of the High Court. That demonstrates how complicated such issues are.

The variety of jurisdictions can only lead to unreasonable delay, and lawyers incur unreasonable costs during such delay. It is vital for a family court to encompass many jurisdictions and gather them together in a coherent body. Perhaps the Government should change their priorities. My hon. and learned Friend is wrong to want to perfect the substantive law before setting about reforming the procedure. I listened carfully to what my hon. and learned Friend said about that matter. However, a lawyer spends more time and incurs more cost in manipulating procedures, often on his client's instructions, than in considering the substantive law. In an adversarial system, the procedure provides a lawyer with most of his

[Mrs. Elizabeth Peacock]

armoury. If we remove procedural problems before we deal with substantive legal problems we may obtain questionable legal results. That could be a drawback, but at least a result will be reached and all parties will know where they stand.

The Government have set out their intentions, and we must work realistically around them to enable future reform to take place. The important question that we should ask my hon. and learned Friend is how long we must wait for the working party and for its recommendations to be implemented. Cost is always a vital factor in reform, particularly in relation to family law proceedings. I am not one of those who consider that a family court would lead to a cost saving—it most certainly would not—nor do I believe that its introduction could be achieved at a relatively small cost. It will require a large amount of money to do the job properly.

Perhaps a new court system will be required—preferably a three-tiered system. A vital appointment in that three-tier arrangement would be a family court registrar, who would be the entry point for all family cases. He or she would allocate business to a basic working tier or to an upper tier that deals with appeals or first instance cases of exceptional importance. A body of judicial officers would also be needed to man the new court system. They would all need to be fully trained in aspects of law, adjudication, conciliation and so on.

There must be a mix of judges, family professionals and magistrates. The latter group would be of great importance, as the great majority of family court officers will have been magistrates. Magistrates have experience of adjudication and the community, which will be necessary in the new system that I propose.

I disagree with those who argue for the exclusion of magistrates because of their lack of understanding of the real world. That accusation could have been made many years ago, but it certainly does not apply to magistrates today. Although I have sat as a magistrate, I am not doing so at the moment, so I am not thinking about my own contribution. However, I certainly have experience. Since being appointed in 1975, I have had experience with the juvenile bench, domestic court proceedings and adoption proceedings. Perhaps just a little of what I learnt during those years brings me to my present-day conclusions.

New, separate buildings to house the family court would be required. That is essential to give the new system an identity of its own, which is what we all want, and to give the parties involved a clear appreciation of its new role. There must also be some provision for conciliation in a family court, and the bench must perform a more inquisitorial role than at present. I recognise that there is danger in both approaches. Parties could be regarded as clients rather than as parties to a legal dispute. However, although the court must perform a legal function, the introduction of comprehensive in-court conciliation may help to lessen some of the tensions that arise in family matters. Over many years we have paid insufficient attention to conciliation and, in some cases, reconciliation.

In-court conciliation began in 1971. Although it has become more of a buzz word in recent years, it is not particularly new. It has some faults, the greatest of which is that parties may regard it as part and parcel of the adversarial process. Also, parties may feel under pressure to reach agreement. In New Zealand, where the court performs an inquisitorial role, parties who refuse to attend conciliation are encouraged to think again. Perhaps that is not such a bad idea in our present society.

However, such drawbacks as I have recognised are preferable to the indecision that results from out-of-court conciliation, because agreements are not legally binding and are often made on incomplete facts due to lack of financial information. In-court conciliation must be a vital element in any family court system. It would be nonsensical to set up a new system without it.

We could have an extremely long debate on family courts, as they are an important part of this legislation. Hon. Members discuss legislation affecting children and families perhaps once every decade. We must ensure that, when we legislate for the welfare of children in this decade, we get it right. We have a great responsibility to make sure that the legislation will ensure good provision for future family life and children in particular.

Mr. Robert Hughes: When I intervened in the Solicitor-General's speech to ask whether family courts would deal with the issue of so-called "transracial" adoptions, he helpfully advised me that the Law Commission was looking at the whole issue of adoption. If I heard him aright, I think that he said that the report was expected next year. I do not know whether that time scale is the optimum one for receiving such a report, but in my view we must move much faster and further than we are at present.

7 pm

I am gravely concerned at some trends in fostering and adoption practice. The first priority must always be the needs of the children; their needs must be paramount. I understand and accept that many adoptive parents—perhaps the majority—wish to adopt a child in their own image, as the saying goes. However, that is not necessarily always the case.

I know of a couple who have successfully adopted a child of mixed parentage. A few years ago they saw an advert in either *The Observer* or *The Guardian* seeking a foster home, with a view to adoption, for a girl of mixed race who was then in a children's home in the care of the local authority. I believe that the couple did nothing at the time, believing erroneously that the child would soon be placed with a satisfactory couple and be well looked after. However, a year later virtually the same advert appeared in whichever newspaper it was. The child was still in care—still living in a children's home, with apparently no prospect of fostering or adoption. The couple wrote to the local authority concerned, expressing their interest and explaining their experience and background.

They were astonished and astounded to receive a reply stating that they could not be considered because they were white and the authority's policy was to place such children with black families. The reaction of that family was unprintable and, in recounting their story to the House, I would be out of order if I attempted to repeat that reaction.

As far as is known the girl is still in the care of the local authority and still in a children's home. I believe that that is intolerable, that it is not good social work practice, and that it is certainly not in the interests of the child. I do not accept—indeed, I entirely reject—the theory that such practice helps to foster a non-racial society. I do not accept

that the race of a father or mother irrevocably classes a child in the narrow way that social work practice mistakenly assumes in such an arbitrary fashion.

Anyone who has knowledge of adoption knows and understands that there are difficulties when a child is adopted. At some time adoptive children may—and will—suffer an identity crisis and encounter real difficulties when they discover that their father and mother are not their natural parents. So-called "transracial" adopted children do not undergo more severe crises than adopted children who might be adopted in, as is sometimes said, the image of the parents.

The problem at the moment is that the social workers involved—I acknowledge that are concerned—go to extremes to try to justify their policies. I accept that they are sincere, but I believe that they are disgracefully mistaken. Some of the ways in which they seek to denounce those who, like myself, argue in favour of the adoption of mixed-race children by parents of any colour—white or black—are intolerable and disgraceful and do not help in the serious debates that we should be having.

Every family may have times of trauma when bringing up children. Anyone who has had natural children knows that that happens in ordinary families. The problems of adopted children can be dealt with just as easily and just as readily by concerned parents, irrespective of whether they are adoptive or whether they are the "right" racial mix, according to the social workers. The only factors to be taken into account in this matter are the needs of the child. If the race classification argument that is sometimes forced down people's throats in the public debate on this came from South Africa, the people who oppose "transracial" adoptions would throw up their hands in horror and cry that this is an apartheid society. If we believe—as I do—in a truly non-racial society in this country, it is grotesque that any social work practice should seek to classify children by race and so determine social work policy.

The needs of the children should always be paramount and the children should always be put first. An abstract theory should never take precedence over the real needs of real children and their relevance to today's society and real world.

I hope that the Minister who replies to the debate will make it perfectly clear that the Government will press ahead rapidly with a proper code of social work practice. I hope that that will be one of their first priorities when drawing up the details of the ways in which the family courts will operate. I hope that that will feature as one of the first details when they flesh out the bones of what is now an inadequately drafted new clause.

Mr. Devlin: First, I thank the hon. Member for Monklands, West (Mr. Clarke) for his kind remarks, supporting what I said in Committee. It is interesting to note that new clause 1, tabled by the hon. Gentleman and his hon. Friends, has the exact text of the all-party amendment that I tabled in Committee with the support of five other hon. Members, from all three parties. I notice that some of those hon. Members are present.

At the same time, I commend new clause 30 to the House. It gives a much more detailed treatment of the topic and has found its way miraculously into new schedule 9A. It has received 37 signatures, including from most of the hon. Members who have signed new clause 1.

The reason why I am in some difficulty in supporting the hon. Member for Monklands, West and his colleagues tonight is twofold. First, the subject matter of the amendment is redundant, having been covered as far as possible by the new clause moved by the Government. Secondly, those parts of the intention of the new clause that are not covered by Government amendments are beyond the scope of the Bill, with one notable exception. Therefore, I am slightly surprised to see that what was a probing amendment in Committee has now returned as new clause 1. It must have been tabled before Her Majesty's Opposition had considered the Government's further proposals.

It was a great honour and privilege to carry this provision as a banner for the Family Court Campaign in Committee. My hon. Friend the Member for Mid-Kent (Mr. Rowe), the hon. Members for Leicester, East (Mr. Vaz), for Middlesbrough (Mr. Bell), for Southport (Mr. Fearn) and for Ynys Môn (Mr. Jones) joined me in tabling that amendment in Committee. We were further supported by effective interventions from my hon. Friend the Member for Chislehurst (Mr. Sims), the hon. Members for Eccles (Miss Lestor), for Newcastle-under-Lyme (Mrs. Golding), for Wakefield (Mr. Hinchliffe), my hon. Friends the Members for Salisbury (Mr. Key), and for Batley and Spen (Mrs. Peacock) and from the hon. Member for Monklands, West. In other words, 13 out of 18 hon. Members serving on the Committee supported the amendment. I remind the House that the other five were the two Ministers, their Parliamentary Private Secretaries and the Government Whip.

In an effort to persuade us to withdraw the amendment, my hon. and learned Friend the Solicitor-General announced that the Bill was the beginning of a rolling programme of reform. Many of us therefore look forward to some announcements tonight that will tell us that in the Queen's Speech further reforms will be put before us. Furthermore, my hon. and learned Friend argued that fuller Government proposals would be presented on Report. I believe that they are now included in new clauses 18, 23 and 28.

The reason why the establishment of a family court is long overdue is not only that such an improvement was suggested 15 years ago in the Finer report but that since then the full statistical horror of cases involving children has been magnified. Since June, when we last discussed this matter, Relate—formerly the marriage guidance council—has published last year's figures. They show that 149,000 children were caught up in divorces last year. Nearly 1,000 per week were under-five. Divorce costs the country about £35 million per day in fees, court costs and social security payments. Last year 151,000 marriages ended in divorce. Whilst that process is extremely painful for the adults involved, it is often the children who suffer most, regressing whilst parents go through the difficulty of getting their own lives back together. Each year, of the 30,000 cases of physically, mentally or sexually abused children, a good section of the abuse is perpetrated by the mother's boyfriend, the stepfather or even stepbrothers. Duplication, alternation and confusion abound in our court system, yet millions of people have a pressing need for the reform of procedure proposed by the Opposition.

The Finer report, published all those years ago, proposed a unified family court to eradicate the hotchpotch of conflicting legislation and different jurisdictions. The new court was to adopt an inquisitorial

[Mr. Devlin]

rather than an adversarial approach. It was to be based on six principles—that there should be impartial adjudication according to law, a unified system of family law, the provision of the best possible conciliation facilities, a team of professionally trained social workers, that there should be a close relationship with social security law and that the whole thing should be organised in such a way as to gain public confidence.

In 1979 further proposals were made by the Law Society, in 1982 by the Justices Clerks Society, in 1984 by the Association of District Registrars and County Courts. In 1984 the Select Committee on Social Services went further and said:

"The introduction of a family court system could offer the possibility of a significantly better deal for children and parents."

The hon. Member for Monklands, West has not only stolen my amendment, but he has stolen my speech as he mentioned that the Cleveland affair might have been prevented by a family court system. I will not repeat that point nor the list of organisations supporting the Family Courts Campaign because they are far too extensive to mention. Looking back over the past 15 years it is clear that a strong case was made right from the start. The Government sought to avoid the need for action with a variety of ruses and excuses. First, they spoke about cost, then they said that what was asked for was too vague. They also said that there was no precedent. Now they say that they are already planning such a court system, but, tonight, they say that it is beyond the scope of the Bill.

At last in this Bill we have made some essential headway towards our new system of justice for families. Since the Whips are wandering around bullying people I shall quickly examine the Minister's proposals which he has said

"go further and are drafted more carefully than the amendments."—[*Official Report, Standing Committee B*, 8 June 1989; c. 451.]

I note that my hon. Friend the Member for Solihull (Mr. Taylor) is approaching, but I shall not give way to him. I can assure the Opposition that I have not had my knuckles broken nor have I been offered a holiday in the Bahamas to avoid making this speech.

New clause 18 sets up family proceedings courts and family proceedings panels. They would be the newly reconstituted magistrates court part of the family court. The rest is left to the Lord Chancellor to make orders with respect to what that court can do.

The next new clause that the Government rely on is new clause 23, which is pregnant with good potential, but one that may not be carried into execution. The procedure can be altered, parties can be redesignated and the whole new classes of evidence can be demanded. A registrar can deal with initial applications, just as we suggested, and ex parte proceedings rules can also be made. New clause 28 goes further with respect to procedure to be adopted. I appeal to the Solicitor-General to use the clauses as imaginatively as possible to ensure the effect of what the Family Courts Campaign is calling for is carried out.

Altogether the Government have done an excellent job with the clauses to meet many of the demands of the family courts campaign—or as many as they think are possible at the moment. Rab Butler once reminded the House that

"Politics is the art of the possible."

The Government, however, could do a great deal more and they could go a great deal further, but perhaps not in this Bill. New clause 30, which is supported by many hon. Members, must show them the way forward.

However, I shall measure the Government's proposals so far against the original six recommendations of the Finer committee so that I can draw attention to the obvious gap that I see. There is no doubt that the Government proposals will continue to provide an impartial adjudication according to law. Those proposals, as well as the Bill in general, which I remind the House, deals with children only, moves us much closer to a unified system of family law with new amendments. Trained social workers working with the courts find their place in the Bill. Public confidence will undoubtedly be enhanced by the greater powers given to parents, grandparents and, of course, children.

7.15 pm

The gap—here it is—is in the provision of the conciliation service alongside the new procedure. During the summer recess I attempted to find out from the Attorney-General, the Lord Chancellor and even from the Prime Minister what the future of conciliation services will be. The answer, if one can call it that from the usual Civil Service stonewalling, is that with the report of the Newcastle study project under review and with, in any case, the Law Commission re-examining and reporting on the law of divorce next year, there is no answer just yet. Unfortunately, as I said in my earlier intervention, in the meantime our excellent conciliation service in many parts of the country—I mention Cleveland specifically—will go to the wall for lack of funding. However, conciliation is a fundamental of any family court system which the Government may later attempt to establish. In the meantime, it is also a successful tool in the resolution of disputes.

Let me recap the findings of the New Zealand conciliation service—19 per cent. of those who went to the conciliation service resumed the marriage, 39 per cent. reached full understanding, 16 per cent. went back for guidance and 26 per cent. only reached no agreement. The Relate figures show that, in English terms, 200 children a week under the age of five could be saved from the pain of parental divorce if there was a properly funded conciliation service in this country.

Even if I am in an optimistic mood today, it seems that the Government are moving slowly down the road to proper conciliation services just as they are progressing to a family court. The excuses, however, are the same. On 8 June in Committee at column 465 the Solicitor-General argued about the cost of the service and in the next paragraph he deployed the vagueness argument. In column 466 he argued that there was no precedent. In a letter since received from the Prime Minister and from the Lord Chancellor I hear that we are already planning something. So long as the Solicitor-General or the Attorney-General argue that such conciliation services are beyond the scope of the Bill we should look forward to some serious and far-reaching reforms to be introduced in the next Queen's Speech.

What has my hon. and learned Friend offered us tonight? He has offered to gather together all the officials from all the relevant Departments into one splendiferous committee, which will consider all the aspects of family law. It will consider the implementation of the Children

Bill and evaluate the efficiency of the Bill and look at the resource implications of change. It will consider conciliation and the law relating to divorce. It will also consider the support services. Has anyone in the House any idea how many civil servants will be involved in that exercise? It will have to run into hundreds. Has anyone any idea how long it takes hundreds of civil servants to make up their minds about anything? It will take absolutely years. We are talking about another 15-year rolling programme before we get the matter back before the House. I ask the Solicitor-General whether that rolling programme will roll out in the life of the Government. Unless the Solicitor-General can come up with a more satisfactory timescale, I may have to go back to supporting the Opposition in their amendment.

What is on offer now after 15 years is that the civil servants have won. If the choice tonight is between the will of the House and the will of a huge committee of civil servants from all the different Departments discussing until kingdom come what the future law of the family will be, I shall support the will of the House.

Mrs. Rosie Barnes (Greenwich): I shall speak briefly in favour of a policy of speedy implementation of family courts. A less adversarial judicial system for family matters has been advocated for many years. While I welcome the minor shift in the Government's mood in this direction, I, along with many others, feel that this is an invaluable opportunity, perhaps the only opportunity for a decade or more, for the Government to take it much further and commit themselves wholeheartedly to the full establishment of family courts.

The Bill unifies the law relating to children. As the White Paper, "The Law on Child Care and Family Services" of January 1987 stated:

"it would not be sensible to make decisions on most of the Child Care Review's recommendations concerning jurisdiction in advance of a decision on the family court issue".

The Bill, which has consolidated much of the law relating to children, provides the right opportunity to make a decision on family courts.

One of the most important elements of this issue that has been much debated tonight is conciliation, which has been extremely effective in other countries. Not only is it highly desirable in itself, but it can lead to massive savings in legal aid. Earlier this year the Lord Chancellor's advisory committee on legal aid reported that a family court could make savings of up of £14 million in legal aid. Although I accept that to introduce family courts would have considerable cost implications in other spheres, this element must not be ignored.

Both branches of the legal profession and all those working in the area of family breakdown have long been convinced that family courts are the only economic, effective and appropriate way of dealing with family law matters. It is difficult to understand the Government's reluctance to embrace this measure wholeheartedly. We have skirted around it for far too long and should move rapidly towards a commitment in this direction. I look forward to hearing what sort of time scale is proposed for this long, rolling, decision-making process about which many of us are cynical.

Mr. Roger Sims (Chislehurst): My interest in the cause of family courts is long standing and is on record. In our discussions in Committee I referred to the fact that the appearance of the Finer report, with its advocacy of family courts, coincided with my election to the House in 1974, and that soon afterwards I convened a conference on the issue. I hasten to assure the House that I have no intention of repeating my Committee speech here. In response to pleas over the years from me and others, the Government have consistently taken the line that they must first get the law right and then they can alter the structure of the court.

Let us at least give the Government some credit for not waiting until they have got the law right or until the Bill is enacted but have decided to start the process now. They have decided to adopt an evolutionary rather than a revolutionary approach or, to use my hon. and learned Friend the Solicitor-General's expression, a rolling programme. Certainly, my hon. and learned Friend has announced some important steps this evening. I should like to have heard a lot more, but we have to be realistic and we cannot ignore the fact that a family court would have to cover a number of issues that are not the subject of the Bill and could not feasibly be added to it.

Certainly, I have no criticism of Opposition Front Bench spokesmen seeking to raise this issue again, despite the fact that we discussed it fully in Committee. Apart from anything else, it has given my hon. and learned Friend the opportunity to expand on the remarks that he made to the Committee, and his contribution was most helpful. However, it would be a pity if the Opposition were to divide the House on this matter, which I understand they are considering. Apart from incommoding a number of hon. Members on both sides of the House, it would undermine the bipartisan approach to the Bill which has been a feature of our proceedings and to which the hon. Member for Monklands, West (Mr. Clarke) referred.

My hon. and learned Friend the Solicitor-General referred to the interdepartmental working party and what it is to do. I am sure that he will understand that, while we realise that it cannot specify a timetable, there is a suspicion that a working party is a vehicle for inaction rather than action. I hope that before the end of this debate he will assure us that this rolling programme will roll and not simply creak.

Many of us would like to see many more suggestions included within the proposals. However, what my hon. and learned Friend has suggested this evening is certainly more realistic than the over-ambitious measures understandably advocated by the Opposition Front Bench. My hon. and learned Friend has explained why he has not incorporated conciliation services into the new pattern which he has outlined. However, I endorse what my hon. Friend the Member for Stockton, South (Mr. Devlin) said about the value of such services which have been running for a number of years.

In my area of Bromley we have one of the pioneers of the conciliation services. There are now 50 services affiliated to the National Family Conciliation Council. A feature of those services is that they have all been set up on a local basis, all been a product of local initiatives and every one of them is now struggling for funds.

I am aware that the Newcastle project report is under consideration but my hon. and learned Friend will remember that the report states:

"conciliation generates important social benefits and rationalisation of it is a priority need."

I hope that the rolling programme will consider this matter as one of urgency. The danger is that, meanwhile, the conciliation services might wither, which would be disastrous.

[Mr. Roger Sims]

I plead with my hon. and learned Friend for adequate interim funding. He does not have to commit himself as to what form the conciliation services will take in the final structure of the family court, but it is important that they should be preserved in their present form. I urge him to support them as much as he can.

Mr. Ieuan Wyn Jones (Ynys Môn): Hitherto the Government have been reluctant to give us a firm view on the establishment of a family court. In Committee we were able to recap the way in which successive Governments, but mainly this Government, have sidelined the issue, principally because it would cost money to set it up. In the past 15 years there have been a report, two consultation papers and an interdepartmental committee.

I recall a former Cabinet Minister telling an after dinner audience that when he was in trouble on a policy matter he would go to Cabinet to demand that it set up an interdepartmental committee. Therefore, it hardly inspires confidence when the Solicitor-General tells us that there is to be yet another interdepartmental working party.

However, let us not be churlish, because pressure from the family courts campaign and other groups has paid off in some respects. The Government have had no alternative but to respond in view of the growing and increasingly well-argued case for the family court.

Let us examine some of the Government initiatives which were conveniently set out in their response to the report by the Social Services Select Committee. First, they say that the Children Bill creates concurrent jurisdiction in the High Court, the county court and the magistrates court, which will hear proceedings under this Bill and in cases of adoption. The Lord Chancellor, we are told, will have power to provide for the allocation of cases within the hierarchy of the courts, and the Government hope to arrange for judges and registrars with expertise in this field to be responsible for the conduct of such cases.

We have also heard that, with regard to magistrates courts, a family proceedings court is to be established and magistrates are to have special training. There will be more reliance on the use of written documents—I welcome that approach—and magistrates will be expected to have read them before the hearing and to give reasons for their decisions. In other words, the court is to have a more active role in the conduct of cases.

7.30 pm

Procedure in the courts is to be streamlined, and cases involving disputes that may have started in different courts will be merged so that they can be dealt with together. All these measures are to be welcomed, although a note of caution must be entered, in that the Government say that most care and supervision-related cases will be suitable for hearing by the family proceedings court—that is, by lay magistrates. One cannot escape the conclusion that that is done for reasons of cost—it is much cheaper to administer justice through the lay magistracy. The view that I have always held is that family courts should be a unified court with lay magistrates sitting either with a judge or, in some cases, a registrar.

Although there are powers to transfer cases between courts, some delays are inevitable as some administrative procedures will have to be carried out by at least two sets of court officials. However, all the Government's initiatives will be flawed until they address the central issue—the removal of the present adversarial system of family proceedings and the introduction of a properly funded counselling, conciliation and mediation service.

All the evidence that we have so far supports the view that the only way to remove the courtroom pain and anguish of family disputes is the introduction of an inquisitorial system backed by conciliation. I mentioned courtroom pain and anguish advisedly. We know that we cannot remove all the pain and anguish involved in these cases, but that is no excuse for allowing the courts to be used as a vehicle for venting the anger, frustration, bitterness and—often—guilt which are associated with these matters. Court proceedings are also seen by many as occasions for winning and losing, a view perpetuated by our present system. No palliatives given to the family courts campaign can ever be successful until this problem is tackled.

We must also consider the facilities that are available in many magistrates courts. They are often appalling. Many courts have no facilities for conducting private interviews, which are held in corridors and passageways. The waiting rooms in many of our courts are cold, forbidding places where witnesses have nothing to do but glare at each other. Is that the way in which we should treat people who are already under considerable stress? Is that the way in which to resolve these difficult issues? A congenial setting is more conducive to better understanding all round. That is why the family court system in New Zealand places so much stress on the setting in which cases are heard. Basics such as the positioning of tables and chairs and how court officials, including judges, are dressed are considered important.

During the recess I met a representative of the embryonic North Wales family conciliation service, a group set up about three years ago in the hope that it would be able to offer conciliation services to all the courts in north Wales. Yet three years later it does not have a penny with which to begin to put that system into operation. Recently the group asked me for my support to persuade the Welsh Office to give it finance.

To be fair, in their response to the Social Services Committee the Government conceded that we have a patchwork of systems in England and Wales which is nothing like the system that we need—a universal, properly funded system. I want to ask the Solicitor-General when the university of Newcastle report will be published. When will we be told whether we shall have a properly funded conciliation service? Conciliation services offer couples opportunities to meet in a structured setting so that they can begin to resolve conflicts and work jointly with children to agree decisions. That is important, because conciliation aims to find a way of reducing the pain, anger, confusion and sadness experienced by children caught up in the process of their parents' separation and divorce.

We must never forget that parents need support when reaching and maintaining responsible decisions about custody and access. Because their parents lack support at the time of separation, children are not properly informed of decisions that will affect them. That leaves many children helpless, confused and lonely. Children want to be consulted and involved in decisions that will dramatically affect their lives. They want basic, practical information.

They want to know where they will live, whether they will stay at the same school, whether they can still see their grandparents and where their absent parents will be living.

For these and other reasons, a conciliation service would play an invaluable role. Experience of the family court system in New Zealand is that there has been a dramatic reduction in the number of custody cases that proceed to the traditional blood-letting of a court hearing. There has been a dramatic acceptance of the need to change traditional approaches and procedures on the part of judges, administrators and the legal profession.

I believe that the campaign for a family court has come a long way, but not far enough. I confess that I did not come to this debate expecting that the Government would come forward with a system to establish family courts, because I knew that they would repeat what was said in Committee. But it is important for the House to have had the opportunity once again to debate this issue. As surely as night follows day there will inevitably be a family court in England and Wales. The House has an opportunity to place an important milestone along the way to the establishment of that system, and I hope that we will divide tonight so that we can properly gauge the support in England and Wales for its establishment.

Mr. Rowe: My hon. and learned Friend the Solicitor-General left me in no doubt about the Government's intentions in the matter of a family court. I have no doubt that the Government clearly see many of the absurdities in the present system and are anxious to end them. I welcome the commitment to a unified jurisdiction so that we can at least consider all matters relating to one family in one place at one time. That is probably as far as it is reasonable to expect the Government to go in this Bill.

I share a number of hon. Members' concerns about this rolling programme. I take issue with my hon. Friend the Member for Stockton, South (Mr. Devlin). I do not see a huge army of civil servants. I see three or four, some of whom have probably been up to their necks with the Bill hitherto, being switched, probably quite gladly, to the next great issue. The more that they come under pressure from outside, the harder it will be for them to work speedily. I hope that the Government will make sure that there are enough civil servants to do this important job expeditiously.

I received one nasty tremor during the Solicitor-General's speech when he quoted other people. He said that he thought that they had in their minds a wholly new structure, a new steel and glass building, he said, staffed by people with robes of a different colour. I hope that he completely distances himself from that attitude not so much because of the separate system but because of the robes of a different colour. The last thing we want is a reshuffle of existing wigs and gowns into a new pattern of formality and authority. We need a wholly new direction based on non-adversarial procedure.

The need is to support the family and the child. Most people who have got into matrimonial difficulties desperately want either to resolve them or, if they cannot, to leave one another amicably and equitably. Adversarial proceedings make that harder not just in court but outside it. It is similar to the insurance company's injunction that one should not even be polite to the driver with whom one has just had an accident in case one gives the impression that one was at fault. Such an attitude is disastrous for the children and destructive for the family. I suspect, although I could never prove it, that it has a knock-on effect because if one of the spouses remarries the bitterness of the divisions may make it much harder to establish a good future relationship.

The third objective must be to get agreed solutions where possible. That will reduce the likelihood of a spouse losing access to the child in later years or a wife—it is usually the wife—not getting maintenance. Formality simply does not help.

When it comes, the family court should be bold, as it was bold in Scotland. Kilbrandon made this great radical leap of differentiating between questions of fact and questions of treatment, especially in criminal cases. It would be a serious error if the family court left juvenile crime to one side. How otherwise are we to reduce our appalling record of incarcerating young people, the worst record of incarceration in western Europe? How can we support the idea of family responsibility if at an incredibly early age we start treating the child who has committed an offence as some kind of criminal standing on his own? I realise that there are risks and I understand that in Scotland at this very time some of the children's panels are anxious lest some of their agreed treatment procedures are oppressive, but they are not questioned because there has grown up a culture of not questioning. Perhaps some should be taken to the sheriff for examination on a voluntary basis to make sure that that is not the case. However, that is a minor matter. I agree with my hon. Friend the Member for Chislehurst (Mr. Sims) that we have to support the existing family conciliation services while the rolling programme wanders on.

Every so often in India there is a great ceremony at which an enormous goddess called Juggernaut is taken out of her temple, put on rollers and taken through the streets. Many devotees allow themselves to be crushed to death under the rollers. I cannot believe that it is the Government's intention with their rolling programme to crush to death the existing family conciliation services by starving them of money while they wait for the Newcastle report to be properly evaluated.

Mr. Hinchliffe: We have heard some excellent speeches. The speech of the hon. Member for Mid-Kent (Mr. Rowe) was commendable and raised some important issues. I should like to concentrate on what could be described as practical grass-roots issues rather than the complex legal procedures raised by the Solicitor-General and some hon. Members.

7.45 pm

In Committee our proceedings were dominated by hon. Members who were either magistrates or lawyers. I am aware that I am competing with at least four Opposition lawyers who are trying to catch your eye, Madam Deputy Speaker. I speak as a non-lawyer, but as someone who has had extensive and on occasions bitter experience, especially in the juvenile courts, of social work practice. On the basis of that experience, may I say that the existing system of the administration of child care law is a discredited shambles long overdue for reform. It would be shameful if we were to allow the opportunity presented by the Bill to pass without a clear change in the procedures that are long out-dated for the work that they are expected to do.

[Mr. Hinchliffe]

It is a matter of great regret that the Government have not proposed anything positive. I suspect that what the Minister said today is not much different from what he said in Committee. I am disappointed by that because I think that some Conservative Members, some of whom are not in the Chamber, firmly believe in the principle of the family court system and recognise the major problems.

We all accept that in many ways the Bill is a great step forward. It answers the question about the principle of the welfare of the child and affords protection for children and young persons. It advances in law the rights of children and the rights of parents and carers and other relatives in respect of children. However, the Bill leaves the administration of these important changes in a court system that is clearly a hangover from the past.

In Committee I spoke about my concerns on the practical issues, some of which have been referred to. They certainly concern me and many users of the courts. We should not forget that not many hon. Members have had the experience of being before a juvenile court and having to defend themselves. Not many have had the experience of seeing their children before such courts. Many hon. Members have had experience of being professionals in court, but they have not seen the other side. That is the side that we should consider when we contemplate legislation.

I am worried about the system as it stands and the one that we will have in being to administer the new legislation. First, there is the matter of formality which has already been mentioned. The system that I met as a young social worker was markedly different from my perception. I had been led to believe that the juvenile court was informal and assisted children to bring forward their views and express themselves. My experience of the juvenile court is completely to the contrary. It is a highly formal system and terrifying for young children. I can recall seeing tearful children being made to stand up straight by magistrates who were offended because the child was so embarrassed that he was looking at the floor when speaking. We must aim at a system that assists children in frightening circumstances to express themselves, and that must be done in a caring and effective way rather than in a daunting way.

In Committee I mentioned the matter of sensitivity in dealing with children and families. Some hon. Members have spoken about the adversarial system. In Committee I spoke about giving evidence in a serious case of sexual assault on two young children. I was asked to give detailed evidence about the assaults in front of the two children. I objected, but I was forced by the magistrate to give evidence. That is not on, and it is not the kind of system we should have in a civilised country. Vulnerable young children should not be treated in that way. Formality must be tackled as a matter of urgency.

The other issue that caused some offence to one or two hon. Members who were magistrates was that many people who administer justice, particularly in magistrates courts and juvenile courts, have no insight whatever into the lives of the people with whom they are dealing. They do not come from areas where children have the problems that lead them to end up in juvenile courts.

I know that the hon. Member for Batley and Spen (Mrs. Peacock) was deeply offended when in Committee I referred to flowery hatted magistrates, and she continues to assure me that she does not possess a flowery hat even though she is a magistrate. However, she took the point that magistrates come from certain parts of the community and tend not to be a reflection of the people brought before the courts. We must challenge that and then tackle it. Many benches are unrepresentative of local communities and have no insight into the problems that cause people to end up in juvenile courts.

The hon. Members for Mid-Kent and for Ynys Môn (Mr. Jones) referred to the physical conditions of many courts. People have to wait in appalling conditions to make a daunting and frightening appearance in court, often with the people whom they are opposing.

The pressure and the demands on the court system have a bearing on the way people are treated. Although the Government are not introducing the necessary reforms, I hope that they have given some thought to the pressures that the Bill will place on the court system. I can see that huge increases in the workload will result from the emergency protection orders, and the appeals that will result from the Bill.

As my hon. Friend the Member for Monklands, West (Mr. Clarke) said, we must look at the Scottish system. Through the auspices of my hon. Friend the Member for Aberdeen, South (Mr. Doran), I was fortunate enough to make a visit to see the Scottish children's panel in operation. That was an education, because it was a completely different from a court hearing in the juvenile court system in England and Wales. It was like a breath of fresh air, because it was informal and sensitive and allowed the child, in a non-threatening situation, to express his views. It was non-adversarial and it offered a lot at which we should look. Our colleagues from Scotland should not be afraid to boast about what they have. They are asking how they can improve on that and we are a long way behind them. We should look to Scotland for a lead, particularly on a family court system.

The central issue is that we need a court system for children that, like the Scots system, has at its heart not the convenience of lawyers, magistrates, police and social workers but the central principle that underlies the Bill —the welfare of the child. We are long way from that principle with the system as it stands. New clause 1 sets out the principles that should underpin the legal system dealing with children, young persons and families. It also sets out the principles that would underpin the operation of the family court system that we envisage, identifies the welfare of the child, and avoids unnecessary formality, which inhibits and confuses most children. It also reduces delay and inconvenience to the public, which often occurs as a result of the way that cases are handled, reducing the harm to children and families that comes from the system. The court system's purpose is to help young children, but when they are involved in it, they suffer. Another vital principle is the introduction of conciliation into our method of resolving disputes. That seems an obvious thing to do.

I urge the Government to rethink their position. I am unhappy that new clause 23 and the Bill do not include the central principle that all Labour Members, and many Conservative Members, believe should be included in the court system to administer the Bill. It may be another 10 years before we get the chance to debate a similar Bill. It is crucial that we do not sit back and set up committees on

rolling programmes. Instead we should get down to business, bring about the procedures for these reforms, and include them in the Bill.

Mr. Fearn: My party has campaigned for many years for the introduction of a family court. I remember standing up in Southport district council in 1974 to speak on the Finer report and to support family courts. This is far from being a new subject, but we are still debating it.

We are all aware of how the present system of numerous courts dealing with family matters causes confusion and distress for families. In many cases, the children suffer most. Therefore, it is right to attempt to clarify the Government's position on the family court. Under the Bill, the interests of the child are paramount, and that lies at the heart of all the calls for a family court. By providing for the introduction of concurrent jurisdictions, the Bill may go some way to improving the legal and administrative tangle in which families are so often caught. However, because of so much reliance on secondary legislation, that cannot be guaranteed and the results may be worse.

The Bill does not go far enough. The adversarial nature of the British legal system—there must be a winner and a loser—is often at the root of the problem. Many cases dealing with some element of family life do not need a formalised court hearing. What is required is the ability to arrive at the truth in a fair, comprehensible and civilised manner, which would lead all the parties, including the children, to believe that they had had a fair hearing that would allow a proper assessment of what was in the child's best interests. A family court is the only way to achieve that.

A separate family court that would also cover young offenders would help to reduce delay in cases involving children. It would prevent cases from being allocated to an inappropriate level of court, and would prevent bottlenecks from arising because of other cases fighting for priority. In some areas, the courts are already severely overburdened, with devastating consequences.

A family court system with proper and adequate auxiliary services, such as conciliation, mediation, probation and welfare services, would prevent family problems from being dealt with on a piecemeal basis, would allow the whole picture to be considered and would allow for many cases to be resolved before coming to court. It would also enable the judiciary and other members of the legal profession to build up expertise in all sorts of family problems.

On the whole, there is much common ground between all parties and among the public. It is generally accepted that the best people to resolve problems concerning the needs of children are the parties involved. However, occasionally the state must intervene to protect the welfare of children. That must be done within a coherent framework of services and, whenever possible, with the agreement of those involved. That could be achieved by creating a properly resourced and serviced family system. The system that the Solicitor-General has set out is not a family court.

The arguments in favour of such a system are well known to all hon. Members. Although I welcome the Government's moves towards the family proceedings court, and understand to some extent their desire for gradual reform, I believe that family courts are an important factor in safeguarding and promoting the welfare of children and their families. Delay is not justified, but delay is what we are getting tonight. It may be 15 years before the rolling programme brings forth the priorities that we need. The time is now right to make that commitment and set the reform in motion.

Mr. Vaz: In Committee, the Solicitor-General coined the memorable phrase "an all-singing, all-dancing, family court". When he started his speech, and busied himself around the Dispatch Box looking for his notes, I thought that he was giving us an example of what the all-singing, all-dancing court would look like.

The scenario put forward by the hon. Member for Mid-Kent (Mr. Rowe) of the Solicitor-General standing on rollers being pushed down the hill as devotees sing around him as a metaphor for the rolling programme is an interesting spectacle. If the Solicitor-General has listened to the speeches tonight, as I am sure that he has, he will have found himself in a minority of one. I suppose that, as he is in the Government of a Prime Minister who decides that a vote of 48 to one at the Commonwealth conference is a victory, he will apply the same criteria and say that he has won the debate on his arguments.

My hon. Friend the Member for Monklands, West (Mr. Clarke) quoted St. Augustine and talked about chastity. The Solicitor-General is like a reluctant legal virgin, unwilling to take the final step that is necessary to bring him close to us on ideas on the family courts. He introduced the extraordinary phrase in Committee about the rolling programme, and I pressed him as to what that was. It is a remarkable programme with no real beginning and no real end. There is no timetable, just loose criteria based on the points that the Solicitor-General mentioned earlier.

8 pm

The Bill has, for the most part, achieved a large degree of consensus. The Standing Committee divided on only a few occasions, and I suspect that there will be few Divisions on Report. Nevertheless, this is one of those occasions. Before I was elected to the House I was a senior solicitor for a London borough. I must tell my hon. Friend the Member for Wakefield (Mr. Hinchliffe)—and it is a confession to appease him—that I have never been a private solicitor taking private fees; I have always worked in the public service for various local authorities. As someone involved in child-care law, I saw this Bill as a great, historic opportunity to achieve a unified family court system—but we are being bought off. I hope that some Conservative Members will join us in the Lobby when we divide on this matter, especially the hon. Members for Mid-Kent (Mr. Rowe), for Stockton, South (Mr. Devlin) and for Batley and Spen (Mrs. Peacock), who all spoke eloquently about the need for family courts. We shall have to wait to discover whether they will vote with us or whether the holiday in Bermuda offered to the hon. Member for Stockton, South has been accepted.

It is 100 years since family law has been considered as carefully as it has been during the passage of the Bill. We are all aware of the historic nature of our work. I agree with my hon. Friend the Member for Wakefield that the opportunity to act may not arise for a decade, although I think that it will be even longer than that. Unfortunately, these issues are too low down the political agenda for Governments to include them in their programmes. Despite the eloquence of my hon. Friend the Member for

[Mr. Vaz]

Monklands, West and the fervour with which he will no doubt carry out his tasks as Minister of State in the next Labour Government, he will have to fight very hard to get these matters debated early in the programme of that Government.

The Solicitor-General, as a lawyer, must know that it is necessary to have a timetable. It is always good to end something that has been started. It is a reasonable suggestion and I hope that he will be teased into commenting on it when he replies to the debate. He said that, as yet, the substantive law is not quite right, but when it is that will be the time for a change in court structure. As many hon. Members have already said, the Bill will become law shortly—including, I hope, Opposition amendments. Its passage is almost a foregone conclusion—if saying that does not usurp the authority of the House—and there will be in place a substantive and radical piece of law that will repeal six statutes and amend a further 30.

It is only reasonable to consider the question of structure, and surely it is best to do so at the same time as considering the substance. I think that that is the sensible way to proceed, but unfortunately the Solicitor-General does not agree with me. We accept all that he said about the need for special training for magistrates and for those who will assist in the processing of cases. We agree that the new proposals in clause 67 will provide the opportunity to switch jurisdictions between courts. The hon. and learned Gentleman claims to have the support of the president of the Family Division, who has said that we now have a family court in all but name. If that is the only problem, I urge him to take that little step forward.

The hon. and learned Gentleman said that we cannot change procedures because certain courts have petitions while others have summonses, yet he is proposing to do just that by changing the way that evidence will be made available to the domestic courts. He mentioned the introduction of affidavit evidence and of magistrates considering evidence well in advance. That is a substantial change in procedure, and if he is prepared to go that far, he should go just that little step further.

I listened carefully to my hon. Friend the Member for Aberdeen, South (Mr. Doran), although I did not think it the appropriate time to raise the matters that he did. I accept that he was entitled to do so, but I disagreed with everything that he said about transracial adoption. If we are to consider questions of creed and linguistics, we must also consider the question of race. However, that is a larger argument which is not really relevant to a discussion about family courts. My hon. Friend and I must discuss the matter later, when I shall try to convince him of my view and he can try to convince me of his. My experience as a solicitor at the juvenile court in Islington was of enormous pressures being placed on children. That led me to believe that the only solution would be a unified family court and conciliation system. Children in court settings have to face the terrible experience of hardship and bitterness. Time and again I would turn up at the courts, there would be an adjournment and the children would have to wait almost all day before the hearing for interim orders, full-care orders or supervision orders. They would then have to return to the court 28 days later.

I acknowlege that the Government have recognised the problem and I supported the Solicitor-General when he moved amendment No. 37, which sought to reduce delays. We supported the idea of a timetable for cases that will be made possible by the rules of court, which is important, but the best way to solve the problems of delay is to have a family court system with properly trained magistrates and clerks who understand the nature of what is at stake.

I and the hon. Member for St[illegible]ton, South—it sounds like a mutual admiration society, but this is probably the only legislation on which we will agree during our time in Parliament—rue the fact that wardship jurisdiction will be abolished by the Bill. I have an affection for wardship because I believe that it allows for a better system of justice. I should have liked to have a family court system along the lines of the system in the High Court, with experienced judges of the Family Division having affidavit evidence placed before them.

Mr. Devlin: I understand that while I was out of the Chamber the hon. Gentleman expressed the concern that I might have disappeared to Bermuda. I assure him that I had only gone to pick up the ticket. He mentioned our mutual admiration society, and indeed I rushed back from the other end of the building as soon as I saw his name on the monitor. I agree that wardship should have been retained. It proved to be an invaluable part of the proceedings in Cleveland. Had children not been put in wardship during that unfortunate crisis, we would probably never have had the matter sorted out. As I said in Committee, I regret the Government's view that wardship should be phased out.

Mr. Vaz: I am glad that the hon. Gentleman returned to the Chamber rather than going to Bermuda. I hope that he will join the Opposition in the Lobby and support new clause 1.

I agree with the comments of some hon. Members about the way in which the courts operate. The juvenile and domestic courts in Leicester are prime examples of the problems and the pressures on families. There is only a small room in which more than 70 people, including children, have to wait for their cases to be called, and only one court is available. No refreshments are available, there are no telephone facilities and there is no appointments system. All that adds to the burden on families.

If the Solicitor-General were to say tonight that the reason that he could not introduce the measure was because it would cost more, I should refer him to the points made by so many people and especially to the report of the Chartered Institute of Public Finance and Accountancy and to the document "The Price is Right", named after a popular quiz show, which suggested that there would be savings of more than £10 million. If he is afraid that the Chancellor will say that he has not enough money to pay for the new system, I suggest that he hand the Chancellor a copy of that document, which will show the tremendous savings to be made if the system is introduced.

We need to bring the many aspects of children's legislation into a single system. Wardship, adoption, divorce, custody, access, maintenance, domestic violence, guardianship, affiliation and care orders are all aspects of law and social policy that affect children directly. If the Solicitor-General does not accede to the demands of new clause 1—if he continues to maintain that the change of name that he proposes in Government amendment No. 353 meets the requirements laid down by hon. Members,

the family courts campaign and other outside organisations—I feel that he should reconsider the Government's proposals. Merely changing the name will not solve the problem. If he does not reconsider, the hon. and learned Gentleman will go down as the first Solicitor-General in history who has introduced such a radical measure and then sabotaged it because he has not the courage, or perhaps the political muscle, to go a step further and introduce a new system that will ensure that the Bill—many parts of which we support—constitutes an effective body of law.

Mr. Doran: Many powerful speeches have been made on both sides of the House in favour of the family court system, and I do not intend to repeat points that have already been made. I should like, however, to speak from the perspective of one who has specialised in family and child care law for many years, and also from the Scottish perspective.

I was pleased to hear the compliments that have been paid to the children's hearing system, in which I worked for some 12 years as a solicitor employed both in private practice and by a local authority. I am mystified by the fact that, after all our years of experience of the Scottish system—which got under way in 1971—a similar system has still not been introduced in England and Wales. After reviewing the literature, I have concluded that the only reason why it has not is that the magistrates are far too powerful a lobby to be overcome, and that they want to keep the jurisdiction for themselves. What the Government do not perceive is the damage being done to families and children in the process.

I listened carefully to what the Solicitor-General had to say, and I should like now to deal in particular with two points that he made. He said that those of us who see the need for a family court consider the problem institutional rather than functional. I consider that rather an insult: it suggests that we ignore the reality of the present system as it affects those who must appear in court, both children and adults. It also assumes that we are talking in a vacuum, which we are not. We have experience both of the damage done to families and children by the present system, and of the Scottish system. But I do not want merely to praise the Scottish system; I want to put on the record something of what it means in practice.

The Scottish system is informal in that the legal process is separate from the actual hearing and disposal of a case. Every local authority area is required to have a children's panel, consisting of people chosen from and intended to reflect the community, lending an element of democracy to the procedure: lay people are exercising the juvenile justice and child care systems.

Every children's panel is split up into children's hearings, which hear individual cases. The hearings comprise three members, one of whom must be female and one of whom is elected as chair. My hon. Friend the Member for Wakefield (Mr. Hinchliffe) described his experience of attending a children's hearing in Edinburgh, and I understand why he felt that that was a breath of fresh air. Such an informal set-up, with parents and children sitting around a table with the members of the hearing and everyone not only allowed the opportunity to state his point of view but encouraged to do so, would come as almost a cultural shock to someone who had grown up in the English system—or, as did my hon. Friend the Member for Monklands, West (Mr. Clarke) with the old Scottish juvenile justice system. Decisions are not imposed on people; they discuss the disposal by the hearing, and are involved in decision making. That, I think, is crucial.

8.15 pm

It is also important to emphasise, as did the hon. Member for Mid-Kent (Mr. Rowe), the importance of the Kilbrandon report. Let me here record the sad death of Lord Kilbrandon a few weeks ago, and the debt owed to him by the Scottish legal profession—and, I am sure, the social workers—for his legacy of the children's hearing system. As long ago as 1964, the Kilbrandon committee saw the necessity of bringing together children who were in need of care and treatment because they had been neglected or abused by parents, and those in need of such care and treatment because they had offended. The two should not be distinguished, and following the report they were dealt with in exactly the same way. That was a fundamental reform in Scots law, and it is the essence of the children's system. The English system seems incapable of similar action: it still forces children to appear before a court. This may be a newly contrived court with a different name in an attempt at subtlety, but the old formality will remain, as will magistrates with no real training or experience of the problems faced by families.

The Solicitor-General—still basing his remarks on the view that Opposition Members see the problem as institutional—spoke of the difficulties that he has faced in considering the concept of a family court. It seems to me that he himself saw the problems in an institutional context: he confused the need for procedural reform with the need for legal reforms in many other spheres—divorce, for instance, and matrimonial violence.

Surely it would not be very difficult to establish what should be the jurisdiction of a family court: to establish the rules for such a court, and to change the law in other areas later. I see no need or justification for saying that the whole idea of a family law must wait on the stocks until we have reformed divorce law. What must be reformed are the rules of court relating to divorce. If it seems appropriate to make what I would describe as the cosmetic changes announced by the Solicitor-General today and in Committee, it surely would not be difficult to establish a family court. Let us by all means make other essential changes later.

I have wrestled with the difficulty that faces me, as a Scots lawyer with experience of the children's hearing system—containing, as it does, informality and a lay element—when it is clearly intended to retain the formal court system to deal with children's cases. I feel that a hybrid system is needed; certainly I do not wish to see the end of the important lay element in the Scottish system.

A few years ago I worked on the idea of a family tribunal, similar to the industrial and employment tribunals. In my view, we must retain the legal element simply because of the many important legal questions that come before the courts. None of the speakers today, apart from the Solicitor-General, has suggested that the present system which operates in England and Wales should be retained. They realise the need for informality, to remove the barriers and to encourage the proper sensitive solution of cases rather than throwing them to the mercies of the adversarial system. A hybrid sytem with the best of both systems which retained the legal element but introduced a

[Mr. Doran]

lay element should be explored. The Bill does not do that, but it goes some way towards recognising the need for radical change.

I catalogued my experience in child and family law in Scotland before going on to the meat of what I had to say. I have another relevant experience to bring to today's debate, and that is as a child witness before a court in Scotland. At the age of eight I was the victim of an assault and was required to appear in the sheriff court at Edinburgh. I have never forgotten the terror that I felt as a young child standing in the witness box and being required to answer questions from the bench and from the solicitor who defended the woman who had assaulted me and from the prosecutor. It is a terror which I have seen since in children I have taken to court to meet the judge when, for example, there has been a dispute over custody and the presence of the children has been required by the judge because they were old enough to express a view. It is a terror which every child who appears before the juvenile courts in England must face today. I want to see it stopped, and that is why I will support new clause 1.

Mr. Stuart Bell (Middlesbrough): I am grateful for the opportunity to follow my hon. Friend the Member for Aberdeen, South (Mr. Doran). In his short speech, he brought to the House his own experience as a child, and reflected on the trauma that he felt and that he saw other children experience when they had to appear in court.

I shall begin my speech by speaking directly to the Solicitor-General. After listening to my hon. Friend the Member for Leicester, East (Mr. Vaz), I felt that the Solicitor-General is a much-maligned man, having to suffer many of the slings and arrows of Opposition fortune. I should like to congratulate him on keeping the promises that he made in Committee. He made a series of commitments to family courts and he has fulfilled them in schedule 9 and new clause 18. I am grateful to him for keeping his promises. Politicians are not supposed to keep promises. The Solicitor-General is a politician as well as being a Law Officer and he kept his promise.

My hon. Friend the Member for Monklands, West (Mr. Clarke) made a vigorous speech enunciating his opposition to what the Government were doing and making the strong policy commitment that the Labour party has to a family court. He called the Bill a "lost opportunity". He said that the Solicitor-General had produced a "small little mouse" by way of a family court. I accept that we are unifying the jurisdictions of the High Court, the county court and the magistrates court. That is a welcome step, but I believe that the Solicitor-General has builded a small and modest house.

I should point out to the Solicitor-General that it is always a risky business to make one major reform, such as the creation of a family court, dependent upon other reforms. As the hon. Member for Chislehurst (Mr. Sims) will understand, it has taken so long to bring forward the Children Bill because a whole series of investigations and commissions were looking at children's rights. We had the Law Commission and other reviews and each Lord Chancellor waited for the outcome of the next review before the Children Bill was produced.

I shall make a great effort not to mention Cleveland. I will leave that to my hon. Friend the Member for Monklands, West, but a steer had to be given to the variety of commissions before the Children Bill was produced. If we have to wait for the Law Commission's proposals on divorce and adoption, we may have to wait a long time. We shall also have to wait for the working party to which the Solicitor-General referred, and which is a novel arrangement, to produce its conclusions. It is not as if we do not have a divorce law. We have divorce law and proceedings in relation to conciliation, we have adoption laws and laws dealing with access and matrimonial violence. Why do we have to wait until the Law Commission's report on all those matters before we take the bold step of creating family courts? That is why I and my colleagues support new clause 1 which is in our names and, as the hon. Member for Stockton, South (Mr. Devlin) said, was in his name and that of the hon. Member for Batley and Spen (Mrs. Peacock) in Committee.

The debate has referred to the Finer committee on which we had a great discussion in Committee. When the Solicitor-General referred to the new working party that he was setting up, he did not take up one of the recommendations of the Finer committee which was that there should be a close relationship with social security law. Perhaps the Solicitor-General should look again at that recommendation by the Finer committee and add it to the working party discussions. We do not want to overburden the working party, but we want a family court that reflects the considerations of the Finer committee.

Finally, I should like to refer to what the hon. Member for Chislehurst said. He said that the Committee had a great consensus and was essentially a non-political committee. We made many references to resources, which have been mentioned again tonight. If the Opposition were in government we would put more resources into child care than the present Government are doing.

It is clear that we shall be dividing the House on the issue. The hon. Member for Stockton, South said that my hon. Friend the Member for Monklands, West had referred to his speech in Committee which was a felicitous speech. I appeal to the hon. Members for Stockton, South, for Chislehurst, for Batley and Spen and for Mid-Kent (Mr. Rowe). If they wish to show clearly their own personal commitment to a family court they should join us in the Lobby and vote for our new clause.

The Solicitor-General: First, I am grateful to the hon. Member for Middlesbrough (Mr. Bell) for his opening remarks, although I must disagree with his closing remarks. The Government have fulfilled their engagements given in Committee. Although it is in his absence, let me draw on the words of the hon. Member for Leicester, East (Mr. Vaz). The Government have put in place a radical and substantial piece of law. When we enact the Bill, it should be recognised on both sides of the House that that is exactly what we have done.

One of the difficulties is that discussion on family courts tends to be long on rhetoric and short on thought. Quite frankly, I must say that very firmly about the speech of the hon. Member for Monklands, West (Mr. Clarke). The speeches that suggest that hon. Members should support in the Lobby the Opposition clause instead of the Government's clause are, frankly, misguided.

The first point to recognise, and the hon. Member for Middlesbrough will recall this as he at least has researched these matters, is that it was Finer himself who recognised that a family court would have to apply a single unified body of substantive law. I have constantly reiterated the

fact that we are creating in the Bill a single unified body of substantive law in relation to this aspect of children's law, and to that extent we can and shall create a unified jurisdiction and those aspects of what might be described as a family court.

Mr. Vaz: When?

8.30 pm

The Solicitor-General: I will answer the hon. Gentleman. I have had the oportunity to look at the Labour party's own clause—new clause 1—which would be brought into force in not more than 18 months, and then there are the allotted rules of court to be made. Within that time scale—about two years— the House can expect the provisions of the Children Bill to be up and running and in effect. I did not give a time scale for the further rolling programme because that programme goes into wider aspects of family law where we have to do exactly what Finer said and create a single unified body of substantive law.

By the time that two years is up we can expect to be well down the road. We will have had two or three reports from the Law Commission. We will have considered with constructive care the Newcastle university reports on conciliation. The hon. Member for Ynys Môn (Mr. Jones), who has paid a good deal of attention to the debate, asked when the Newcastle report will be published. That is an example of the amount of thought that has been given to this Bill. The report was published last spring, and I am rather surprised that he has not read it.

Labour's new clause 1 contains perfectly reasonable hopes, which we will very largely fulfil by our substantive clauses, but they are no more than hopes.

The hon. Member for Monklands, West referred to other jurisdictions. He mentioned Australia as being in the forefront, but he should be aware of the major difficulties that Australia has had with its family courts—perhaps New Zealand would be a better model.

The hon. Member for Monklands, West referred to the family and conciliation. It is interesting that new clause 1 applies those aspects only to part II, when they are quite clearly equally applicable to part I.

The truth of the matter was brought out by my hon. Friend the Member for Stockton, South (Mr. Devlin), when he said that, in new clause 1, the Labour party intends to divide the House upon something that is no more than the clause that he put down for probing purposes in Committee. That illustrates the barrenness of the Opposition's stance.

Mr. Tom Clarke: The Labour party made it quite clear from the beginning that it was no disgrace to look for consensus on an issue where we were assured that consensus existed. New clause 1 reflects the all-party view expressed in Committee. The difference between the Labour party and the Government—and I now know what it feels like to be savaged by a dead mouse—is that we are honouring the commitments that we gave.

The Solicitor-General: I am grateful to the hon. Member for Monklands, West for that intervention, which says little more than his earlier speech.

The Bill produces major changes in substantive law on children, in jurisdiction and in court structure to enable the family court concept to come into effect in care and family proceedings. I commend the Government's new clause and amendments warmly to the House.

Amendment agreed to.

Amendments made: No. 354, in page 149, line 18, column 3, at beginning insert—

	'Section 1(4)(a). Section 5(2)(d).'.

No. 355, in page 151, line 9, at end insert—

'1972 c. 18.	The Maintenance Orders (Reciprocal Enforcement) Act 1972.	Section 41.'.

No. 250, in page 151, line 10, leave out 'paragraph' and insert 'paragraphs 4 and'.

No. 249, in page 151, column 3, leave out lines 14 and 15 and insert—

	Sections 42 to 44. In section 52(1), the definition of "custody". In Schedule 2, paragraph 11.'.

No. 446, in page 151, line 16, at end insert—

'1973 c. 45.	The Domicile and Matrimonial Proceedings Act 1973.	In Schedule 1, in paragraph 11(1) the definitions of "custody" and "education" and in paragraph 11(3) the word "four".'.

No. 451, in page 151, line 43, column 3, at end insert

	'In section 28(5), the words "or the organisation".

'.

No. 452, in page 151, line 54, after 'safety' insert ', in the definition of "local authority" the words from "and" to the end'

No. 437, in page 151, leave out line 59 and insert '11, 19, 21 and 22.'

No. 251, in page 152, line 16, leave out 'paragraph' and insert 'paragraphs 10 and'.

No. 252, in page 152, column 3, leave out lines 18 to 20 and insert—

	'Sections 9 to 15. In section 19, in subsection (1) the words "following powers, that is to say" and sub-paragraph (ii), subsections (2) and (4), in subsection (7) the words "and one interim custody order" and in subsection (9) the words "or 21". In section 20, subsection (4) and in subsection (9) the words "subject to the provisions of section (11)8 of this Act". Section 21.

[The Solicitor-General]

	In section 24, the words "or 21" in both places where they occur.
	In section 25, in subsection (1) paragraph (b) and the word "or" immediately preceding it and in subsection (2) paragraphs (c) and (d).
	Section 29(4).
	Sections 33 and 34.
	Sections 36 and 53.
	Sections 64 to 72.
	Sections 73(1) and 74(1) and (3).
	In section 88(1), the definition of "actual custody".
	In Schedule 2, paragraphs 22, 23, 27, 29, 31, 36, 41 to 43, 46 to 50.'

No. 453, in page 152, line 25, column 3, at end insert—

	'In section 65(1), in the definition of "local authority", the words from "and" to the end and, in the definition of "specified order", the words "Northern Ireland or".'.

No. 447, in page 152, line 34, column 3, at beginning insert—

	'In section 65(1), paragraphs (e) and (g) and the paragraph (m) inserted in section 65 by paragraph 82 of Schedule 2 to the Family Law Reform Act 1987.
	In section 81(8), in the definition of "guardian" the words "by deed or will" and in the definition of "sums adjudged to be paid by a conviction" the words from "as applied" to the end.
	In section 143(2), paragraph (i).'.

No. 253, in page 152, line 34, column 3, leave out 'paragraph 78' and insert 'paragraphs 78, 83, 91, 92, 110, 116, 117, 138, 157, 158, 165, 166 and 199 to 201'.

No. 438, in page 152, line 40, column 3, at end insert—

	'In Schedule 14, paragraphs 45 and 46.'.

No. 448, in page 152, line 43, column 3, at end insert—

	'In section 28(1), the words "(including an order under section 38 of the Sexual Offences Act 1956)".'.

No. 254, in page 152, line 45, leave out 'and 35' and insert

', 35, 44, 50 and 51'.

No. 439, in page 152, line 58, leave out

'10 to 14, 20, 21'

and insert

'9 to 14, 20 to 24, 27, 28, 34, 37'.

No. 440, in page 153, line 3, leave out from '48' to end of line 5.

No. 454, in page 153, line 7, column 3, at beginning insert—

	"In section 118(1) in the definition of parent or guardian, paragraph (b) and the word "and" immediately preceding it.'

No. 255, in page 153, line 7, leave out 'and 16' and insert ', 16 and 17'.

No. 256, in page 153, line 7, at end insert—

'1984 c.23.	The Registered Homes Act 1984.	In Schedule 1, in paragraph 5, sub-paragraph (a) and paragraphs 6, 7 and 8'.

No. 357, in page 153, line 7, at end insert—

'1984 c.37.	The Child Abduction Act 1984.	In section 3, the word "and" immediately preceding paragraph (c).
		In the Schedule, in paragraph 1(2) the words "or voluntary organisation" and paragraph 3(1)(e).'
'1984 c.42.	The Matrimonial and Family Proceedings Act 1984.	In Schedule 1, paragraphs 19 and 23.'.

No. 358, in page 153, line 7, at end insert—

'1984 c. 56.	The Foster Children (Scotland) Act 1984.	In section 1, the words "for a period of more than 6 days" and the words from "The period" to the end.
		In section 7(1), the word "or" at the end of paragraph (e).
		In Schedule 2, paragraphs 1 to 3 and 8.'.

No. 441, in page 153, line 7, at end insert—

'1984 c. 28.	The County Courts Act 1984.	In Schedule 2, paragraph 56.'.

No. 238, in page 153, line 8, column 3, at beginning insert—

	'Section 39(5).
	In section 37(15), the words "and is not excluded from this Part of this Act by section 52 below".
	Section 52.'.

No. 257, in page 153, line 11, leave out 'paragraph 19(a)' and insert 'paragraphs 19(a) and 22'.

No. 449, in page 153, line 15, column 3, at beginning insert—

	'Section 9(c). Section 20(2)(b) and (c).'

No. 450, in page 153, line 15, column 3, at end insert—

	'and (5). In Schedule 3, paragraph 1(2).'

No. 442, in page 153, line 23, at end insert—

'1986 c. 45.	The Insolvency Act 1986.	In section 281(5)(b), the words "in domestic proceedings".
1986 c. 50.	The Social Security Act 1986.	In Schedule 10, paragraph 51.
1986 c. 55.	The Family Law Act 1986.	In section 1(2), in paragraph (a) the words "(a) or" and paragraph (b). Section 3(4) to (6). Section 4. Section 35(1). In section 42(6), in paragraph (b) the words "section 42(6) of the Matrimonial Causes Act 1973 or", in paragraph (c) the words "section 42(7) of that Act or", and in paragraph (d) the words "section 19(6) of the Domestic Proceedings and Magistrates' Courts Act 1978 or". In Schedule 1, paragraphs 10, 11, 13, 16, 17, 20 and 23.'.

No. 433, in page 153, line 25, column 3, leave out lines 25 to 27 and insert—

	'Section 4 to 7. Sections 9 to 16.'

No. 444, in page 153, line 28, leave out 'paragraph 11' and insert 'paragraphs 11, 14, 51, 67, 68, 94 and 95. In Schedule 3, paragraphs 11 and 12'.

No. 239, in page 153, line 28, at end insert—

Page 153, line 28, at end insert—

'1988 c. 34.	The Legal Aid Act 1988.	Section 3(4)(c). Section 27. Section 28. In section 30, subsections (1) and (2). In Part I of Schedule 2, paragraph 2(a) and (e).'.—*[Mr. Mellor.]*

New Clause 1

Family Courts

'(1) Within each county court and magistrates court there shall be created a family division which, together with the Family Division of the High Court, shall operate as a Family Court.

(2) The Lord Chancellor shall by rules of court specify the procedures to be followed in order to—

(a) identify the welfare of the child;

(b) avoid unnecessary formality;

(c) reduce delay and inconvenience to the public in resolution of family disputes;

(d) reduce the harm to children and families resulting from the court process and

(e) introduce conciliatory methods of dispute resolution.

(3) There shall be a welfare and conciliation service attached to the Family Court and it shall include—

(a) guardians *ad litem* and reporting officers;

(b) a family conciliation service in respect of children subject to proceedings under part two.

(c) social workers appointed to report to the court in proceedings under part two.

(4) This section shall come into force on such day as the Secretary of State may appoint, being not later than eighteen months after the Children Act receives Royal Assent.'.—*[Mr. Tom Clarke.]*

Brought up, and read the First time.

Question put, That the clause be read a Second time:—

The House divided: Ayes 180, Noes 222.

Division No. 332] **[8.34 pm**

AYES

Abbott, Ms Diane	Fisher, Mark
Adams, Allen *(Paisley N)*	Flannery, Martin
Allen, Graham	Flynn, Paul
Alton, David	Foot, Rt Hon Michael
Anderson, Donald	Foster, Derek
Armstrong, Hilary	Foulkes, George
Ashley, Rt Hon Jack	Fyfe, Maria
Ashton, Joe	Galloway, George
Banks, Tony *(Newham NW)*	Garrett, John *(Norwich South)*
Barnes, Harry *(Derbyshire NE)*	Garrett, Ted *(Wallsend)*
Barnes, Mrs Rosie *(Greenwich)*	George, Bruce
Barron, Kevin	Gilbert, Rt Hon Dr John
Battle, John	Godman, Dr Norman A.
Beckett, Margaret	Golding, Mrs Llin
Bell, Stuart	Gordon, Mildred
Benn, Rt Hon Tony	Gould, Bryan
Bennett, A. F. *(D'nt'n & R'dish)*	Grant, Bernie *(Tottenham)*
Bermingham, Gerald	Griffiths, Nigel *(Edinburgh S)*
Bidwell, Sydney	Griffiths, Win *(Bridgend)*
Blair, Tony	Hardy, Peter
Blunkett, David	Harman, Ms Harriet
Boyes, Roland	Hattersley, Rt Hon Roy
Bradley, Keith	Healey, Rt Hon Denis
Bray, Dr Jeremy	Heffer, Eric S.
Brown, Gordon *(D'mline E)*	Hinchliffe, David
Brown, Nicholas *(Newcastle E)*	Hogg, N. *(C'nauld & Kilsyth)*
Buckley, George J.	Home Robertson, John
Campbell, Ron *(Blyth Valley)*	Howarth, George *(Knowsley N)*
Campbell-Savours, D. N.	Howells, Geraint
Carlile, Alex *(Mont'g)*	Howells, Dr. Kim (Pontypridd)
Clark, Dr David *(S Shields)*	Hughes, John *(Coventry NE)*
Clarke, Tom *(Monklands W)*	Hughes, Robert *(Aberdeen N)*
Clay, Bob	Hughes, Sean *(Knowsley S)*
Cleiland, David	Illsley, Eric
Clwyd, Mrs Ann	Ingram, Adam
Cohen, Harry	Jones, Barry *(Alyn & Deeside)*
Cook, Frank *(Stockton N)*	Jones, Ieuan *(Ynys Môn)*
Cook, Robin *(Livingston)*	Kirkwood, Archy
Corbett, Robin	Lambie, David
Corbyn, Jeremy	Lamond, James
Crowther, Stan	Leadbitter, Ted
Cryer, Bob	Leighton, Ron
Cummings, John	Lestor, Joan *(Eccles)*
Cunliffe, Lawrence	Lewis, Terry
Darling, Alistair	Litherland, Robert
Davies, Rt Hon Denzil *(Llanelli)*	Lloyd, Tony *(Stretford)*
Davies, Ron *(Caerphilly)*	Lofthouse, Geoffrey
Davis, Terry *(B'ham Hodge H'l)*	Loyden, Eddie
Dewar, Donald	McAllion, John
Dixon, Don	McAvoy, Thomas
Dobson, Frank	McCartney, Ian
Doran, Frank	Macdonald, Calum A.
Dunwoody, Hon Mrs Gwyneth	McKelvey, William
Eadie, Alexander	McLeish, Henry
Eastham, Ken	McNamara, Kevin
Evans, John *(St Helens N)*	Madden, Max
Ewing, Harry *(Falkirk E)*	Mahon, Mrs Alice
Fearn, Ronald	Marek, Dr John
Field, Frank *(Birkenhead)*	Martlew, Eric
Fields, Terry *(L'pool B G'n)*	Maxton, John

Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr.Martyn Jones.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael *(Brigg & Cl'ts)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Latham, Michael
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Sainsbury, Hon Tim
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Waddington, Rt Hon David
Waller, Gary
Widdecombe, Ann
Wiggin, Jerry
Yeo, Tim

Tellers for the Noes:
Mr. Michael Fallon and
Mr. Tom Sackville.

Question accordingly negatived.

New Clause 23

Rules of Court

.—(1) An authority having power to make rules of court may make such provision for giving effect to—

(a) this Act;

(b) the provisions of any statutory instrument made under this Act; or

(c) any amendment made by this Act in any other enactment,

as appears to that authority to be necessary or expedient.

(2) The rules may, in particular, make provision—

(a) with respect to the procedure to be followed in any relevant proceedings (including the manner in which any application is to be made or other proceedings commenced);

(b) as to the persons entitled to participate in any relevant proceedings, whether as parties to the proceedings or by being given the opportunity to make representations to the court;

(c) with respect to the documents and information to be furnished, and notices to be given, in connection with any relevant proceedings;

(d) applying (with or without modification) enactments which govern the procedure to be followed with respect to proceedings brought on a complaint made to a magistrates' court to relevant proceedings in such a court brought otherwise than on a complaint;

(e) with respect to preliminary hearings;

(f) for the service outside the United Kingdom, in such circumstances and in such manner as may be prescribed, of any notice of proceedings in a magistrates' court;

(g) for the exercise by magistrates' courts, in such circumstances as may be prescribed, of such powers as may be prescribed (even though a working party to the proceedings in question is outside England and Wales);

(h) enabling the court, in such circumstances as may be prescribed, to proceed on any application even though the respondent has not been given notice of the proceedings;

(i) authorising a single justice to discharge the functions of a magistrates' court with respect to such relevant proceedings as may be prescribed;

(j) authorising a magistrates' court to order any of the parties to such relevant proceedings as may be prescribed, in such circumstances as may be prescribed, to pay the whole or part of the costs of all or any of the other parties.

(3) In subsection (2)—

"notice of proceedings" means a summons or such other notice of proceedings as is required; and "given", in relation to a summons, means "served";

"prescribed" means prescribed by the rules; and

"relevant proceedings" means any application made, or proceedings brought, under any of the provisions mentioned in paragraphs (a) to (c) of subsection (1) and any part of such proceedings.

(4) This section and any other power in this Act to make rules of court are not to be taken as in any way limiting any other power of the authority in question to make rules of court.

(5) When making any rules under this section an authority shall be subject to the same requirements as to consultation (if any) as apply when the authority makes rules under its general rule making power.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to take Government amendments Nos. 380 and 307.

The Solicitor-General: The effect of new clause 23 is to enable rules of court to be made to govern practice and procedure and therefore to put flesh on to the bones of what we have been discussing in principle for dealing with cases involving children when the Bill comes into force. New clause 23 supersedes clause 83 of the Bill and amendment No. 380 makes clear that the separate rule-making power in clause 46(1) does not affect the new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 20

APPEALS

'.—(1) An appeal shall lie to the High Court against—

(a) the making by a magistrates' court of any order under this Act; or

(b) any refusal by a magistrates' court to make such an order.

(2) Where a magistrates' court has power, in relation to any proceedings under this Act, to decline jurisdiction because it considers that the case can more conveniently be dealt with by another court, no appeal shall lie against any exercise by that magistrates' court of that power.

(3) Subsection (1) does not apply in relation to an interim order for periodical payments made under Schedule 1.

(4) On an appeal under this section, the High Court may make such orders as may be necessary to give effect to its determination of the appeal.

(5) Where an order is made under subsection (4) the High Court may also make such incidental or consequential orders as appear to it to be just.

(6) Where an appeal from a magistrates's court relates to an order for the making of periodical payments, the High Court may order that its determination of the appeal shall have effect from such date as it thinks fit to specify in the order.

(7) The date so specified must not be earlier than the earliest date allowed in accordance with rules of court made for the purposes of this section.

(8) Where, on an appeal under this section in respect of an order requiring a person to make periodical payments, the High Court reduces the amount of those payments or discharges the order—

(a) it may order the person entitled to the payments to pay to the person making them such sum in respect of payments already made as the High Court thinks fit; and

(b) if any arrears are due under the order for periodical payments, it may remit payment of the whole, or part, of those arrears.

(9) Any order of the High Court made on an appeal under this section (other than one directing that an application be re-heard by a magistrates' court) shall, for the purposes—

(a) of the enforcement of the order; and

(b) of any power to vary, revive or discharge orders,

be treated as if it were an order of the magistrates' court from which the appeal was brought and not an order of the High Court.

(10) The Lord Chancellor may by order make provision as to the circumstances in which appeals may be made against decisions taken by courts on questions arising in connection with the transfer, or proposed transfer, of proceedings by virtue of any order under paragraph 2 of Schedule *(Jurisdiction)*.

(11) Except to the extent provided for in any order made under subsection (10), no appeal may be made against any decision of a kind mentioned in that subsection.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 63 and 300.

The Solicitor-General: New clause 20 relates to appeals and is couched mainly in terms of appeals from magistrates' courts. Subsection (1) of the new clause provides that appeals from magistrates' courts shall be to the High Court. That makes two important changes. At present appeals on the facts in care proceedings go from the magistrates court to the Crown courts. By changing the forum of the appeal, we will emphasise the civil nature of applications for care orders. Furthermore, an appeal on

[The Solicitor-General]

the facts is not currently available to local authorities. The new clause will change that, putting all parties on an even footing with regard to appeals. Subsections (4) to (8) set out the powers of the High Court when hearing an appeal. Clearly, it must have power to make an order which reflects its conclusions after hearing the appeal, together with any consequential orders made necessary by its determination. Subsections (4) and (5) give the High Court those powers.

Subsection (9) makes clear that an order of the High Court made on appeal shall have the effect of an order made by the court appealed from. The obvious exception to that is an order for rehearing. The proposed new clause places limitations upon rights of appeal which are to be found in subsections (2), (3), (10) and (11).

Amendment No. 300 prohibits appeals from the making or refusal of an emergency order and any directions consequential upon such an order. Hon. Members will recall that the child and anyone who has parental responsibility for him or with whom he lives will be able to challenge emergency protection orders 72 hours after they have been made under clause 39(8) and (9). That will adequately safeguard the position of the child and those close to him. Given the short duration and emergency nature of the orders, no other provision is necessary. Indeed, a formal appeals procedure, with the added delay that that would necessarily involve, would be singularly inappropriate. The clauses are essential to the Bill which must deal with the question of appeals particularly from magistrates.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 12

PROVISION OF ACCOMMODATION FOR CHILDREN IN POLICE PROTECTION OR DETENTION OR ON REMAND, ETC.

'.—(1) Every local authority shall make provision for the reception and accommodation of children who are removed or kept away from home under Part V.

(2) Every local authority shall receive, and provide accommodation for, children—

(a) in police protection whom they are requested to receive under section 40(3)(e);

(b) whom they are requested to receive under section 38(6) of the Police and Criminal Evidence Act 1984;

(c) who are—

(i) on remand under section 23(1) of the Children and Young Persons Act 1969; or

(ii) the subject of a supervision order imposing a residence requirement under section 12AA of that Act,

and with respect to whom they are the designated authority.

(3) Where a child has been—

(a) removed under Part V; or

(b) detained under section 38 of the Police and Criminal Evidence Act 1984,

and he is not being provided with accommodation by a local authority or in a hospital vested in the Secretary of State, any reasonable expenses of accommodating him shall be recoverable from the local authority in whose area he is ordinarily resident.'—*[Mr. Mellor.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 13

CHILD ASSESSMENT ORDERS

'.—(1) On the application of a local authority or authorised person for an order to be made under this section with respect to a child, the court may make the order if, but only if, it is satisfied that—

(a) the applicant has reasonable cause to suspect that the child is suffering, or is likely to suffer, significant harm;

(b) an assessment of the state of the child's health or development, or of the way in which he has been treated, is required to enable the applicant to determine whether or not the child is suffering, or is likely to suffer, significant harm; and

(c) it is unlikely that such an assessment will be made, or be satisfactory, in the absence of an order under this section.

(2) In this Act "a child assessment order" means an order under this section.

(3) A court may treat an application under this section as an application for an emergency protection order.

(4) No court shall make a child assessment order if it is satisfied—

(a) that there are grounds for making an emergency protection order with respect to the child; and

(b) that it ought to make such an order rather than a child assessment order.

(5) A child assessment order shall—

(a) specify the date by which the assessment is to begin; and

(b) have effect for such period, not exceeding 14 days beginning with that date, as may be specified in the Order.

(6) Where a child assessment order is in force with respect to a child it shall be the duty of any person who is in a position to produce the child—

(a) to produce him to such person as may be named in the order, and

(b) to comply with such directions relating to the assessment of the child as the court thinks fit to specify in the order.

(7) A child assessment order authorises any person carrying out the assessment, or any part of the assessment, to do so in accordance with the terms of the order.

(8) Regardless of subsection (7), if the child is of sufficient understanding to make an informed decision he may refuse to submit to a medical or psychiatric examination or other assessment.

(9) The child may only be kept away from home—

(a) in accordance with directions specified in the order;

(b) if it necessary for the purposes of the assessment; and

(c) for such period or periods as may be specified in the order.

(10) Where the child is to be kept away from home, the order shall contain such directions as the court thinks fit with regard to the contact that he must be allowed to have with other persons while away from home.

(11) Any person making an application for a child assessment order shall take such steps as are reasonably practicable to ensure that notice of the application is given to—

(a) the child's parents;

(b) any person who is not a parent of his but who has parental responsibility for him;

(c) any other person with whom the child is living;

(d) any person in whose favour a contact order is in force with respect to the child;

(e) any person who is allowed to have contact with the child by virtue of an order under section 31; and

(f) the child,

before the hearing of the application.

(12) Rules of court may make provision as to the circumstances in which—

(a) any of the persons mentioned in subsection (11); or

(b) such other person as may be specified in the rules,

may apply to the court for a child assessment order to be varied or discharged.

(13) In this section "authorised person" means a person who is an authorised person for the purposes of section 28.'. —*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss Government new clause 5, amendment No. 1, in clause 36, page 34, line 8 at end insert—

'(aa) in the case of an application made by, or on behalf of a local authority, the court is satisfied that there has been an unreasonable failure to comply with a statutory notice served under section *Child production notice.*'.

Government amendment No. 116, amendment No. 2, in clause 41, page 39, line 47, after 'order' insert

'or notice under section *(Child production notice).*'.

Government amendments Nos. 376, 396 and 159.

Mr. Mellor: This group of amendments brings us back to the heart of the Bill or at least to what the many members of the public who have been following our proceedings will consider to be the heart. It is certainly the heart of the Bill when we consider the care with which hon. Members on both sides of the House have approached these issues throughout the Bill's passage.

As I explained in Standing Committee, the difficulty is to know whether the emergency protection order is adequate or whether we require an additional order—a child assessment order—to run in parallel with it. Further refinements of the emergency protection order will be proposed tonight to provide for the circumstances within which a failure to produce a child is coupled with a genuine and immediate fear for the child—leading to the granting of an emergency protection order. There are other circumstances in which there might be serious cause for concern about the welfare of a child. There may be a repeated failure to produce a child and perhaps it cannot be asserted that the matter is quite so urgent that there is an immediate need to intervene to take the child away. It is at the heart of our concerns that the emergency protection order is used only in those very serious circumstances, so the issue is whether there should be a lesser order requiring the production of a child and one which allows for the assessment of the child.

I listened with great care to what was said in Standing Committee. I want to thank all the hon. Members who took part in our debate in Committee. I am also grateful for the tentative discussions involving certain Members which have taken place subsequently—as late as this week. I want also to thank various groups concerned with this issue which have contributed to our discussions. It has been a significant development in this debate that the Association of Directors of Social Services and the National Society for the Prevention of Cruelty to Children have discussed the issue and are committed jointly to the need for a child assessment order.

New clause 13 represents the best attempt that the Government can make to take on board the various views and produce an easy-to-use, readily explicable proposition, which has the proper safeguards that one would expect when any intrusion into the rights of parents over their children is considered. I do not believe that the child assessment order, as we have it, is an unnecessary intrusion. By reducing the period from 28 days to seven days, we have shown a marked concern that the order should not be excessive. I know that there is concern that the child should not be removed from the parents for that period.

The period for which a child is removed is entirely dependent on the court; it is not something that the local authority will determine. For the most part, the assessment will take place without a requirement to take the child away, save for the period of an afternoon or two afternoons for an assessment to be made. However, there may be rare occasions when an overnight stay is required. Just because the duration of the order could be seven days, no one should presume that the seven-day period is likely.

The court is likely to be prepared to give an order only when it is clear that all reasonable attempts have been made to secure voluntary co-operation. Rules of court will require the applicant to explain what steps he has taken to secure an assessment of the child. Court proceedings will be on notice and a guardian ad litem will usually be appointed to represent the child and help the court to decide at a full hearing whether an assessment order is needed.

9 pm

New clause 13(8) provides specifically that

"if the child is of sufficient understanding to make an informed decision he may refuse to submit to a medical or psychiatric examination or other assessment."

That point was impressed on me by my hon. Friend the Member for Billericay (Mrs. Gorman). I thought carefully about her comments and was driven to agree that there is an irresistible logic to that argument, having regard to other developments in the law and in the statutes. Not only is such a provision incorporated in new clause 13, but there will be similar amendments in respect of subsequent emergency protection orders and interim orders in the Bill.

Applications for a child assessment order will be heard inter partes, not ex parte, as for most EPO applications. The parents, the child and certain other persons will be given notice of the application, which is of considerable importance.

In some circumstances, the court may take the view that those making the application have underestimated the gravity of the case. It will then be open to the court, if it so wills, to make an emergency protection order instead of a child assessment order. Emergencies and non-emergencies are not self-defining categories—so if, having heard the evidence, the court believes that an emergency protection order is needed, it can so move.

Mr. Vaz: How can the Minister justify a period of seven days for an assessment when his own Department's guidelines suggest that an assessment will take three months?

Mr. Mellor: Because a three-month order would be regarded as manifestly excessive. We have made serious and genuine attempts, which I believe have been appreciated by right hon. and hon. Members on both sides of the House, to deal wherever possible with sensible propositions. There is genuine anxiety lest child assessment orders be used as an oppressive instrument. After careful consideration, I reached the conclusion that a sensible assessment could be made within seven days in almost every case. If necessary, further action could then be taken.

Mr. Vaz *indicated dissent.*

Mr. Mellor: The hon. Gentleman screws up his face, but I fear that he would do so about any element of the provision. I am sorry about that, because it would be good if everyone could agree, but a powerful group has now been marshalled behind the child assessment order. As I said on Second Reading, it has always been difficult for the House to consider this subject, particularly in the light of several celebrated cases in which people who abused a child repeatedly failed to produce the child and the social workers failed to intervene until it was too late.

We should make it as easy as possible for the right decision to be made. The social worker might conclude that, notwithstanding the failure to produce the child, there is no evidence that an emergency protection order is needed. I believe that the existence on the statute book of the child assessment order will make it much easier, in circumstances of genuine concern and of a failure to produce the child for assessment—when there is a real reason for that application being made—to ensure that the child is protected. One must always remember that in such circumstances the child should always be given the benefit of the doubt. This has not been one of the easiest decisions to make in the Bill—it has been genuinely difficult. It is right that we have hesitated until the last moment and considered all the voices. I commend the child assessment order to the House.

Mr. Hinchliffe: The Minister said that the assessment process could be carried out in one or two afternoons. What sort of assessment does he have in mind?

Mr. Mellor: I am not saying that that is typical of the way in which the process will be undertaken. If the fear is that the child has been subject to serious physical abuse, a single medical examination should be able to establish that fact. By the same token, if there is sexual abuse, one or two medical examinations would satisfy that point. I appreciate that, when one is dealing with more difficult emotional traumas, it is more difficult to make an assessment. Those are the circumstances that were envisaged when it was said that assessment could take longer. It is absolutely clear that one could not ask for a three-month order. I do not seek to do that. A seven-day order is an appropriate way of recognising that there is a need for the order, but it must be tightly circumscribed. On that basis, I commend new clause 13 to the House.

Mr. Bell: I am grateful for the Minister's comments and for his clarification of new clause 13. We have moved from the concept in the 1970s, which was elaborated in the pages of *The Times* at that time. It stated:

"from birth till death it is now the privilege of the parental state to take major decisions—objective, unemotional. The state weighs up what is best for the child."

I am glad to say that we have moved from the concept that the state knows what is better for the future of a child. It is not right for the state to interpose itself in the role of parents. Over many years Parliament and Ministers of every ilk have seen parental power ebbing away. That has led us to this Bill and to the assessment order.

The Minister was right to say that in Committee we regarded the assessment order as a new power or weapon in the armoury of social services. We discovered that the more we looked at the emergency protection order the more we had also to look at the cases of Jasmine Beckford and Kimberley Carlile and find some way of covering a situation that was potentially dangerous to a child but yet did not have the aspect of danger. Over the past few days and weeks I have found myself arguing that this order is proper. It is remarkable that I was criticised for being critical of social workers. I now defend social workers. They should have this weapon in their armoury.

I am grateful to the Minister for pointing out that the court will state the time for which a child should be taken from its parents—it will not be incorporated in the statute. In Committee the Minister gave a categoric assurance that an assessment order will be made by a proper court rather than by a magistrate sitting at home in his pyjamas. Proceedings will be inter partes, and notice will be given to parents, who will be able to have their own lawyers present if necessary. My concern about the seven days' notice was that a seven-day assessment order might immediately be converted into an interim court order.

Mr. Mellor *indicated dissent.*

Mr. Bell: I am glad to see the Minister indicate from a sedentary position that that will not be the case. I would certainly welcome any enlightenment on that point. It will eventually be a matter for magistrates, but we would not wish to see any short cut to an interim care order.

Mr. Mellor: I am glad that the hon. Gentleman raised that point. Looking back at some of the points that I made earlier, with advantage I could have said that in a certain case in which there is obviously continued cause for concern but no time to do a proper assessment within the seven days it will be possible to apply for such an order. I would regard that as very exceptional. The existence of the child assessment order will make it less likely that an authority would apply ab initio for an interim care order that is, of course, of longer duration—eight weeks, I think I am right in saying.

Mr. Bell: I am grateful for that clarification.

New clause 13(8) states:

"Regardless of subsection (7), if the child is of sufficient understanding to make an informed decision he may refuse to submit to a medical or psychiatric examination or other assessment."

I am not about to refer to Cleveland—I am certainly resisting every temptation to do so.

In one case a 14-year-old boy was taken in for an examination. He did not want to be examined and said that there was no reason why he should be. He did not want doctors poking around. He was embarrassed and humiliated by the whole experience. The child assessment order and the provisions tabled by the hon. Member for Billericay (Mrs. Gorman) will assist people in that situation. People who have nothing to hide who do not wish to go through such an examination will not be obliged to go through with it. It is of great interest and significance to our parliamentary procedures that Back Benchers such as the hon. Member for Billericay—and, indeed, the Minister of State—can take on board the points made in Committee and then come to the House to change legislation. I am grateful for that. From my personal experience, I know that that provision is a useful addendum to the new clause.

I was especially interested when I read the report of the Association of Directors of Social Services. I am aware that in the beginning the association was hostile to an assessment order in addition to the emergency protection

order. However, the association has considered the position carefully and has come forward with a document referring to

"a multi-disciplinary assessment in non-emergency situations".

We hear much of the difficulties and burdens on social workers and the Bill, and especially the new clause, seek to get away from the idea of single responsibility. I do not want any social worker to have the enormous responsibility of deciding whether a child should be taken from his or her home. I do not want social workers, on scanty evidence or information, to have the entire responsibility for a Kimberley Carlile or Jasmine Beckford case. If the assessment order leads to

"a multi-disciplinary assessment in non-emergency situations",

I support and favour it.

The hon. Member for Chislehurst (Mr. Sims) may well seek to speak in this debate—I see that he has his notes ready.

I was also impressed by an article written by Jim Harding, the NSPCC child care director who was a member of the Kimberley Carlile inquiry. He has stated that the benefits of having a child assessment order are fourfold. He listed those benefits with great care, stating:

"Firstly, parental responsibility is retained by the parents".

The move to retaining parental responsibility throughout the period of assessment is to be welcomed. It is a moving away from the concept of a "parental state". He then stated:

"Secondly, the child can be seen by the family doctor in a familiar environment."

My hon. Friend the Member for Aberdeen, South (Mr. Doran) has already referred to an experience that he had when he was eight years old and to other experiences encountered later as a solicitor when taking children into court. He explained how the hostile environment can affect those children, and how it affected him as a child and left him traumatised for many years. As a result of the assessment order, as Mr. Harding of the NSPCC has said:

"the child can be seen by the family doctor in a familiar environment."

We must all be looking not to traumatise and alienate those children who may be subject to an assessment.

The assessment is not necessarily limited to child sexual abuse. It can involve all kinds of abuse and neglect. Mr. Harding also stated:

"Thirdly, parents are much more likely to co-operate willingly with this type of order and the social work relationship with the family will not be damaged."

I support that coherent and cogent point.

Finally, Mr. Harding stated:

"Lastly . . . the child can be protected in serious, but not emergency, situations."

The assessment order therefore has the support of the NSPCC and the Association of Directors of Social Services. Similar points have been put to me by other single issue pressure groups. The original 14-day period has also been subject to some criticism because of fear that it may be linked to a 14-day taking away of the child. I welcome the fact that that will not be the case. Other points have been made about the wideness of the power, saying that it might be wider than the powers of the emergency protection order. I am satisfied that, on balance, in the circumstances, we need this order.

The order adds to the armoury of the social services, but is a welcome adjustment. It seeks to protect children who may be at risk and of whom we have no knowledge. It may abolish the idea that, with hindsight, we could have known better. This provision will prevent such situations from arising. In a sense, we are acting with hindsight in protecting children, whoever they may be and in whatever situation. We are giving them some extra protection which I am sure they will feel is most welcome.

9.15 pm

Mr. Sims: The new clause has the full support of the NSPCC, and I welcome it for myself and on its behalf. I take this opportunity to express my thanks for the personal contribution of my hon. and learned Friend the Minister and his officials in resolving the problems that were presented by differing professional views on how this dilemma should be solved.

Social workers have faced a dilemma. Often they have feared that all is not well in a home. They were denied access to a child, but had insufficient information to apply for an order to allow them to go to the house and, probably, take that child away. It is understandable that magistrates may have been reluctant to give such powers unless ample evidence was produced.

The new clause provides additional powers for social workers for which I have pleaded for some time in the House and outside. I am pleased by the new clause, which is a reasonable compromise between the differing professional views on how the matter should be handled. Naturally I have particular interest in the NSPCC. It is admirable that that society and the Association of Directors of Social Services, which orginally held differing views, were able to work together and to produce the particular formula.

As the Minister has said, it will obviously be easier for social workers faced with the dilemma I have outlined to apply for a child assessment order rather than an emergency protection order. Another aspect that has not been considered is that cases are often brought to the attention of the NSPCC or local authority social workers by friends, neighbours or relatives who are concerned about what is happening in a particular household. There may not be anything definite that they can put their fingers on, but a variety of incidents or simply not seeing a child around the place may cause concern. Up to now, however, anyone in that position knew that if they reported the matter to the appropriate authorities that might result in the child being taken from the home. It is understandable that people were therefore reluctant to give that information. Now that they know that the result of reporting their concern to the NSPCC or the social worker will be that arrangements will be made for the child to be assessed, at relative leisure, it is far more likely that such cases will come to light. Surely that must be good.

We cannot be sure that as a result of the new clause there will be no more cases such as Maria Colwell, Doreen Mason or the sad procession of such cases in between. The new power for social workers, however, must at least make such cases less likely. For that, we should all be grateful.

Mr. Vaz: The Minister is absolutely right when he says that we are dealing with the heart of the Bill. He is absolutely right when he says that the emergency orders and the non-emergency orders that social workers will need to take out to deal with concerns expressed about children lie at the heart of the Bill. I am afraid, however,

[Mr. Vaz]

that the Minister's introduction of the child assessment order has resulted in a hole appearing in the heart of the Bill.

I remind the Minister of his words on Second Reading when he told the House of the need to be clear about the law and said:

"Of course, of itself, legislation cannot stop such tragedies, but we hope that a clear legal framework will help to make more likely clear-eyed judgments by key people involved in child welfare, whether they are in social services departments, health authorities, the police, education or the courts."—[*Official Report*, 27 April 1989; Vol. 151 c. 1108.]

There was a direct plea by the Minister for support for his Bill, which at that stage did not include a child assessment order, and that Parliament should be absolutely certain that because of the background of the legislation—the Kimberley Carlile and Doreen Mason cases, the events of Cleveland and the concerns of the Social Services committees and other organisations—this Bill, which we all hail as an historic Bill and which will codify the law of child care, should be clear. We did not want anybody to be under any misapprehension about any of the clauses. We wanted social workers, who deal with major problems and decisions at grass roots, to be clear about what Parliament intended.

We discussed at length in Committee the emergency protection order which is to be the subject of a further debate tonight. It is right that the House should know the background to the child assessment order. It was during the debate on the emergency protection order that the Committee was adjourned and the Minister, in the spirit in which he has approached this consensus Bill, agreed to allow both Opposition and Conservative Members to meet officials of his Department to discuss the circumstances surrounding the possibility of the introduction of a child assessment notice.

The Minister told the Committee that agreement had been reached between the National Society for the Prevention of Cruelty to Children and the Association of Directors of Social Services which enabled him to come before the Committee and say clearly that at last there was a framework for a non-emergency order. So it was that we adjourned the Committee to discuss the matter with his officials.

One of the first things that the officials said to Opposition Members was that they knew that the Department of Health's own guidelines suggested that where a child was to be assessed the proper period for assessment should be three months. At that stage it was proposed that there should be a 28-day non-emergency child assessment order. At that stage, hon. Members from both sides of the House revealed that they were unhappy with this. They wondered how it was possible to have a non-emergency order which was longer than the emergency protection order. Whatever the Minister says, and although he is absolutely right when he says that the legal responsibility and parental rights rest with the parents under a child assessment order, it can still be up to the court to remove the child from the home for that period.

During the summer recess the Minister wrote to hon. Members to tell them that the period had been reduced to 14 days. Last week two meetings were held with the Minister and his officials to discuss the matter. I do not raise these points to criticise the Minister. I am delighted that he allowed us to meet his officials. Although he said that two organisations—the ADSS and the NSPCC—are in favour of the proposals, many organisations are against them. They are the organisations that have to deal with the legislation at grass roots level: British Agencies for Adoption and Fostering, British Association of Social Workers, Children's Legal Centre, National Children's Bureau, Association of Metropolitan Authorities and the Family Rights Group. These respected organisations say clearly that this is the wrong course for the Minister and Parliament to take.

We met the Minister to discuss this issue in the cathedral room of the Department of Health. He was open in the discussions, and I raised with him my first concern that this non-emergency order of 14 days was going to be longer than the emergency order of eight days. I asked him what further periods of reduction he would consider and the time limit of seven days was mentioned. It was mentioned because it was one day shorter than the emergency protection order. The Minister may have felt that if the period was shortened we would support the principle of the child assessment order.

A day later we met officials in the Versailles room of the Department of Health. We discussed with them our concerns and raised again our worry that the child assessment order proposals would cause greater harm to children because it would place social workers in a confusing position.

I and all Opposition Members accept that the state needs to intervene only in exceptional circumstances and that the background of Cleveland showed that the place of safety order, with its 28-day limit, was wholly inappropriate. It lasted too long and many social workers used the place of safety order in the first instance without considering alternatives.

However, the Minister's suggestion of an order that will allow the court to remove the child from the parental home for seven days for assessment falls down because it is impossible to obtain an assessment of this sort in seven days. I am not arguing for a longer period of three months; I believe that this order will cause massive confusion. Faced with the prospect of taking out an emergency order, social workers will fall back on the new child assessment order because they believe that it will make them the subject of fewer attacks than they have suffered over the Cleveland case and others.

I should like to place on record my faith in social workers and social services departments. Not every social worker is perfect, but we cannot support the sorts of attacks on their characters and professionalism that we have heard recently.

There is no evidence, no research and no inquiry to support the Minister's view that there should be a child assessment order. The order will mean that for seven days the whole family could be involved in an assessment. That in turn could mean that children and parents against whom no evidence has been found could be made to attend an assessment centre and undergo therapy with psychiatrists or psychologists.

If the Minister wants an order that will provide him with this assessment he should look to the interim care order or the interim supervision order as better means of proceeding in cases of this sort. We understand the need that the Minister feels to demonstrate that the Government want to find a halfway house between the

emergency order and no order at all. That is why the Opposition's new clause 5 suggests the child production notice. We believe that it will meet the worries of Conservative Members and of those outside this Chamber who will have to administer the new law.

The child production notice will allow a social services department, and social workers through the department, to serve a notice on parents requiring them to produce a child before a doctor or a health visitor in cases in which child abuse is feared. If the parents decide that they do not want to comply with the notice and if they refuse access to the social services department, it is open to the department to apply for an emergency protection order if it is concerned that the family may move away or that it is being denied information. That option is always open to it.

New clause 5 makes it clear that, in the notice served on parents, they should be told that if they refuse access to a child the department may take out an emergency protection order. That covers the amendment that the Minister proposes to make to clause 38, which will allow the social services department to seek an emergency protection order on the ground of refusal of access. This sort of notice served in clear terms will give parents and others the idea that the social services department is worried.

This notice can also fit into the proposals on child assessment. That should be an essential first step. During the recess the Minister wrote to hon. Members and said that the idea of a notice was attractive and would be included in the rules of court. We offer him the notice as an alternative to a course of action that will lead to confusion.

I have experience of these matters. I am concerned because at the crucial time when the social worker has to make a decision and seeks legal advice from the borough solicitor or other legal advisers, those advisers should be clear about the steps that ought to be taken. The assessment order will not do that.

9.30 pm

We are legislating for a new code of practice for child care law and it is not right for us to proceed in such a way. I accept what the Minister says: that he has made efforts to find a suitable conclusion to all the inquiries that he has undertaken. However, we should not proceed knowing that it is unlikely that the legislation will not be amended for many years. We should not proceed in such a hurry over such a serious matter. People outside who follow the proceedings will wonder at the bingo-style operation of some of the negotiations. What started with 28 days goes down to 14 and down to seven. If Report were next week by that time it could have gone down to three days. All this will involve parents and children being involved before the courts.

I agree on many issues with my hon. Friend the Member for Middlesbrough (Mr. Bell). He wants to avoid trauma for the child. However, taking out a child assessment order and going before the court, because it is an on-notice application, will cause great trauma. Taking the child away from the home and subjecting him to examinations by psychiatrists and psychologists and using two-way mirrors during discussions with other family members during therapy sessions will also cause great trauma.

The bingo-style approach is not appropriate for child care matters. We must be very careful about what we do and even at this late stage I urge the Minister not to go down the road that he has chosen. I believe that there will be an increase in child abuse if we approve this child assessment order simply because social workers will prefer not to go for the emergency order but will opt for the on-notice order.

Mr. Bell: Will my hon. Friend give way?

Mr. Vaz: No. I am approaching the end of my speech.

Social workers will rightly condemn the House and the members of the Committee for not acceding to a reasonable request, and the judgment of history will be harsh.

Mrs. Teresa Gorman (Billericay): I thank the Minister for taking on board the fact that children, even young children, should be allowed to decide whether to undergo psychiatric and physical examinations. The hon. Member for Middlesbrough (Mr. Bell) said that he did not want to raise again the matter of Cleveland, but it was an important aspect of what went on in Cleveland that young children were subjected to physical examinations without any opportunity to protest. Sometimes those examinations were more of an abuse than that for which the children had been taken into care in the first place. The Minister has adopted an important point. I compliment the children's legal centre which has worked closely with those of us who were on the Committee in order to construct these necessary points and have them put into the Bill.

I should like the Minister to assure us that children who are taken in under assessment orders will not be compelled to undergo psychiatric or any other kind of examination. The hon. Member for Leicester, East (Mr. Vaz) has said that children taken in under such orders may well be subject to psychiatric investigations. I want the Minister's assurance that such investigations will not be carried out against the child's will if the child is capable of making the decision. I believe that even quite young children are capable of making such decisions.

The import of the point that my hon. Friend the Minister took on board when he agreed that young children should not be forced, against their will, to undergo these examinations is that earlier legislation was based on the concept of children as chattels or the property of parents, and property about which magistrates could make orders, almost as if the child had no will of his own and no opinion in the matter. That was a crucial criticism of earlier legislation. It is paramount that this new legislation embodies the principle that, although they may be small physically, the rights of children should be no less than those of adults. A prisoner may not be subjected to forcible examination of this kind against his will. People in rape cases, prostitutes and all sorts of people who are taken in may not be subjected to examination against their will. This Bill will apply those rights to children, and that is an enormous advance.

Mr. Hinchliffe: The hon. Member for Chislehurst (Mr. Sims) said that he thought that the issue had been resolved. The Minister has said that the Association of Directors of Social Services and the National Society for the Prevention of Cruelty to Children had agreed on the form of words for the assessment order. However, I do not believe that the issue is anywhere near resolved and I am worried by what is on offer in the Bill.

[Mr. Hinchliffe]

I agree with those who said that in Committee we were reasonable with each other and tried for a consensus. I pay tribute to the Minister for his efforts. It is not in his nature, as it is not in mine, to be quite so reasonable. I also pay tribute to his civil servants, who went out of their way to be helpful to us Back-Bench Members. However, I shall now put the boot in and make some important points that need to be made.

This weekend, I looked at some of the comments made in Committee. I noticed one hon. Member—I shall not say who it was—reading his entire speech from the Committee *Hansard*. In Committee, I made a point by which I still stand. It is that I am attracted by some form of assessment order, but I have distinct reservations about the 28 days that was originally proposed in Committee. I spelt out a more simple form of assessment, along the lines of a straightforward medical assessment that could take place within a couple of hours or even less, in the company of the parents. What I had in mind was what my hon. Friend the Member for Leicester, East (Mr. Vaz) has put forward as his child production notice.

We have been discussing this order for some time. When we first spoke of the matter in Committee, the period was 28 days. It implied a full assessment that would involve, as could happen within 28 days, social, psychological, psychiatric, educational and medical assessment and possibly other aspects that could be included, as is the norm when the child is fully assessed, before he is placed on a care order, when he has been through the courts and been made the subject of an order.

While the order recognised a gap in the law, it went completely overboard, and the Minister accepted that and withdrew the 28-day period. It went beyond what was required, and no one was prepared to support it in Committee. The Minister expressed concern and said that he had a relatively open mind, and I commend him for it. He asked for a steer from the Committee and said:

"it is too long a period and . . . perhaps we are really thinking of an assessment that can be transformed into another form of order if there is a real basis for anxiety."—[*Official Report, Standing Committee B*: 25 May 1989, c. 317.]

The Minister has moved along the lines that he predicted, but I wish that he had looked at it in more detail and taken on board some of the comments made by my hon. Friend the Member for Leicester, East, and which I will raise because of my anxiety about what will happen if the order goes through as is suggested.

Many of us said in Committee that there should be some form of child production notice, along the lines of a brief, straightforward statutory notice that would not involve going through the rigmarole of the courts system, with huge clumps of procedure, would not have implications that would impinge on the rights of parents and children, and would not mean their being dragged through proceedings. They would be asked to go along to a doctor or health visitor to have that child assessed simply in a way that would be acceptable to many parents if the alternative were to be taken through the courts.

I have a number of objections to the child assessment order. It clearly duplicates what is available in existing law, which already provides for assessments for children on a place of safety order. I accept that currently that is a 28-day order, but I know that for police place-of-safety orders there is a shorter time scale. I am talking about full assessment, not brief medical assessments—although, more often than not, they might be all that is required. There are assessments with interim care orders, and there are informal assessments, where no order is required, while a child is in voluntary care or, with the parents' consent, when the child is in his own home. Whether educational, medical, psychological or whatever, those assessments take place.

While it may be impracticable within an eight-day emergency protection order to undertake the thorough assessment processes possible on full place-of-safety orders, it would be possible to obtain assessments of certain aspects of a child's case under the provisions already contained in the Bill, and without the necessity for a child assessment order. If just a simple medical assessment is not appropriate, but certain evidence is required, that can be obtained under the emergency protection order within the eight-day period. Under clause 39(4)(b), the emergency protection order empowers a court to require medical or psychiatric examination of a child. Therefore, any such assessment can take place during the time that the child is detained.

The Minister has reduced the time scale for the child assessment order from 28 days to 14 days, and he is now proposing that it be further reduced to seven days. He has been reasonable and has attempted to achieve consensus, but he is expecting the impossible if he wants the child assessment order to encompass a full and comprehensive assessment. He has defeated the object of the originally intended assessment because it is impractical within the time scale allowed by the amendment. It is not possible to expect social, psychological, psychiatric, medical, educational and other assessments to be carried out in any detail within the amendments time scale. Therefore, the objections raised to the 28-day period have led to the order being reduced to a complete misnomer because such a full assessment cannot happen in the proposed time scale.

On the issue of civil liberties, I want to raise the question of the implications of the principle of what is essentially an evidence-seeking order. There are lawyers and others in this Chamber who have a great deal more experience of the law than I have. I wish to know whether such an order has a place in British justice. The child assessment order allows for the removal of the child from home for seven days on much less serious grounds than those for an emergency protection order which allows detention for eight days. I find it worrying that children can be removed from home and detained for an equivalent period for assessment purposes.

I recall our debates about the implications of the 1969 Act and the questions that arose about civil liberties in the way that children were treated on the basis that they were in need of care. Questions were raised because people were given harsher sentences because they were deemed in need of care than they would have been if they had been deemed criminals. I am worried about the implications for civil liberties of an evidence-seeking order, especially when taken in conjunction with an emergency protection order.

I was interested to note that the British Association of Social Workers has indicated its opposition to the measure. I fear that the child assessment order will cause immense confusion among social workers, because it will not facilitate the use of many existing models of assessment; it will not be possible to make a proper assessment of the kind envisaged in the amendment with a seven-day time scale. While we must recognise that the

order will be made on the direction of the court, we must also recognise that it will usually be made because a social worker has recommended it in the report that he has given the court. If the social workers are confused, the courts will inevitably be confused as well.

9.45 pm

The distinction between the child assessment and emergency protection orders is very unclear, particularly as it will be possible to obtain an assessment within the period of the emergency protection order. The new clause does not make it clear in what circumstances either course would be chosen.

My concern about many parts of the Bill is underpinned by doubt about whether the Government have given any thought to the resourcing implications. If the child assessment order takes off—and is understood—what facilities will enable us to meet demands which, I suspect, will far exceed the supply of assessment processes? Assessment is a complicated process and, if done properly, an expensive one. The impracticality of the seven-day time scale leaves the whole matter open to question, as does the issue of available resources for domiciliary, day and residential assessment.

The training of social workers is a matter which we shall probably not have a chance to address in detail, but will they be trained sufficiently to understand when they should use which order? I have been a practising social worker for 20 years and am fairly highly qualified, but I am not sure how I would apply the legislation. Goodness knows how someone who has just come into the job would manage.

The reduction in the time scale has completely undermined the assessment purpose of the order. All that the Government can reasonably do, in my view, is drop the order and bring in something along the lines of the child production notice. Gaining access to a child is crucial—we all accept that, although we have different ways of resolving the issue—but we need a measure that is far less cumbersome and more easily understood, and that will enable social workers to obtain what they want at that stage. They will want a medical assessment showing knowledge on the part of a doctor of a child's physical state—whether it has been assaulted, for instance, and whether it has bruises. Skeletal service may be involved, as may other medical matters; the question of sexual assault may arise.

My hon. Friend the Member for Leicester, East knows my reasons for disliking the term "child production", which has numerous connotations of which he is aware from our personal discussions; nor do I believe that an assessment notice would be appropriate. Assessment now seems to be the order of the day, and one of our difficulties is that people have not fully understood what is meant by assessment.

My understanding of assessment ranges from a full comprehensive assessment to the simple medical assessment that the Minister mentioned when I asked him what could be achieved in one afternoon. That is what is needed, as such an assessment enables a social worker to make an initial diagnosis and decide what to do next. It might be that the child ends up under an emergency protection order, and it might be that a more comprehensive assessment could be undertaken during that eight-day period, during a subsequent interim care order or at the start of the care order, but I do not think that it should be done on the lines of the assessment order proposed by the Minister.

In doing his best to be reasonable and conciliatory the Minister has made assessment orders effectively inoperable. He has disappeared into his own reasonableness, which is most unfortunate because he has tried, as members of the Committee have tried. I appeal to the Minister to take on board our objections and concerns. They are sincere and there is no party political malice. We want to get the Act right. I have been involved in social work for a long time and I am concerned that what is on offer here will cause immense confusion and will not resolve the problems that we want resolved.

Mr. Tom Clarke: I am delighted to follow the tone of the speech by my hon. Friend the Member for Wakefield (Mr. Hinchliffe) and the many logical points that he made. I was particularly pleased with his comments about the Minister of State. I think it was the late Harry Cowans who said to me when I arrived in this place, "When they put you on a Committee, you will usually find two Ministers. One of them will be Mr. Nice and the other will be Mr. Nasty." On the basis of a few off-the-cuff remarks, I would not dream of saying that the Solicitor-General would qualify as Mr. Nasty, but on the evidence so far the Minister for Health has well and truly established himself as the Mr. Nice of the Committee. That is what my hon. Friend the Member for Wakefield was saying.

The comments of my hon. Friend the Member for Leicester, East (Mr. Vaz) were extremely important. He addressed new clause 5, which the Opposition would have found very logical in practice. There are also a number of questions which the Minister would want to answer. Perhaps the distinction between assessment orders and emergency protection orders is not as clear as we would wish, and perhaps they should be clarified, if not in this debate, perhaps later.

As I said, many of the remarks by my hon. Friend the Member for Leicester, East were attractive, but does that give us the right to challenge new clause 13? In my view, it does not because, as my hon. Friends acknowledge, this was one of the most difficult issues that the Minister and the Committee had to address. We appreciate the fact that the Minister involved the voluntary organisations and professional bodies before reaching a conclusion. I have to acknowledge that, most unusually, he also involved the Opposition.

I am not saying that we find that the assessment orders as outlined in new clause 13 represent absolute perfection, but if, on one hand, the NSPCC and the ADSS support the Minister and, on the other hand, a number of distinguished organisations, including the Family Rights Group, disagree, we are entitled to make one demand of the Minister to which he will feel he should respond.

In all of our discussions, including the discussions last week, which my hon. Friend the Member for Leicester, East mentioned, nobody—including the Ministers' officials and advisers—was arrogant enough to say that he was absolutely certain that we had got it right, especially on the assessment orders. Nobody could predict whether social workers would rush to use the assessment order, or whether only a few would seek application to see how the order worked.

However, we are entitled to ask the Minister for the closest possible monitoring of how the order will work and

[Mr. Tom Clarke]

how new clause 13 will work in practice. We ask for that monitoring; and we have another request. It is important that the monitoring should take place in the spirit of our exchanges this evening. I feel that Parliament would want an early opportunity to find out what that monitoring would mean and how it would work in practice. Only with that experience of an extremely delicate matter—and we acknowledge its delicacy—would the House be absolutely confident in reaching its final conclusion.

Mr. Mellor: I am grateful to the House for this debate. Even those who have felt unable to agree with new clause 13 have, nevertheless, been at pains to point out their recognition of the strenuous efforts made to try to resolve the matter to the satisfaction of all and I am grateful for that. I am especially grateful for the courtesy of the hon. Member for Monklands, West (Mr. Clarke) and I was most touched by his remarks.

The hon. Member for Leicester, East (Mr. Vaz) knows only too well that we considered carefully his child production notice and I am grateful to him not only for his having given us the benefit of his experience, which I recognise to be considerable, in stating with great clarity why he did not like our proposal, but for going to a great deal of trouble to put forward a proposal that he considered worthy of consideration. I want to assure him that we considered the matter carefully, as he knows from discussions with my officials.

There are several reasons why I felt unable to agree to the child production notice. First, it would involve an action that we have aspired to remove from the law on children, which is the ability of a local authority, or any other body, to take substantial control of the situation by administrative action, rather than by court order. All of us wanted to give the court control over these issues. Obtaining a child production notice, serving it and placing a requirement on parents on the judgment and say-so of the local authority alone would be going back on our action at an earlier stage of the Bill to remove the right of local authorities to take by administrative action any form of parental control over the child.

Secondly, I could not put out of my mind the fact that new clause 5 provides only for production of the child. Taken literally, that could mean merely showing the child briefly and fully clothed to a doctor or nurse, but refusing any further contact, examination or assessment and that would seem to fall short of what is required.

I appreciate that one is between Scylla and Charybdis. The Scylla is that we are being too draconian and the Charybdis is that we are passing into law an order that will be ineffective. I take some comfort from the fact that both the hon. Member for Leicester, East and his hon. Friend the Member for Wakefield (Mr. Hinchliffe), who opposed the new clause 13, were in favour of a production order that, as they envisaged it, would allow for one medical examination. If that could be effective, I cannot help but feel that a seven-day order could be effective. If that seems too draconian, I must point out that seven days would be unlikely to be seven consecutive days in which a child was taken away from parents, so it would be far less draconian than the alternative to which the hon. Gentlemen were driven back in their arguments, which is the eight-week interim care order. That has the effect of taking over parental control of the child. I was grateful to the hon. Member for Middlesbrough (Mr. Bell) because he proved, as he often proves with his commonsense views on this issue, that it was worth pursuing this idea. I do not believe that the hon. Member for Middlesbrough would have spoken in favour of the order if we had not made the changes that we have. While we may not have been able to take everyone with us on the issue, we have progressed a good way along the road.

My hon. Friend the Member for Billericay (Mrs. Gorman) should be aware that, under subsection (8) of the new clause, any child with full understanding may refuse a medical examination——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Children Bill [*Lords*] may be proceeded with, though opposed, until any hour.—*[Mr. Fallon.]*

Question again proposed, That the clause be read a Second time.

Mr. Mellor: As I was saying, subsection (8) effectively provides what my hon. Friend the Member for Billericay asked for. In relation to my hon. Friend's additional point about a child of whatever age protesting and not wanting to be subjected to an examination, even if it were deemed that it was not a child with full understanding of the process, I do not believe that any medical practitioner would carry out a medical examination if a child resisted it. I believe that that would be in line with what we know about medical ethics.

While I appreciate that there cannot, alas, be full agreement, I suspect that there was a more substantial measure of agreement in this debate than many might have thought possible when we introduced the proposal. I believe that that agreement has vindicated our approach. I will consider the comments made by the hon. Member for Monklands, West about monitoring. I will discuss with the Association of Directors of Social Services ways in which we can keep tabs on what is happening with a view to having an early look at the effectiveness or otherwise of the proposal. I will write to the hon. Gentleman about that.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Mr. Vaz: On a point of order, Mr. Speaker. When will the House have an opportunity to vote on new clause 5?

Mr. Speaker: I do not think that it would be appropriate to vote on new clause 5 because new clause 13 has been agreed to. In any event, it would not fall for a vote until quite late on when we reach it on the Amendment Paper—probably, in terms of our progress, not until tomorrow.

Mr. Vaz: Further to that point of order, Mr. Speaker. Are your saying that we can vote on new clause 5 after new clause 4?

Mr. Speaker: No. On the contrary. It would not be appropriate in view of the fact that new clause 13 has been agreed to.

New Clause 14

REFUGES FOR CHILDREN AT RISK

'—(1) Where it is proposed to use a voluntary home or registered children's home to provide a refuge for children who appear to be at risk of harm, the Secretary of State may issue a certificate under this section with respect to that home.

(2) Where a local authority or voluntary organisation arrange for a foster parent to provide such a refuge, the Secretary of State may issue a certificate under this section with respect to that foster parent.

(3) In subsection (2) "foster parent" means a person who is, or who from time to time is, a local authority foster parent or a foster parent with whom children are placed by a voluntary organisation.

(4) The Secretary of State may by regulations—

(a) make provision as to the manner in which certificates may be issued;

(b) impose requirements which must be complied with while any certificate is in force; and

(c) provide for the withdrawal of certificates in prescribed circumstances.

(5) Where a certificate is in force with respect to a home, none of the provisions mentioned in subsection (7) shall apply in relation to any person providing a refuge for any child in that home.

(6) Where a certificate is in force with respect to a foster parent, none of those provisions shall apply in relation to the provision by him of a refuge for any child in accordance with arrangements made by the local authority or voluntary organisations.

(7) The provisions are—

(a) section 43;

(b) section 71 of the Social Work (Scotland) Act 1968 (harbouring children who have absconded from residential establishments etc.), so far as it applies in relation to anything done in England and Wales;

(c) section 32(3) of the Children and Young Persons Act 1969 (compelling, persuading, inciting or assisting any person to be absent from detention etc), so far as it applies in relation to anything done in England and Wales;

(d) section 2 of the Child Abduction Act 1984.'—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss Government amendments Nos. 114 and 117.

Mr. Mellor: New clause 14 will bring great pleasure to many hon. Members who were concerned about the provision of refuges for run-away youngsters, about which the Children's Society was concerned. Those concerns were raised by several hon. Members in correspondence and in the House. They were raised also in Standing Committee on behalf of the Children's Society by my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice), whom I am glad to see present today in the Chamber. Those concerns related to whether the existence of a refuge might be construed by the courts as an inducement to young people to stay away from home, thus placing in jeopardy organisations providing that valuable service.

I am glad to say that the revised new clause meets those concerns. It provides that organisations and persons providing refuges may be issued with a certificate by the Secretary of State and that where a certificate is in force those running the refuge, whether in children's homes or as foster parents, cannot be prosecuted for offences involving, for example, harbouring.

Regulations under the new clause will impose rigorous requirements on those running refuges and those acting for the Secretary of State will examine those seeking certificates with great care. Bona fide organisations will have no difficulty in complying with those requirements. I am quite sure that I speak for the whole House in expressing pleasure that we have been able to bring forward this new clause to meet the legitimate concerns of the Children's Society and others.

Mr. Tom Clarke: I welcome the new clause and the Minister's remarks. Hon. Members almost certainly receive more correspondence on this issue than on any other. The Children's Society has already acknowledged the progress that has been made. Perhaps the spirit of the Bill is reflected in what the House is about to agree. We have always argued that the interests of the child should be paramount. A child who, for whatever reason, has left home has the right to have two or three days in which to think out his or her situation in a calm manner without the Children's Society, for example, being threatened with action for harbouring. That represents progress. I am sure that Opposition Members welcome what the Minister has said.

Mr. James Paice (Cambridgeshire, South-East): I appreciate the way in which my hon. and learned Friend has resolved the difficulties in this issue. When the Bill left the other place, there was great concern about the ambiguity of the Lord Chancellor's remarks on Third Reading and about whether the Government intended simply to deal with children who had run away from care or those who had run away from home. My hon. and learned Friend will be aware of the several exchanges that have taken place between us and with the Children's Society in endeavouring to make sure that we have a clear form of words.

The problem was that there was debate between lawyers on whether the initially proposed amendments fitted the Bill. I am delighted that my hon. and learned Friend has been able to meet the various requirements put forward by the Children's Society. About 10,000 children are believed to be missing in London each year. Obviously, it is important that the work of the Children's Society, safe houses and refuges should be allowed to continue unhindered. I welcome the clause because it finally makes sure that the Children's Society is acting within the law rather than outside it.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 15

PROVISION OF ACCOMMODATION BY VOLUNTARY ORGANISATIONS

'.—(1) Where a voluntary organisation provide accommodation for a child, they shall do so by—

(a) placing him (subject to subsection (2)) with—

(i) a family;

(ii) a relative of his; or

(iii) any other suitable person,

on such terms as to payment by the organisation and otherwise as the organisation may determine;

(b) maintaining him in a voluntary home;

(c) maintaining him in a community home;

(d) maintaining him in a registered children's home;

(e) maintaining him in a home provided by the Secretary of State under section 74(5) on such terms as the Secretary of State may from time to time determine; or

(f) making such other arrangements (subject to subsection (3)) as seem appropriate to them.

(2) The Secretary of State may make regulations as to the placing of children with foster parents by voluntary organisations and the regulations may, in particular, make provision which (with any necessary modifications) is similar to the provision that may be made under section 20(2)(a).

(3) The Secretary of State may make regulations as to the arrangements which may be made under subsection (1)(f) and the regulations may in particular make provision which (with any necessary modifications) is similar to the provision that may be made under under section 20(2)(f).

(4) The Secretary of State may make regulations requiring any voluntary organisation who are providing accommodation for a child—

(a) to review his case; and

(b) to consider any representations (including any complaint) made to them by any person falling within a prescribed class of person,

in accordance with the provisions of the regulations.

(5) Regulations under subsection (4) may in particular make provision which (with any necessary modifications) is similar to the provision that may be made under section 23.

(6) Regulations under subsections (2) to (4) may provide that any person who, without reasonable excuse, contravenes or fails to comply with a regulation shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.'.—*[Mr. Mellor.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 16

Application to Channel Islands

'. Her Majesty may by Order in Council direct that any of the provisions of this Act shall extend to any of the Channel Islands with such exceptions and modifications as may be specified in the Order.'.—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take Government amendment No. 311.

Mr. Mellor: This new clause is a general provision which empowers Her Majesty, by Order in Council, to extend provisions in the Bill to the Channel Islands.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 17

Legal aid

'.—(1) The Legal Aid Act 1988 is amended as mentioned in subsections (2) to (4).

(2) In section 15 (availability of, and payment for, representation under provisions relating to civil legal aid), for the words "and (3)" in subsection (1) there shall be substituted "to (3B)"; and the following subsections shall be inserted after subsection (3)—

"(3A) Representation under this Part shall not be available—

(a) to any local authority; or

(b) to any other body which falls within a prescribed description,

for the purposes of any proceedings under the Children Act 1989.

(3B) Regardless of subsection (2) or (3), representation under this Part must be granted where a child who is brought before a court under section 22 of the 1989 Act (use of accommodation for restricting liberty) is not, but wishes to be, legally represented before the court."

(3) In section 19(5) (scope of provisions about criminal legal aid), at the end of the definition of "criminal proceedings" there shall be added "and also includes proceedings under section 15 of the Children and Young Persons Act 1969 (variation and discharge of supervision orders) and section 16(8) of that Act (appeals in such proceedings)".

(4) Sections 27, 28 and 30(1) and (2) (provisions about legal aid in care, and other, proceedings in relation to children) shall cease to have effect.

(5) The Lord Chancellor may by order make such further amendments in the Legal Aid Act 1988 as he considers necessary or expedient in consequence of any provision made by or under this Act.'.—*[Mr. Mellor.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 18

Jurisdiction of courts

'.—(1) The name "domestic proceedings", given to certain proceedings in magistrates' courts, is hereby changed to "family proceedings" and the names "domestic court" and "domestic court panel" are hereby changed to "family proceedings court" and "family panel", respectively.

(2) Proceedings under this Act shall be treated as family proceedings in relation to magistrates' courts.

(3) Subsection (2) is subject to the provisions of section 65(1) and (2) of the Magistrates' Courts Act 1980 (proceedings which may be treated as not being family proceedings), as amended by this Act.

(4) A magistrates' court shall not be competent to entertain any application, or make any order, involving the administration or application of—

(a) any property belonging to or held in trust for a child; or

(b) the income of any such property.

(5) The powers of a magistrates' court under section 63(2) of the Magistrates' Courts Act 1980 to suspend or rescind orders shall not apply in relation to any order made under this Act.

(6) Part I of Schedule (*Jurisdiction*) makes provision, including provision for the Lord Chancellor to make orders, with respect to the jurisdiction of courts and justices of the peace in relation to—

(a) proceedings under this Act; and

(b) proceedings under certain other enactments.

(7) For the purposes of this Act "the court" means the High Court, a county court or a magistrates' court.

(8) Subsection (7) is subject to the provision made by or under Part I of Schedule (*Jurisdiction*) and to any express provision as to the jurisdiction of any court made by any other provision of this Act.

(9) The Lord Chancellor may by order make provision for the principal registry of the Family Division of the High Court to be treated as if it were a county court for such purposes of this Act, or of any provision made under this Act, as may be specified in the order.

(10) Any order under subsection (9) may make such provision as the Lord Chancellor thinks expedient for the purpose of applying (with or without modifications) provisions which apply in relation to the procedure in county courts to the principal registry when it acts as if it were a county court.

(11) Part II of Schedule (*Jurisdiction*) makes amendments consequential on this section.'.—*[Mr. Mellor.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 19

Welfare of children accommodated in independent schools

'.—(1) It shall be the duty of—

(a) the proprietor of any independent school which provides accommodation for any child; and

(b) any person who is not the proprietor of such a school but who is responsible for conducting it,

to safeguard and promote the child's welfare.

(2) Subsection (1) does not apply in relation to a school which is a children's home or a residential care home.

(3) Where accommodation is provided for a child by an independent school within the area of a local authority, the authority shall take such steps as are reasonably practicable to enable them to determine whether the child's welfare is adequately safeguarded and promoted while he is accommodated by the school.

(4) Where a local authority are of the opinion that there has been a failure to comply with subsection (1) in relation to a child provided with accommodation by school within their area, they shall notify the Secretary of State.

(5) Any person authorised by a local authority may, for the purpose of enabling the authority to discharge their duty under this section, enter at any reasonable time an independent school within their area which provides accommodation for any child.

(6) Any person entering an independent school in exercise of the power conferred by subsection (5) may carry out such inspection of premises, children and records as is prescribed by regulations made by the Secretary of State for the purposes of this section.

(7) Any person exercising that power shall, if asked to do so, produce some duly authenticated document showing his authority to do so.

(8) Any person authorised by the regulations to inspect records—

(a) shall be entitled at any reasonable time to have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records in question; and

(b) may require—

(i) the person by whom or on whose behalf the computer is or has been so used; or

(ii) any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material, to afford him such assistance as he may reasonably require.

(9) Any person who intentionally obstructs another in the exercise of any power conferred by this section or the regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(10) In this section "proprietor" has the same meaning as in the Education Act 1944.'.—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take new clause 33—*Welfare of children accommodated in independent schools (No. 2)*—

'—(1) It shall be the duty of—

(a) the proprietor of any independent school which provides accommodation for any child; and

(b) any person who is not the proprietor of such a school but who is responsible for conducting it,

to safeguard and promote the child's welfare and in doing so to have regard to such guidance as may be issued by the Secretary of State.

(2) Subsection (1) does not apply in relation to a school which is a children's home or a residential care home.

(3) Where accommodation is provided for a child by an independent school within the area of a local authority, the authority shall take such steps as are reasonably practicable to enable them to determine whether the child's welfare is adequately safeguarded and promoted while he is accommodated by the school and authority may recover from the proprietor of the school such fee as may be prescribed by regulations made by the Secretary of State for the purposes of this section.

(4) Where a local authority are of the opinion that there has been a failure to comply with subsection (1) in relation to a child provided with accommodation by school within their area, they shall notify the Secretary of State.

(5) Any person authorised by a local authority may, for the purpose of enabling the authority to discharge their duty under this section, enter at any reasonable time an independent school within their area which provides accommodation for any child.

(6) Any person entering an independent school in exercise of the power conferred by subsection (5) may carry out such inspection of premises, children and records as is prescribed by regulations made by the Secretary of State for the purposes of this section.

(7) Any person exercising that power shall, if asked to do so, produce some duly authenticated document showing his authority to do so.

(8) Any person authorised by the regulations to inspect records—

(a) shall be entitled at any reasonable time to have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records in question; and

(b) may require—

(i) the person by whom or on whose behalf the computer is or has been so used; or

(ii) any person having charge of, or otherwise, concerned with the operation of, the computer, apparatus or material, to afford him such assistance as he may reasonably require.

(9) Any person who intentionally obstructs another in the exercise of any power conferred by this section or the regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(10) In this section "proprietor" has the same meaning as in the Education Act 1944.'.

Amendment (c), in line 12, at end insert—

'(3A) A local authority may recover from the Secretary of State the cost of carrying out its duties under subsection (3) above.".

[Mr. Deputy Speaker]

Government amendments Nos. 305, 393 and 308.

Mr. Mellor: These amendments arise from discussions in Committee, particularly those instigated by the hon. Member for Wakefield (Mr. Hinchliffe) and following a considerable amount of concern in the media about the welfare of children in independent boarding schools, particularly after the programme "That's Life" investigated some serious allegations of sexual abuse of children who were being accommodated at an independent boarding school. Since then, pursuant to undertakings that I gave in Committee, I have considered the matter carefully with Ministers at the Department of Education and Science. We have tabled the new clause and the consequential amendments in an endeavour to deal with some of the issues raised in that case.

There are three main elements to the new provisions proposed in new clause 19. First, a new duty is placed on the proprietor or any other person conducting an independent school that provides accommodation for any child to safeguard and promote the child's welfare. This provision applies to independent schools that are not categorised as children's homes or residential care homes. We dealt with such categories earlier. The House will remember that those provisions apply where there are fewer than 50 pupils.

Secondly, any local authority, within the area of which the accommodation is provided, must do what is reasonably practical to determine whether the child's welfare is adequately safeguarded and promoted while he is accommodated by the school. Those two elements broadly follow the welfare scheme for children in voluntary homes and children's homes, which is already included in parts VII and VIII.

The third element is that, where the local authority considers that the person or proprietor conducting the school is failing to discharge his welfare duty under subsection (1), the authority must notify the Secretary of State.

Amendment No. 244, to be taken later, will amend the Education Act 1944 so that failure to comply with this duty will be a ground on which notice of complaint action can be taken. This can lead in serious cases to the school being removed from the register of independent schools and having to close.

I am sure that the amendments and the new clause will commend themselves to the House because what concerned people as a result of the "That's Life" programme and the issues raised by it was that social services departments could intervene only when allegations of child abuse had been made. We know that most independent schools are conducted in ways that totally obviate any concerns for the welfare of the children, but although one acknowledges that straightaway, there are isolated examples that we cannot ignore. If, as I hope, the House passes the new clause, we will be providing a corresponding provision to the duties that already exist requiring Her Majesty's inspectorate of schools to be satisfied about a school's educational and other standards. In effect, we are allowing a social services department to satisfy itself about the social as opposed to the educational welfare of the children. Obviously, the circumstances of individual schools will determine the amount of time that a social services department feels that it must spend.

I hope that the new clause represents a move forward with which the whole House can be happy. I hope that the hon. Member for Wakefield feels that he has had fair value——

Mrs. Peacock: Will my hon. and learned Friend clarify one point? Did he say that new clause 19 relates to schools with fewer than 50 pupils?

Mr. Mellor: No, but I am glad to be able to clear that up. It applies to all independent schools. Such institutions with fewer than 50 pupils are, in effect, already deemed —by the provisions that we passed earlier—to be a children's home. As originally drafted, the Bill dealt with schools only in one particular category. The provision now applies to all independent schools. Obviously, while no one is suggesting that such problems arise in all independent schools—they do not—it is difficult to arrive at a definition that allows us to include those schools where problems might arise. The provision is a way of ensuring that there can be satisfaction about certain non-educational standards in the schools—what one might call "the standards of the regime". The provisions will not be burdensome or onerous on the many well-conducted independent schools throughout the country.

Mr. Rowe: Is my hon. and learned Friend aware of the radical nature of his proposal? There must be generations of parliamentarians of all parties, but especially from this party, who find the concept that they were at an institution with a duty to promote their welfare subversive to the point of astonishment.

Mr. Mellor: As a humble grammar school boy I know nothing of those things. I simply do my best with the circumstances in which I find myself. New clause 19 is the best I can do and I commend it to the House.

Ms. Armstrong: I welcome the clause. It mirrors in all respects the new clause in the name of my hon. Friends and myself. I do so, however, with a few peculiar feelings.

The House will be aware that much of the rest of my time is spent with the education team and that much of my time in Committee was spent on the Education Reform Bill. Then we argued strongly that the independent schools system should be seen as part of the nation's provision and regulated in that way in terms of educational provision and other matters.

10.15 pm

I was interested by the Minister's remarks because, on other parts of the Bill, I have argued strongly that one cannot deal with the education of children without taking note of their care whether in a residential home or in their family home. Those two requirements cannot be divorced. If a child is abused or neglected, that has a major effect on its educational opportunities and on its ability to gain the confidence from which learning springs.

The clause is welcome as it represents a recognition by the Government that the market mechanism cannot be trusted as the sole weapon to look after the welfare of children. During the proceedings on the Education Reform Bill, that market argument was used by the Government to exclude the independent sector from various aspects of the Bill.

Mr. Key *indicated dissent.*

Ms. Armstrong: I am sorry that the hon. Gentleman does not remember that part of our proceedings. I remember, however, that that was the reason that the Minister of State gave for excluding independent schools.

Mr. Key: I had not intended to intervene, but the hon. Lady has taunted me. I do not recall that argument being used. The argument was that an independent school is an independent school and, therefore, one does not wish the Secretary of State to become involved with it other than within the framework of the law by which everyone else must abide. The Secretary of State is not directly responsible for education in the independent sector. That was the argument used in Committee.

Ms. Armstrong: I refer to *Hansard*, and I invite the hon. Gentleman to reread the reports of those debates, as I did this weekend.

The Government said that parents would move their children from a school if they were dissatisfied with that school. Therefore, they implied that the free market would make the decisions. Now, however, it is recognised that young people—in this instance, young boys—may find themselves unable to tell their parents what is going on for all sorts of reasons. Through the good offices of Esther Rantzen and "That's Life", those boys made clear in graphic and horrifying terms the practices that were going on in the school that they had been unable to stop.

The clause recognises that the state should have not only the power to intervene, but the duty to do so. What surprises and concerns me is that we have heard no word about this from any of the organisations that are connected with the independent schools. I am a little disappointed about that. I should have thought that after the revelations on "That's Life" those organisations would have pressed the House to take such powers so that those organisations could reassure people who were thinking of placing their child in such a school that the state had the power to intervene. Perhaps that is an indication that voluntary codes of control simply have not worked and have been insufficient to promote the welfare of children.

We welcome the Government's recognition of the role of local authorities in providing regulation and recognise that local authorities are the best organisations to do this. However, the new clause contradicts other aspects of the Bill. Amendment No. 27 seeks to remove the provision which allows local authorities to charge for the registration of child minders. I know that we shall come to this issue later in the debate, but I wish to raise the principle here.

I assume that the Government must have decided to accept our amendment because in bringing forward the new clause, which also introduces new powers of regulation and inspection for local authorities, they have not attached a fee similar to the one which they propose to charge to voluntary playgroups, child minders and so on. I hope that this is a recognition on the Government's part that regulation and inspection of this nature is a public responsibility and is important to all of us and that, therefore, there should not be an individual charge.

I would find it inconceivable for the Government to want to charge voluntary organisations such as playgroups for registration, but not to recognise the need for public schools—about which Government Members know more than me and which charge exorbitant or high fees—to be subject to a charge for their inspection by the local authorities. I am sure that the Minister will want to clear up this anomaly.

We tabled an amendment seeking to ensure that the Secretary of State would accept responsibility for this aspect of additional duty which will be costly to local authorities. We are adding duties to those which the local authorities already have and we have heard that some of them have insufficient resources to meet their new duties. It is important that we ensure that we do not place such a considerable additional duty on some authorities that they are forced to choose between different duties when deciding how to spend their social services budget. I am sure that the Minister knows what I am asking. I hope that he will say that it is a public responsibility to ensure good regulations and a good quality of care, but that he will ensure that local authorities have sufficient money for this purpose.

I was also interested to note that the Secretary of State for Education and Science has laid an order before the House which deals with the application of corporal punishment in independent schools. The order makes it clear that in those schools where the social services are paying the fees of a student children should not have corporal punishment administered to them. In many ways that fits in with the clause. When a beating has taken place it is difficult to determine whether it has been for educational or care purposes. Today we are saying that for care purposes we shall regulate to ensure that that is not possible. I hope that the independent schools will take notice of that and ensure that children who are the subject of care orders or who are placed in independnt schools by local authorities are treated no differently from other children, and that all corporal punishment will be ended in these schools. I hope, furthermore, that the contradictions opened up by the statutory instrument and the new clause will be recognised and resolved.

I urge the Secretary of State to let us know what additional resources will go to local authorities which carry this out. We see this as a first step towards bringing the independent sector into the mainstream. Of course, the next Labour Government will be interested in the welfare of children in public schools—so much so that we are also interested in their education. We believe that they are part of the nation, and we will ensure that they are brought within the national curriculum.

We shall also ensure that local education authorities are given a power similar to that contained in the new clause so that social services departments can inspect public schools, and we will make sure that the inspection of education at, and the publication of information on, public schools match those being demanded of state schools.

Sir Michael McNair-Wilson (Newbury): I can tell the hon. Member for Durham, North-West (Ms. Armstrong) that neither market forces nor state intervention is any safeguard against human wickedness, so the argument has no mileage in it. However, like her, I welcome the spirit and intent of new clause 19 because of the disturbing allegations which have been referred to and which, to some extent, apply to a school in my constituency. Other schools also give rise to concern.

This new clause partially makes up for the surprising omission from the Foster Children Act 1980 of any duty on a local authority to safeguard the welfare of young people at independent schools. Now the duty is to be placed on the proprietor of, or the head teacher at, a boarding independent school

"to safeguard and promote the child's welfare."

Perhaps that is the right way round, but I cannot help feeling that the words

"to safeguard and promote the child's welfare"

will be found to be open to many interpretations, and I hope that the regulations referred to in the new clause will lay down clear standards that can be followed by independent schools and include a requirement for regular visits from the social services department.

What if a proprietor or head teacher for reasons of his own, however, says that a visit on a particular day is inconvenient, or refuses to allow entry to the premises without prior notice? Does that constitute obstruction under the new clause? I should be grateful for guidance on that from my hon. and learned Friend.

Let us assume for a moment that a social worker from the social services department of a local authority has decided to visit a particular school and that his visit has been agreed by the head teacher or proprietor. May we be assured that the regulations will empower him to interview all the staff and pupils individually or in unaccompanied groups? Will he be able to inspect bedrooms, washing facilities and kitchens and investigate pastoral care, medical care, the contact children are allowed with their parents and the areas available for free time?

Then there are the welfare problems to which we all think this new clause refers. They must include sexual abuse, possibly committed by members of the staff on the children for whom they are responsible. It is extremely unlikely that a pupil who has been abused and who is interviewed in the presence of, or in close proximity to, his abuser will say what happened.

Therefore, it seems that total privacy is a first essential if the social worker is to discover anything of value during the short visit that he or she may make to a school. I am not sure at what stage a social worker can ask for a medical examination and whether the social worker will be empowered to remove a pupil from a school, perhaps to a doctor's surgery, if he feels that that is the correct course of action.

Even in the most favourable atmosphere pupils may be reluctant to say what has happened to them because of the sense of guilt from which such children are known to suffer and because of the stigma that such matters carry. Plainly, social workers will have to be very carefully trained in order to pick up the warning signals.

10.30 pm

I wonder whether some teachers in independent schools might be able to join the courses organised by the Community Education Development centre in Coventry. I know that that centre has been running courses for many years to acquaint teachers in state schools with the same warning signs. The clause states that where a local authority is of the opinion that there has been a failure by an independent school to carry out its duty to safeguard and promote the child's welfare it shall notify the Secretary of State. What then happens and what sort of time frame is considered? Will action by the Secretary of State be immediate? Will it be within a given time, perhaps 48 hours, and what will it consist of?

If there are strong grounds for believing that there has been sexual abuse, plainly an investigation will have to be set in train. If the head teacher or principal was involved, who would have power to suspend them while the inquiry was going on? One might reasonably say that the governors would have that power, but there is no requirement for independent schools to have governors. Even if there were, there is no certainty that the governors, having been appointed by the principal, did not share his predilections.

Some independent schools accept the children of service families, and some of the schools about which allegations have been made are in precisely that position. If they receive an income from the Ministry of Defence in education grants or, for that matter, from Foreign Office grants because a family is overseas, a strong case could surely be made for the Ministry of Defence or the Foreign Office having a member on the governing body or in a supervisory role. Perhaps as in the state sector it would be suggested that one or two parent governors would be another safeguard.

New clause 19 seems to be a badly needed measure to enable social service departments to look after the welfare of children who up to now have been outside the responsibility of those departments.

I have no doubt that 99 per cent. of independent boarding schools already provide excellent pastoral care. However, the allegations that have been made are so serious that we cannot let them go by. The Bill gives us the opportunity to take action. I am aware that there is understandable reluctance by the Department of Education and Science to become involved in the running of independent schools. Perhaps to some extent I share the view of the hon. Member for Durham, North-West that there should be some loose structure provided by the Department for independent schools.

Her Majesty's inspectorate carries out inspections of independent schools in connection with the quality of teaching, the general facilities and the state of the buildings. Therefore, it does not seem unreasonable to suggest that a social services inspectorate might go in with HMI inspectors when they make a visit. While the HMI inspectors are looking at standards of education, the social services inspectorate could consider welfare matters and, like the HMI, publish its findings. It would in no sense be an alternative to what is in the clause but it would reinforce the inquiries carried out by social services departments. That would be to bring in a third line of inquiry, much as local education authority inspectors are reinforced by the HMI in terms of education.

When the legislation receives Royal Assent, as I have no doubt that it will, how soon will it be implemented? It has

been pointed out to me that the Children's Homes Act 1982 still waits to be implemented. I should be sad if that were the fate of this Bill.

Mr. Rhodri Morgan (Cardiff, West): I do not want to belittle the deep seriousness with which the hon. Member for Newbury (Sir M. McNair-Wilson) has spoken, but he has underestimated the nature of the problem. He is still looking back to the romantic time of his old school days, with an ivy-covered quadrangle and an accommodation block run by a nice, friendly matron. The world of private education is not always like that. There is a demi monde of new-type private education that may provide accommodation, but in lodging houses in the town. The Bill does not oblige such schools to inform the local authority of how they are providing accommodation.

What is "providing accommodation"? Does it mean directly, by way of premises in the ownership of the school, or does it mean suggesting lodgings with one of a group of landladies? That is quite common. Does it cover the over-16s? Does it cover pupils who are aged between 16 and 18 and going to the new private sixth-form colleges that are proliferating? These frequently have foreign students who may live 10,000 miles away from home and their family. They have come with a desperate desire to get English A-levels and will frequently live in one of the suggested lodging houses. The local authority will not necessarily know about the lodging houses which come under the umbrella of the school and which could easily be interpreted as having been provided by the school under this clause.

I am not sure that local authorities will know where the accommodation is, so the idea of social services inspectors going in with the HMI to inspect the dorm while they inspect the school is not tenable. The accommodation may be provided in another local authority area. The clause does not go far enough to establish control over the new private schools run as businesses or as a straight commercial activity.

Mr. Key: I should like to help the hon. Member. He may be interested to know that at Harrow school, where I taught for some years, it was only in the 1930s that the school governors purchased boarding houses, which had previously been owned by the landladies and sometimes by the schoolmasters. Today, Harrow owns all the accommodation for its boys. There is a common pattern in the independent sector of the use of masters' accommodation and of landladies, which is part of the ancient school tradition. It is by no means a modern phenomenon and it does not pose a difficulty.

Mr. Morgan: The hon. Member has pinpointed the source of the difficulty. If there is no obligation on the school to issue a list of the accommodation that it is providing, or even to say whether it is providing accommodation, and is therefore covered by the clause, there is a problem, particularly for many foreign students who cannot consult their parents on such matters because they may not see them from the beginning to the end of the year, and are dependent on Britain's good reputation for looking after its schools. Their parents, 12,000 miles away, will think that they are safe because they have been sent to Britain and are in good hands. I wonder whether they are.

Mr. Hardy: Earlier this evening, hon. Members were gathered to say farewell to the esteemed Editor of the *Official Report*, Mr. Morgan. I teased Mr. Morgan a little by referring to what happened when I said that a Tory Member resembled Dr. Squeers. I shall not identify that hon. Member because I am sure that he is readily recognisable to his colleagues. When *Hansard* came out, the word had been changed to "square". Dickens probably does not have quite the influence that he had on education.

Mr. Morgan: He is probably not on the national curriculum.

Mr. Hardy: He is unlikely to receive a high place on the curriculum. Dickens exposed the reality of the horror on schools in some parts of England and, I am ashamed to say, in some parts of Yorkshire, because Dotheboys Hall was a real school, with a different name, situated in my county. That was all before social services departments were set up. That was before the NSPCC, with which I am proud to be associated, was established. But, as the hon. Member for Newbury (Sir M. McNair-Wilson) said, evil is still with us, despite the new structures that have been put in place. For that reason, my hon. Friend the Member for Durham, North-West (Ms. Armstrong) was right to refer to the need for priority and resources.

Subsection (3) of the proposed new clause commences:

"Where accommodation is provided for a child by an independent school within the area of a local authority, the authority shall take . . . steps"

to care for the child. Some parts of the country may not contain any independent schools. I may not in my area have an independent school capable of providing residential accommodation—and I do not think there are any such schools in Rotherham—but there may be some in Doncaster.

What will be the position if a child from the Rotherham area who is known to Rotherham borough council attends an independent school near his home but not within that borough council area? Will the authority in which the school is situated assume responsibility for the child, even though that authority's social workers may not know anything about the case? The wording of that provision might cause problems. Surely, the authority that knows the case history of the child, perhaps co-operating with the authority in which the school is situated, should be responsible for maintaining supervision of the child.

Subsection (5) of the proposed new clause is also worrying. The hon. Member for Newbury thought the school would agree to a visit by an inspector. I am not so sure, and that is why I question the use of the word "reasonable" in that subsection. I suggest that

"any person authorised by a local authority"

to care for a child should be free to visit an independent school at any time. "Reasonable" seems to qualify that freedom, remembering that some people may wish to stretch the use of the word "reasonable" in an unreasonable way. As the hon. Member for Newbury said, there are latter-day Squeerses.

We read in today's newspapers reports about two areas of difficulty, one of them of an enormously serious character. Because, 150 years or more later, the problems of Dotheboys Hall are still with us, we must not qualify the freedom of those who are charged with supervision in this area and who come into contact with people who are responsible for children, remembering that many of those children may have had horrifying experiences in the years prior to their attending such schools.

Mr. Mellor: I am grateful to hon. Members for their comments and I shall, in view of the hour, reply to them briefly. I thank the hon. Member for Durham, North-West (Ms. Armstrong) for welcoming our proposals, which were drafted following a debate in Committee initiated by her hon. Friends. While we do not in new clause 19 agree in every particular with new clause 33, I hope that she will feel that it is sufficiently similar for her not to press new clause 33 and broadly to accept new clause 19. I am aware that the new clause will impose further duties on local authorities; those matters will fall to be considered when we deal with the allocation of resources.

As for fees, I must reserve what I have to say about the Pre-School Playgroups Association until we reach that point in the Bill. I will say, however, that although we seriously considered imposing fees, we did not do so because fees are apparently not charged for the registration of schools, and it would therefore have been difficult for us to impose them while being consistent. I assure the hon. Lady that the fact that we were dealing with independent schools was not the reason.

10.45 pm

I am grateful to my hon. Friend the Member for Newbury (Sir M. McNair-Wilson) for his contribution. I realise that the descent of disagreeable publicity on his neighbourhood must have been painful for him, and for his constituents. New clause 19 does indeed give a power of entry exercisable at reasonable times.

Let me point out to the hon. Member for Wentworth (Mr. Hardy) that, in the event of genuine fear that something dreadful was going on, an emergency protection order could be sought ex parte and the social services could intervene at any point. The "reasonable hour" provision is there because a representative of the social services will visit most independent schools, and it would clearly be unreasonable for him at half-past one in the morning to knock on the door of an establishment that no one had any reason to believe was other than perfectly respectable. Anything that amounted to an attempt to deny a power of entry would constitute obstruction—itself a criminal offence.

My hon. Friend rightly wanted to know what would happen next. If, following an investigation, an allegation of sexual abuse was made, the child protection machinery would roll into action and an emergency protection order could be sought. If it simply revealed deficiencies that fell short of serious risk to a particular child, but were nevertheless material, a report would be made to the Department of Education and Science, which would be expected to act in a way with which we are all familiar: inspectors would go to the school and examine the circumstances. I dare say that the speed of response would vary according to the seriousness of the allegations, but I would expect an appropriate response, and no doubt the Department would be criticised if it failed to provide one.

My hon. Friend put his finger on a point that was spotted earlier by the hon. Member for Coventry, South-East (Mr. Nellist). Both hon. Members—who do not often find themselves in alliance—rightly pointed out that we have incorporated in the Bill parts of a 1982 Act that has not yet been implemented. I assure them that we intend to implement all of the Bill by the autumn of 1991 at the latest. This thorough wash and brush-up of children's law is intended to retain those aspects of existing legislation that are necessary. They are not there simply to be on the statute book; they are there to be activated, and we shall activate them with what I hope will be a sensible programme.

Let me say to the hon. Member for Cardiff, West (Mr. Morgan) that I believe that where a school provides board and lodging as part of the school—even if those establishments are outside the curtilage of the school—they will be caught by the legislation. It is true that we have not extended the Bill to children attending schools teaching English as a foreign langage, most of which provide short, non-residential courses. Some children boarding out for 28 days or more, however, would come within the scope of the private fostering provisions in part IX, which contains various powers and safeguards. Similarly, if care and accommodation are provided in a home, part VIII could be relevant. I do not believe that the Bill is toothless, although we shall re-examine it in the light of what the hon. Gentleman has said so as not to be caught out on any of the technicalities.

Mr. Morgan: Will the Bill apply to children until they finally leave school, and therefore after the minimum school leaving age of 16?

Mr. Mellor: I think that it will apply up to the age of 18. My advisers are nodding that I am correct. I am glad that I did not require too many Sir Humphreys to get that right.

Finally, the hon. Member for Wentworth raised a point about the authority in which the school is located. We are seeking to give local authorities the right to look at schools in the same way as they have the right to look at any place where a child was living within their area. If a child was already known to a local authority and in contact with the social services department, one would expect liaison, and there would be a role for the home local authority. Otherwise, where a child had simply gone from one area to another to go to school, he probably would not be known to either local authority social services department.

Social services departments that, rightly or wrongly, feel that they do not have the right to know what is happening in schools should have the right to satisfy themselves about conditions so that they are not merely responding to allegations of abuse, when, if they had been in some contact with the school before, the danger signals should have been spotted. The right should be triggered by the existence of the institution itself and not by the presence of any particular child.

I have enjoyed this short debate. I hope that it means that the House can collectively set its hand to new clause 19.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 21

ENFORCEMENT OF RESIDENCE ORDERS

.—(1) Where—

(a) a residence order is in force with respect to a child in favour of any person; and

(b) any other person (including one in whose favour the order is also in force) is in breach of the arrangements settled by that order,

the person mentioned in paragraph (a) may, as soon as the requirement in subsection (2) is complied with, enforce the order under section 63(3) of the Magistrates' Courts Act 1980 as if it were an order requiring the other person to produce the child to him.

(2) The requirement is that a copy of the residence order has been served on the other person.

(3) Subsection (1) is without prejudice to any other remedy open to the person in whose favour the residence order is in force.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

The new clause gives a person with benefit of a residence order a means of enforcing that order in a magistrates court under section 63 of the Magistrates' Courts Act 1980. That means that a magistrates court may order a person acting in breach of the order to pay a sum not exceeding £50 for evey day during which he is in default or a maximum sum of £2,000 in total, or it may commit him to custody until he has remedied his default or for a period not exceeding two months. The person in breach must first be served with a copy of the order so there is no chance of him attracting penalties in ignorance.

I have referred to magistrates courts, but breaches of orders in higher courts could be dealt with as contempts. I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 22

RIGHT OF GUARDIAN AD LITEM TO HAVE ACCESS TO LOCAL AUTHORITY RECORDS

'.—(1) Where a person has been appointed as a guardian ad litem under this Act he shall have the right at all reasonable times to examine and take copies of—

(a) any records of, or held by, a local authority which were compiled in connection with the making, or proposed making, by any person of any application under this Act with respect to the child concerned; or

(b) any other records of, or held by, a local authority which were compiled in connection with any functions which stand referred to their social services committee under the Local Authority Social Services Act 1970, so far as those records relate to that child.

(2) Where a guardian ad litem takes a copy of any record which he is entitled to examine under this section, that copy or any part of it shall be admissable as evidence of any matter referred to in any—

(a) report which he makes to the court in the proceedings in question; or

(b) evidence which he gives in those proceedings.

(3) Subsection (2) has effect regardless of any enactment or rule of law which would otherwise prevent the record in question being admissible in evidence.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

This new clause will allow a guardian ad litem appointed under this Bill access to local authority records relating to the child with whom the guardian is concerned. The clause will apply to records held by the local authority which were compiled for the purposes of making an application under the Bill, or in connection with any function which is referred to the local authority's social services committee. These functions are set out in the first schedule to the Local Authority Social Services Act 1970, and include the care, treatment and supervision of children and young people through the court process, and the supervision of a child subject to a court order in matrimonial proceedings.

If a guardian ad litem is to protect a child's interests when that child is subject to an application by a local authority, and if the guardian is to advise the court fully on that application, he must have access to the information held by the local authority when making decisions about that child's future. There are two reasons why this must be achieved by giving the guardian a specific right to inspect the local authority's records. First, we cannot rely upon procedural devices which will insist that local authorities give advance disclosure of their case, as that would make available only information upon which the local authority has chosen to rely. The guardian must also have access to information which the local authority does not rely on. In other words, the guardian must be entirely free to decide what information is relevant to his or her report.

Secondly, we cannot achieve the desired results by making local authorities open to everyone involved in a case because parts of the records are protected by privilege, which is necessary if the authorities themselves are to continue to perform their social work functions. For example, local authorities can protect their sources of information, which might otherwise be lost to them if that protection were removed. The contents of local authority records should not, therefore, be made generally available, but they should be made available to guardians ad litem. I have no doubt that hon. Members will appreciate the importance of the new clause and I commend it to the House.

Mr. Tom Clarke: The Solicitor-General has outlined the role of guardians ad litem in respect of local authorities. He said that it might be necessary for them to have access to local authority records at times so that they could feel free to proceed with their duties. The House will follow the thinking behind the Solicitor-General's remarks. However, for guardians ad litem adequately to discharge their duties, it may be that information from other public bodies is necessary. Does the Solicitor-General have in mind to consult the National Society for the Prevention of Cruelty to Children, for example? Clearly, its involvement with many aspects of this legislation becomes important. Will the Solicitor-General consider, as a next step, whether its records should also be available, in specific cases, to the guardians ad litem?

Mr. McCartney: It is late, but the new clause is important. Many of the problems that arise in relation to child care orders and in courts determining the long-term future of children placed in care relate to judgments of information received and disseminated, whether that judgment is a value or subjective judgment and whether the sources of information have been dubious in the first instance.

When I and other hon. Members have dealt with cases in which there has been a serious miscarriage of justice about parental rights when a child has been taken into care, either in the initial stages or later in a magistrates court, much of the discussion thereafter has been about the ability of independent sources to consider and disseminate the information being prepared by the local authority in determination of the case.

Some months ago, just before the summer recess, we had a debate in the House late in the evening about access to information on social services' files and this debate follows on from that. I am one of those who are concerned that on occasions information on those files is misused, or

[Mr. McCartney]

that information cannot be used adequately to protect the child or to give adequate information to the court to determine the long-term relationship between the child and the family, whether the parents only or the wider family.

I welcome the opportunity provided by the new clause to discuss the general question of access to information. My hon. Friend the Member for Monklands, West (Mr. Clarke) rightly raised the question of access to information other than that controlled by the local authority. We should also consider access between local authority departments. The development of information between local authority departments is not always clear and local authorities sometimes prevent significant information passing between departments. There are cases where a local authority has parental care over a child, but where the child's education is provided in a special establishment outside the direct control of that local authority. I know of instances in which information gathered between the two authorities has not been of a quality to make possible adequate decisions about the long-term care of a child.

I want to outline a case with which I was involved a few years ago. In that case the information was unreliable and no independent source was able to check it in the subsequent court proceedings and a disastrous chain of events unfolded.

11 pm

I will not identify the real names of the individuals concerned and will refer instead to the girl whom I will call Carol and her baby Louise. As a result of the inability of an independent source to check the quality of information provided by the social services to the courts or to have access to information during the proceedings, a chain of events occurred which caused the family to be separated. However, at the end of the day they were reunited.

Carol was visited by a health visitor and confided in the woman that she had a new boyfriend called Nicky. Unknown to Carol, the health visitor already knew Nicky who had suffered from a mental illness. The health visitor reported her concerns to a male social worker. Within 24 hours he called on Carol and asked her to sever the relationship with Nicky. At that stage Carol did not know what had been said between the health visitor and the social worker. She told the social worker that, at that stage, she was unwilling to sever the relationship, but she would consider it in view of what the social worker had said to her. She was revisited 24 hours later and decided to maintain her previous decision not to sever the relationship at that stage.

The following day, without consultation with Carol, her child was removed from the local authority nursery. The local authority report concluded:

"There is no evidence at this stage of any form of abuse either in the home or the nursery."

Carol was immediately refused access to Louise and the magistrates confirmed the order at a subsequent court hearing.

Three months later Louise was put out for long-term foster and subsequently Christmas cards and presents for the baby were returned. A notice was sent to Carol stating that she would not be able to send birthday cards or correspond with the child in any way. At this stage, the mother was distraught at the circumstances and, despite my efforts and subsequently those of solicitors, we could not find any independent sources of information to determine the way in which the decision was taken. Six months later the local authority applied to allow the long-term foster parents to retain baby Louise on the grounds that her relationship with her mother had completely broken down and no bonding existed.

The bonding had broken down precisely because the social services department had acted to effectively break off the relationship between mother and child. At no stage was any independent review taken of how the local authority had made its decision. No one could challenge the decision or ask for a review to determine what other information—if any—the local authority had gathered to reach its original conclusion.

Eventually, the foster parents applied to the authority to adopt. Subsequently the foster mother became pregnant and the foster arrangement broke down. Louise was placed in a children's home and then sent out to short-term fostering. After two years of negotiations between the local authority and the solicitors—instigated at my intervention—the baby was eventually returned to her mother. During that time the mother's relationship with Nicky proved to be stable—she married him and a baby sister was born to the family. At no stage during that traumatic two-year period could anyone intervene effectively to prevent that miscarriage of justice.

I welcome the new clause. If such a clause had existed in the interim, the independent guardian ad litem would have been able to intervene to assess the information provided by the local authority and the actions that were taken based on that information, and then properly represent the child.

I have met representatives of several self-help organisations throughout the United Kingdom. The case that I mentioned is not isolated. All too often decisions are taken by social workers not because they wish to act aggressively to families but because of pressure on them to try to protect children. They operate on the basis that they should act now rather than be sorry if an event takes place later. In many instances social workers work under pressure because of lack of resourcing for care teams in certain areas or because of general departmental underfunding. When protecting a child from any possible abuse we must determine whether abuse is likely to take place and not abuse that child's right to remain with its parents at that stage.

The new clause gives an opportunity also to protect children from abuses of authority when there are no grounds for children to be taken from their parents. There could be effective intervention by examining local authority records and determining whether there was sufficient reason to take certain action.

I hope that the case that I have outlined will be a matter of the past. Luckily, the family whom I mentioned have been brought together. There are many instances in which families are broken up and never brought together, with tragic consequences for mothers and children.

The Solicitor-General: I am grateful to the hon. Member for Makerfield (Mr. McCartney). His wide experience and the instances that he has mentioned help to illustrate the great variety of cases in which the Bill and this new clause might become relevant.

I shall answer the personal question raised by the hon. Member for Monklands, West (Mr. Clarke) about

circumstances in which the records of not a local authority but of some other responsible body—for example, the NSPCC—might need to be sought. When we adopted new clause 23 we gave an opportunity to give power for rules on access to documents to be furnished. The NSPCC, as an authorised person within the meaning of clause 28(9), could be required to provide access to such documents as the hon. Gentleman had in mind. I hope that is of assistance. I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 24

Attendance of child at hearing under Part IV or V

'.—(1) In any proceedings in which a court is hearing an application for an order under Part IV or V, or is considering whether to make any such order, the court may order the child concerned to attend such stage or stages of the proceedings as may be specified in the order.

(2) The power conferred by subsection (1) shall be exercised in accordance with rules of court.

(3) subsections (4) to (6) apply where—

(a) an order under subsection (1) has not been complied with; or

(b) the order has reasonable cause to believe that it will not be complied with.

(4) The court may make a order authorising a constable, or such person as may be specified in the order—

(a) to take charge of the child and to bring him to the court; and

(b) to enter and search any premises specified in the order if he has reasonable cause to believe that the child may be found on the premises.

(5) The court may order any person who is in a position to do so to bring the child to the court.

(6) Where the court has reason to believe that a person has information about the whereabouts of the child it may order him to disclose it to the court.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

The effect of this new clause is to enable a court hearing an application for an order under part IV or part V of the Bill, which relate to care and supervision orders, or education supervision orders and other orders of that kind, to order that the child attend part or all of the proceedings. Such powers must be exercised in accordance with rules of court.

Subsections (4) to (6) give the court enforcement powers in the event of non-compliance. That is another addition to the Bill in the series on procedure and practice in family proceedings in the courts having concurrent jurisdiction. The purpose is to reproduce—in a decriminalised form, I hasten to say—the provisions of the Children and Young Persons Act 1969. At present, care proceedings are brought in juvenile courts by bringing the child before the court. In future, care will be sought by an application to the court by the local authority or authorised person.

The Bill's principal reforms on representation of the child and court procedure and practice should make it unnecessary for the child to attend the hearing in many cases. I hope that this will be much welcomed and that this point illustrates the points that I made in our longer debate earlier. The presumption that there will be a guardian ad litem for the child reporting to the court and his right of access to local authority records, which we have just dealt with, and the requirements on advanced disclosure of the case, disclosure of documents and preliminary hearings which it is intended to make in rules of court should make it unnecessary for the child to attend. I know that all these new and welcome provisions will be much welcomed by the hon. Member for Ynys Môn (Mr. Jones) who dealt with this informality.

However, the child's attendance will be necessary in some cases. The circumstances of the case may be such that the court would be helped by hearing from the child directly, at first hand, for a number of reasons. There may be contradictions in the arguments that have been put forward either by the legal representatives or by the guardian ad litem which may need to be sorted out. The new clause gives the court a discretionary power to call the child when hearing such applications.

There is also a decriminalising reform of the present model for enforcement. At present, under the 1969 Act, a child can be arrested and detained for up to 72 hours. That is not the kind of thing that we want to repeat, but there is a power that a child should be brought to the court for this purpose should it be necessary. One hopes that it would happen only in rare cases. I commend the new clause to the House.

Mr. Hardy: I take the view that, if a child's future is being determined by the court, there may well be a risk that the court will be excessively reluctant to bring the child to the court, but the child may be passionately keen to know what the court is saying.

I am reminded of a case that I know well in which a boy of 11 was attending a case conference where they were telling him about the family that he was to join on the following day. He decided that night that he did not want to wait until he was taken there by the social worker and he went to case the joint himself. He was concerned about the place to which he was to go. I think that he wanted to inspect the two motor cars on the drive. He could not wait. He was concerned about his position and his future. A child might be in a children's home or some other establishment while a court is determining his or her future and discussing it, as it would under parts IV and V. There may be a risk that the court will be excessively protective.

Therefore, I was concerned to see the word "may" appear twice in subsection (1). I am sure that the Solicitor-General will have noted it. I am worried in case the double "may" in one sentence is evidence that the court will be excessively protective. I am not saying that it should be an invariable practice, but in the case of a relatively mature, tough or worldly wise boy or girl of 10, 11, 12 or 13, the court could be over-sensitive or over-protective if it sought to leave the child in an establishment a few miles away while his or her future was being disposed of by the court.

I am strongly in favour of the right being created but I want the right to be exercised in such a way that, especially if the child wishes, he or she may be involved.

The Solicitor-General: What the hon. Member for Wentworth (Mr. Hardy) says carries much force. The new clause not only gives the court the discretion and the right to exercise the power to require the child to come to court, but there is no reason why the court should not intimate to the child that it would like it to come and that it is open to the child to come. The child, as a party, is entitled to

[The Solicitor-General]

attend, and that entitlement alone might be brought to its attention. I take the hon. Gentleman's point. I commend the new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 25

ORDERS PENDING APPEALS IN CASES ABOUT CARE OR SUPERVISION ORDERS

'.—(1) Where—

(a) a court dismisses an application for a care order; and

(b) at the time when the court dismisses the application, the child concerned is the subject of an interim care order,

the court may make a care order with respect to the child to have effect subject to such directions (if any) as the court may see fit to include in the order.

(2) Where—

(a) a court dismisses an application for a care order, or an application for a supervision order; and

(b) at the time when the court dismisses the application, the child concerned is the subject of an interim supervision order,

the court may make a supervision order with respect to the child to have effect subject to such directions (if any) as the court may see fit to include in the order.

(3) Where a court grants an application to discharge a care order or supervision order, it may order that—

(a) its decision is not to have effect; or

(b) the care order, or supervision order, is to continue to have effect but subject to such directions as the court sees fit to include in the order.

(4) An order made under this section shall only have effect for such period, not exceeding the appeal period, as may be specified in the order.

(5) Where—

(a) an appeal is made against any decision of a court under this section; or

(b) any application is made to the appellate court in connection with a proposed appeal against that decision,

the appellate court may extend the period for which the order in question is to have effect, but not so as to extend it beyond the end of the appeal period.

(6) In this section "the appeal period" means—

(a) where an appeal is made against the decision in question, the period between the making of that decision and the determination of the appeal; and

(b) otherwise, the period during which an appeal may be made against the decision.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

11.15 pm

The Solicitor-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to discuss Government amendment No. 320.

The Solicitor-General: The new clause deals with orders pending appeal and will give the courts power to order that a child remain in care, or place him under supervision, pending an appeal when dismissing an application for a care order.

In a similar way, the courts will be able to order that a child stay under supervision pending appeal, when a supervision order is refused. Such powers will be available only when the child is already subject to an interim order. Courts will also be empowered to order that the child remain in care pending appeal when discharging a care or supervision order. Further, under amendment No. 320, the power to stay the effect of orders will also be extended to those which approve arrangements for children in local authority care to live abroad.

The powers are necessary to avoid needless disruption to the child where there is a good chance that an appellate court will reverse a first instance decision to refuse an order.

The new clause balances the need to consider the child's best interests, by protecting him from unnecessary disruption, against the basic premise that the child should not be kept away from his parents where the local authority has failed to obtain an order. The restrictions placed upon the availability and duration of the orders strike that balance in the best way possible.

Amendment No. 320 completes the picture concerning orders pending appeal. The amendment relates to the situation where the court is asked to approve arrangements for a child in local authority care to live abroad. There must be power to stay this approval pending an appeal as rights of appeal would be useless if the child could be removed from the jurisdiction before an appeal is heard.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 26

TESTS TO ESTABLISH PATERNITY

'. In section 20 of the Family Law Reform Act 1969 (power of court to require use of tests to determine paternity), the following subsections shall be inserted after subsection (1)—

"(1A) Where—

(a) an application is made for a direction under this section; and

(b) the person whose paternity is in issue is under the age of eighteen when the application is made,

the application shall specify who is to carry out the tests.

(1B) In the case of a direction made on an application to which subsection (1A) applies the court shall—

(a) specify, as the person who is to carry out the tests, the person specified in the application; or

(b) where the court considers that it would be inappropriate to specify that person (whether because to specify him would be incompatible with any provision made by or under regulations made under section 22 of this Act or for any other reason), decline to give the direction applied for.".'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 28

PRIVACY FOR CHILDREN INVOLVED IN CERTAIN PROCEEDINGS

'.—(1) Rules made under section 144 of the Magistrates' Courts Act 1980 may make provision for a magistrates' court to sit in private in proceedings in which any powers under this Act may be exercised by the court with respect to any child.

(2) No person shall publish any material which is intended, or likely, to identify—

(a) any child as being involved in any proceedings before a magistrates' court in which any power under this Act may be exercised by the court with respect to that or any other child; or

(b) an address or school as being that of a child involved in any such proceedings.

(3) In any proceedings for an offence under this section it shall be a defence for the accused to prove that he did not know, and had no reason to suspect, that the published material was intended, or likely, to identify the child.

(4) The court or the Secretary of State may, if satisfied that the welfare of the child requires it, by order to dispense with the requirements of subsection (2) to such extent as may be specified in the order.

(5) For the purposes of this section—

"publish" includes—

(a) broadcast by radio, television or cable television; or

(b) cause to be published; and

"material" includes any picture or representation.

(6) Any person who contravenes this section shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.

(7) Subsection (1) is without prejudice to—

(a) the generality of the rule making power in section 144 of the Act of 1980; or

(b) any other power of a magistrates' court to sit in private.

(8) Section 71 of the Act of 1980 (newspaper reports of certain proceedings) shall apply in relation to any proceedings to which this section applies subject to the provisions of this section.'.—*[The Solicitor General]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 310.

The Solicitor-General: This new clause is concerned only with cases heard before magistrates and deals with the matter of privacy.

The ability of magistrates courts to sit in private and restrictions on publication of material about children involved in civil cases differ, at present, between courts and according to the type of case being heard. For example, most cases affecting the custody of or access to children which are heard in magistrates courts are heard under the Guardianship of Minors Act 1971 in the domestic court. Rules of court may specify when hearings under this Act can be held in private, and rules currently provide that the court shall hear applications in private where it considers this is expedient in the interests of the minor. But there is no similar power in relation to care cases.

The Bill repeals the 1971 Act and new clause 18, which we have already debated, removes jurisdiction to hear care cases from the juvenile court and transfers it to the domestic court. The net effect of all this, if we do not provide otherwise, is to remove protection already afforded today by the law to children involved in care, custody and access cases. In addition, the current hotch-potch of protection in these matters needs to be replaced by coherent and consistent provisions.

Amendment No. 310 adds another exception, to take account of new clause 28, which deals with privacy for children in certain proceedings. A court or the Secretary of State will have power by order, under subsection (4) of that clause, to lift the restrictions upon identifying a child involved in proceedings under the Bill. This is because it may be in the child's best interests, albeit only in rare cases, for facts to be fully published, rather than have rumour and speculation flourish. Such orders will have to be made quickly. It would be both unwieldy and inappropriate for them to be made under the statutory instrument procedure.

I commend the new clause to the House.

Mr. Michael Stern (Bristol, North-West): I shall not detain the House long, but I wish to explore with my hon. and learned Friend the Solicitor-General what this clause comprises because I think that it may go wider than he has described. He may be aware that I was in correspondence with my hon. and learned Friend the Minister for Health about a related matter some time ago. Would my hon. and learned Friend the Solicitor-General agree that under the proposed clause, with which I heartily agree, it would be possible for magistrates to order privacy when powers under the Bill were being considered when privacy was required not for the child but for another person connected with the case?

I am thinking of a case which occurred in my constituency in which privacy would have been necessary for the protection of the accused adult in the case. Does my hon. and learned Friend agree with me that, under the new clause, should magistrates so decide, there would be powers available to them to protect the adult? I am not necessarily asking my hon. and learned Friend to answer this query straight away, but I should be most grateful if he would write to me if he cannot give me an answer now.

The Solicitor-General: If I do not rise to my feet too rapidly, I may be able to oblige my hon. Friend now.

The position will be dealt with by rules of court which will set out the circumstances under which the court can sit in private. Those rules of court have still to be formulated and my hon. Friend's point will be borne in mind when we draft them.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 29

SELF-INCRIMINATION

.—(1) In any proceedings in which a court is hearing an application for an order under Part IV or V, no person shall be excused from—

(a) giving evidence on any matter; or

(b) answering any question put to him in the course of his giving evidence, on the ground that doing so might incriminate him or his spouse of an offence.

(2) A statement or admission made in such proceedings shall not be admissible in evidence against the person making it or his spouse in proceedings for an offence other than perjury.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

This new clause deals with self-incrimination. It is important that courts hearing applications for care or supervision orders, or for emergency protection orders, should have the benefit of all the evidence available to them. Generally, a witness in proceedings enjoys a privilege against self-incrimination. Courts hearing the types of application outlined under parts IV and V of the Bill should not be deprived of potentially useful evidence, even on this ground.

Therefore, the new clause removes that privilege in respect of applications under those parts of the Bill. In its place, it grants such a witness an indemnity so that his evidence in those proceedings cannot be relied upon in proceedings against himself or his spouse for any criminal offence other than perjury.

I commend the new clause to the House.

Question put and agreed to.

[The Solicitor-General]

Clause read a Second time, and added to the Bill.

New Clause 31

APPLICATION OF PART X TO SCOTLAND

". In the application to Scotland of this Part.

(a) "the court" means the sheriff;

(b) "day care" means any form of care or of activity supervised by a responsible person provided for children during the day (whether or not it is provided on a regular basis);

(c) "education authority" has the same meaning as in the Education (Scotland) Act 1980;

(d) "local authority foster parent" means a foster parent with whom a child is placed by a local authority;

(e) for references to a person having parental responsibility for a child there shall be substituted references to a person in whom parental rights and duties relating to the child are vested; and

(f) for references to fostering a child privately there shall be substituted references to maintaining a foster child within the meaning of the Foster Children (Scotland) Act 1984.'.—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 293 to 298 and Government amendment No. 363.

Mr. Mellor: These are technical amendments designed to allow part X of the Bill to operate in Scotland.

Mr. Tom Clarke: I assure the House that at this late hour I do not propose to initiate a major debate on Scotland, inviting though that is. There are those who might suggest that so keen am I on promoting the Solicitor-General that there might be a vacancy for the Secretary of State for Scotland in the not-too-distant-future and he might be seen as an applicant.

My hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) would expect me to ask a question or two. We appreciate that the new clause applies to part X of the Bill, which deals with child minding and day care. It is rather comprehensive. It includes the sheriff courts, day care, education authorities, local authority foster parents, parental rights and references to fostering a child privately.

In Committee, even on issues such as these, which I accept cannot be argued to have a major impact on how we deal with these matters, voluntary organisations and local authorities had an opportunity to give us their views. I might be mistaken, but I have not had an opportunity to hear the views of any Scottish organisations. I am not aware of the views of the Convention of Scottish Local Authorities.

I am asking the Minister, not to give me an assurance that such views will be sought before tomorrow morning, or even before the Bill reaches another place, but that, before implementation, the Government, particularly the Secretary of State for Scotland, will bear in mind the views of such organisations.

Mr. Mellor: I dinna ken too much about this the noo —but I shall do my best to give the undertaking that the hon. Gentleman wants.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Further consideration of the Bill adjourned.—*[Mr. Kenneth Carlisle.]*

Bill, as amended (in the Standing Committee), to be further considered tomorrow.

Dangerous Goods (Transport by Sea)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kenneth Carlisle.]*

11.26 pm

Mr. George Howarth (Knowsley, North): There is, quite properly, wide public concern about environmental issues, and the subject of this debate is a potentially serious matter that requires Government action.

One case highlights starkly the need for the law relating to the transport of cargoes to be tightened. In September last year, the ship Ardlough sank in the Irish sea, and much of its deadly cargo—a cocktail of dangerous substances and low-level radioactive waste carried in unlabelled containers—landed at various locations on the north-west coast. The authorities and emergency services had great difficulty dealing with the consequences of this incident for one crucial reason—they did not have sufficient information to work from.

As a result, the Association of Metropolitan Authorities conducted a detailed review of the procedures involved and, in August, recommended changes to the legal framework in six key areas. The first concerned blanket cover—the system which allows ships to move from one port to another without notifying the authorities other than at six-monthly intervals. The AMA suggests that cover should be limited to single cargoes such as oil tankers.

Secondly, the requirement for transport operators to give only 24 hours' notice of their intention to bring dangerous goods into ports should possibly be increased, but most certainly the time that applies at the moment should be properly enforced, because port authorities are frequently not given that type of notice.

Thirdly, harbour masters should be required by clear regulation to give higher priority to safety rather than, as we often suspect is the case at the moment, to economic factors.

Fourthly, pilots should be required to accompany ships with dangerous cargoes into and out of ports. Such a deficiency, if I may so call it, may have been a factor in the recent Humber tanker collision. That cannot be proved as yet, but one can hope that the facts will be discovered.

Fifthly, all faces of containers that carry this kind of material should be clearly labelled with a durable label that could withstand up to three months in the sea.

Finally, the emergency planning authorities and local authorities should be given enough financial support to enable them to carry out proper planning and to make resources available to deal with such problems as and when they arise. The legislation covering that urgently needs to be reviewed and revised.

I should add in passing that this raises questions about the powers of emergency planning officers, which are too restricted for the demands placed on them. I hope that the Home Secretary—I recognise that this is a transport matter—will build on the comments in his speech of 5 September of this year to the Fire International conference. I am aware that the Department of Transport responded to the AMA's report in a letter dated 12 September 1989, but that response was inadequate and unhelpful. Time prevents me from commenting in too much detail on that response, but having read it I am at a loss to see how, for example, the incident I mentioned earlier could have been eased by the response envisaged by the Department. Clearly, more needs to be done and a more intelligent response is needed.

The Government's general attitude to environmental matters is worrying. It is instanced by the late signing of the Basle convention on toxic waste—the Government were one of the last Governments to sign it. Our present methods and procedures are wholly inadequate when set against acceptable modern safety standards. The Government's complacency stands in stark contrast with their political posture as the guardians of our green and pleasant land.

If the letter I referred to earlier is indicative, the Government's rhetoric is hollow, their proposals are thin or non-existent and their intentions are nothing more than a tendency to tawdry window-dressing. In many of these issues, particularly that of the transport of these goods by sea, the Government try to lock the stable door after the horse has bolted. Too many disasters are waiting to happen for this approach to be acceptable. More needs to be done. The AMA has good ideas and I hope that the Government will respond to them more positively than they have done do far.

11.32 pm

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): I thank the hon. Member for Knowsley, North (Mr. Howarth) for giving me the opportunity of appearing at the Dispatch Box for the first time before a number of changes take place in the Chamber. I also thank him for giving me the chance to speak about this subject, which has been of some topical interest in recent years but which has not had the attention of the House for some time.

As one with both a background and constituency in Merseyside, the hon. Member is naturally concerned with ports and with the welfare of those that go down to the sea in ships. It is refreshing to be asked to respond on a topic that, while close to the hearts of many of us, stands a better chance of being treated in a dispassionate and non-partisan spirit, and on which, even in the short time afforded by an Adjournment debate, it is possible to get some meeting of minds.

I shall be responding to individual points in a few moments, but first I should like to say a few words about the current framework for dealing with maritime carriage of dangerous goods and associated emergency planning, dealing with the emergency planning aspect first.

Contingency plans exist to deal with a spillage or loss of dangerous goods from a ship at sea. The Department's marine pollution control unit, which was set up in 1979 with specific responsibilities for contingency planning and for taking charge of operations to deal with pollution at sea, has access to expert advice on chemical and radioactive hazards and has under contract both a strike team of personnel experienced in handling dangerous cargoes and cargo transfer equipment.

When an accident happens to a vessel the unit would first try to ascertain the intentions of the owners or the salvors to contain pollution or the threat thereof. If necessary, the Secretary of State would exercise his powers of intervention if it became apparent that the owners or salvors were not taking all reasonable steps to avoid or combat pollution, or if they were not in a position to do so. These powers are statutory ones and derive from the

[Mr. Patrick McLoughlin]

Prevention of Oil Pollution Act 1971 supplemented by the Merchant Shipping (Prevention of Pollution) (Intervention) Order 1980, which was passed by this Government. These powers are very wide. Where an accident has happened in or to a ship and pollution will or may be caused on a large scale in the United Kingdom or in United Kingdom territorial waters, the Secretary of State may give directions to owners, masters or salvors of ships requiring them to take, or refrain from taking, any action of any sort whatever. Moreover, if he feels that the powers to give directions are inadequate, the Secretary of State may himself take any action of any kind whatever, which can include taking control of the ship or even destroying it.

In an incident threatening grave or imminent pollution we shall not hesitate to use those powers if need be. This was demonstrated in March of this year when a small Panamanian-registered, Indonesian-owned ship, the Perintis, capsized and sank in international waters in the middle of the English channel, about 35 miles south-east of Brixham. The vessel had a quantity of toxic pesticides on board and the expert advice to the marine pollution control unit was that the chemicals posed a major pollution threat to the marine environment and to United Kingdom fishery interests in particular. The owner of the vessel was not intending to do anything about the chemicals, and accordingly the Secretary of State authorised the MPCU to take direct action to recover the drums of pesticide which were scattered over the sea bed when the vessel capsized. Later, 28 of the 32 drums of toxic chemicals were successfully recovered. Tests showed that they had a much lower rate of solubility in sea water than first feared and scientific advice was that a continued search for the remaining drums was not therefore justified.

The Government's response on that occasion shows that we are conscious of the environmental hazards posed by the loss of dangerous goods being transported by sea, and we are ready to take action where it is practicable to do so.

Turning briefly to the general question of transport of dangerous goods by sea, I am well aware of the increasing concern for the protection of the marine environment, which can be undertaken only with international co-operation. The promotion of safety of life at sea was a major factor in the setting up 30 years ago of the International Maritime Organisation as a United Nations specialised agency based in London, and very soon afterwards work was begun, based on the United Kingdom's own Blue Book, on codifying internationally accepted provisions on classification, packing, marking, labelling, stowage and segregation of packaged dangerous goods—work which took shape in the form of the international maritime dangerous goods code, or the IMDG code as it is more familiarly known. There has been similar activity in dealing with bulk carriage of chemicals, gases and solid bulk materials. In all this, successive United Kingdom Governments have played an active role. The IMO's 30th anniversary year, as it happens, coincides with the issue of a new edition of the IMDG code, which for the first time contains detailed provisions controlling the marking, identification, packing and stowage of cargoes known to be marine pollutants and reporting of incidents involving them. These amended provisions will enable international adoption of annex III to the marine pollution convention, and the Department is preparing new regulations to implement the changed requirements nationally.

Although our plans for dealing with emergencies are tried and tested, I am keen to deal with potential problems by preventive action rather than by measures to handle the consequences of an accident.

Mr. George Howarth: May I welcome the Minister to the Dispatch Box for the first time? I am familiar with the authority that he has mentioned. Is he aware of the European Commission directive 89/C147/03 of 24 May? It places a requirement on member states to observe articles 5, 6, 7 and 8 of the directive which covers the ground that I spoke about and about which the Minister has also spoken.

Mr. McLoughlin: I am aware of that directive. There will be a chance to discuss that in the House at a later date and I look forward to that.

As I was saying, there are detailed and complex internationally agreed rules governing the transport of dangerous goods by sea. One way to do that is to ensure that ships carrying dangerous goods meet the international standards applicable to them. Tankers carrying chemicals in bulk and gas carriers are already singled out by surveyors in the port state control inspections.

Ministers meeting next March for the third international conference on the protection of the North sea will be considering how the present arrangements for ship inspection can be extended to cover all equipment and the operational requirements required by current international conventions in respect of pollution prevention and safety. Under these measures, ships carrying certain dangerous goods in packaged form will be given special consideration under port state control procedures.

I hope that the hon. Gentleman will join me in congratulating the marine pollution control unit on its effective and fast response in averting what could have been a nasty and serious environmental accident following the recent collision in the Humber. The quick response of the unit and the Department averted such a disaster. Oil spillage is covered under international liability and international insurance. The quick and effective way in which we responded to the incident in the Humber demonstrated at first hand the way in which the Department and the Government are set up to meet the challenges presented by such accidents.

The hon. Gentleman spoke about emergency planning by local authorities. Of course, that is a matter for my right hon. Friend the Secretary of State for the Home Department. I understand that there is a framework in existence which allows expenditure on civil emergency planning in a variety of ways. Apart from these provisions, my right hon. Friend has announced that he intends to appoint a civil emergencies adviser who will have oversight of civil emergency planning in peacetime.

The regulations about dangerous substances in harbour areas require the harbour authorities to prepare an effective emergency plan for dealing with emergencies that affect or could affect dangerous substances in their areas. In terms of the identification of which goods on board are dangerous and where they are stowed, the master is obliged to prepare a dangerous goods manifest or stowage plan from the information provided on the various

dangerous goods declarations that he is given. That list or plan must indicate the name of each of the dangerous goods carried and show where each is stowed in the ship.

When I was in Southampton a few weeks ago I was able to see the way in which a ship's master carefully monitors and clearly identifies where dangerous or suspect cargo is loaded, as he is required to do by the various regulations. That enables easy access to the goods and such goods are not allowed to be placed in the main hold of the ship. In addition, packages, vehicles and freight containers are required to have hazard labels or placards so that they can easily be picked out by an inspector.

I am sure that we shall return to this topic. I have already spoken about the EC order. I thank the hon. Gentleman for his contribution and for the stimulating and educational debate. The hon. Member has done us all a service by his choice of subject. I know that this is not the last time that we shall hear about maritime safety. This debate has been a useful and constructive start.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Twelve o'clock.

House of Commons

Tuesday 24 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (SPITALFIELDS MARKET) BILL
Order read for consideration of Lords amendments.
To be considered on Thursday 26 October.

MEDWAY TUNNEL BILL *[Lords]*
Order for Second Reading read.
To be read a Second time on Thursday 26 October.

NOTTINGHAM PARK ESTATE BILL *[Lords]*
Read a Second time, and committed.

ISLE OF WIGHT BILL *(By Order)*

ST. GEORGE'S HILL, WEYBRIDGE, ESTATE BILL *(By Order)*

HYTHE MARINA VILLAGE (SOUTHAMPTON) WAVESCREEN BILL *(By Order)*

NEW SOUTHGATE CEMETERY AND CREMATORIUM LIMITED BILL *(By Order)*
Orders read for consideration of Lords amendments.
To be considered on Thursday 26 October.

CITY OF LONDON (VARIOUS POWERS) BILL *(By Order)*
Order for consideration, as amended, read.
To be considered on Thursday 26 October.

BRITISH FILM INSTITUTE SOUTHBANK BILL *(By Order)*
Read a Second time, and committed.

ASSOCIATED BRITISH PORTS (NO. 2) BILL

Motion made, and Question proposed,

That the Promoters of the Associated British Ports (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time (and shall be recorded in the Journal of this House as having been so read) and shall be ordered to be read the third time;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session.

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.
Debate to be resumed on Thursday 26 October.

CARDIFF BAY BARRAGE BILL *[Lords]*

Motion made, and Question proposed,

That the Promoters of the Cardiff Bay Barrage Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.
Debate to be resumed on Thursday 26 October.

BIRMINGHAM CITY COUNCIL (NO. 2) BILL

Motion made, and Question proposed,

That the Promoters of the Birmingham City Council (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time (and shall be recorded in the Journal of this House as having been so read) and, having been amended by the Committee in the present session, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.
Debate to resumed on Thursday 26 October.

Oral Answers to Questions

DEFENCE

Trident

1. **Mr. William Powell:** To ask the Secretary of State for Defence whether he intends altering the Trident programme.

The Secretary of State for Defence (Mr. Tom King): No. The planned in-service date for Trident remains the mid-1990s, as originally announced in 1982.

Mr. Powell: Has my right hon. Friend been able to identify anything so far in the changes sweeping Europe that would justify a reduction in the current Trident programme? In particular, has he been able to identify anything that would in any way justify this country abandoning the fourth Trident ship?

Mr. King: Although we welcome and shall play our full part in the conventional force reduction talks in Vienna, in support of the NATO position, and although we want substantial reductions in nuclear weapons, there can be no question of abandoning our deterrent before we are certain that there is no threat to this country.

Mr. Menzies Campbell: How does the Secretary of State justify the fourfold increase in warheads which the Trident system represents over the existing Polaris system? Polaris is an effective deterrent in present circumstances with its existing warheads. Why is it necessary to have a substantial escalation in firepower to the extent that the D5 system necessarily involves?

Mr. King: It is a sobering thought that even with the increase which I accept Trident represents over the existing Polaris system, it will still represent a smaller percentage in relation to the number of Soviet warheads and the threat posed by the Soviet Union than Polaris did at the time of its introduction. Although I note the hon. and learned Gentleman's judgment that there is no need for it, it is our judgment that Trident—and the number of warheads proposed in Trident—is the minimum necessary to maintain a credible deterrent against the increasing sophistication of the Soviet defences.

Sir Antony Buck: Does my right hon. Friend agree that the reasons for our updating our nuclear capability are precisely the same as those that caused the former Labour Administration to update our nuclear capability? They did it behind the scenes, but we do it openly.

Mr. King: I hope that it would be common ground and manifestly obvious that if there is to be a nuclear deterrent, it must be a credible deterrent. It would be the most outrageous waste to have a deterrent that was not credible or competent for the job.

Mr. O'Neill: Will the Secretary of State confirm that the Trident project is still up to date and within budget? Will he also explain to the House what the ambassador in Washington was doing when he seemed to be lobbying the Senate and Congress to secure extra funding, if the story in last week's *Jane's Defence Weekly* is true?

Mr. King: I think that I can help the hon. Gentleman. He can read the story in the congressional record as well, which may be even better than *Jane's Defence Weekly*. I have made representations, as has our ambassador in Washington, to ensure that the American authorities and Congress understand and appreciate the importance to us of the continuing Trident programme. We are confident that with the necessary funds, subject to internal matters in the United States and Congress, the programme will go forward satisfactorily.

I can confirm my earlier answer: we are still on schedule for an in-service date of the mid-1990s. I believe, although I do not have the final figures, that the next figures are likely to show a continuing fall in the cost of the programme.

Mr. Allason: Has my right hon. Friend had an opportunity to follow the correspondence on Trident in *The Times* which has been conducted between various members of the Opposition in the other place? Will he confirm, and once and for all scotch suggestions to the contrary, that the Trident navigational system is entirely independent and will not require any dependence on American satellites or guidance systems?

Mr. King: I am afraid that I missed the correspondence, but I can confirm the statement in the latter part of my hon. Friend's question. There has been a suggestion, which was deployed in the defence debate, that somehow Trident will not be independent and will not be under British control. I confirm that it will be independent.

Nuclear Submarines

2. **Dr. Reid:** To ask the Secretary of State for Defence if he will make a further statement about his Department's plans for the decommissioning of nuclear submarines.

The Minister of State for Defence Procurement (Mr. Alan Clark): We are actively considering the available options, and I refer the hon. Member to the evidence given by my Department to the Select Committee which was published in its seventh report.

Dr. Reid: Is it not time that Ministers made a decision? The only policy that the Government seem to have on the decommissioning of nuclear submarines is to leave them sitting round in port to corrode. Given that the Dreadnought has been hanging around for years and that other submarines are due to be decommissioned before the year 2000, is it not about time that Ministers came to the House with a clear, definitive statement of their intentions on the decommissioning of nuclear submarines?

Mr. Clark: It is important not to make a precipitate judgment. To moor and store submarines in this way is a perfectly safe option, and during that time the radiation in the power units degrades. The United States has been storing submarines in this way for more than 20 years.

Mr. Boyes: Is it not time that the Government came to a conclusion on the matter, which I understand has been actively considered for some time? We will have 10 more nuclear submarines within the next few years. Why does not the Minister advise us of some of the important criteria

on which he will base this decision? I suggest that monitoring should be carried out and that the Government should ensure that the submarines are recoverable, repairable and tested. The Government have been dilatory; it is about time that they got their finger out and did something about it.

Mr. Clark: It is important to get the solution right. There is no danger of these submarines corroding. Dreadnought will be docked briefly for an overhaul within the next six months to ensure that that does not happen. The radiation from the existing hulls is very slight. In accordance with the requirements suggested by the Select Committee, we have monitored the radiation and we are supplying details to Dunfermline council. This is a perfectly acceptable way of storing the vessels until a solution, which will undoubtedly embrace the factors mentioned by the hon. Gentleman, is arrived at.

Tornado

3. **Mr. Win Griffiths:** To ask the Secretary of State for Defence what comparative figures he has for the accident rates for Tornado aircraft for each of the European countries which operate these aircraft.

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. Michael Neubert): It is not our policy to publish accident rates for particular aircraft types. The public release of aircraft accident statistics for other nations is a matter for the respective Governments.

Mr. Griffiths: Is it not true that the Tornado accident rate in Britain is twice that of the other European countries which operate the aircraft? Is it not about time that we reviewed our low-flying procedures—they are not followed by any other nation in the western world—to stop this unnecessary loss of life and huge loss of aircraft?

Mr. Neubert: The hon. Gentleman's opening assertion is not true. The number of accidents is not relevant. What is relevant is the number of accidents in relation to the amount of flying activity. Taking that as the basis for comparison, if we exclude the early accidents that occurred as a result of technical defects which were part of the early experience of operating that aircraft—in which the United Kingdom was a leader—our accident rate since then has been broadly comparable with that in Germany and Italy.

Mr. Mans: Does my hon. Friend agree that the Tornado has a lower accident rate than any other combat aircraft which has been brought into service in the Royal Air Force?

Mr. Neubert: I confirm that Tornado has a very comparable record with other fast jet aircraft in operation with the RAF.

Mr. Rogers: The Minister's statement is quite incredible. He knows very well that figures are available which show that 17 Tornado GR1 bombers have crashed, and that in the past three years in Britain 10 Tornado GR1s have crashed while only four have crashed in the German air force. Earlier, the Government stated that early Tornado losses were due to teething problems. Our losses are much higher than for any other air force; are they due to faulty equipment or to pilot error?

Mr. Neubert: Each accident is subject to an inquiry, as the hon. Gentleman will know. I am well aware of the article in *The Independent* on 8 June from which the hon. Gentleman draws this incorrect inference. I can repeat only that it is not a question of the number of accidents. The important point is the number of accidents that occur in relation to the amount of flying activity with that aircraft.

Mr. Devlin: Will my hon. Friend assure my constituents and those in neighbouring constituencies in the north of England that the low-flying exercises from places such as RAF Leeming involving Tornado jets are absolutely essential to the future defence of Great Britain and must be carried out? Although they impose a small price in terms of inconvenience for local households, it would be totally irresponsible of the Government to abandon them.

Mr. Neubert: My hon. Friend puts it extremely well. The fast, low operation of modern jet fighter and bomber aircraft is the only possible way, in present circumstances, of surviving the electronic warfare environment that we would be likely to meet in a war.

Demography

4. **Mr. Litherland:** To ask the Secretary of State for Defence what is his latest assessment of the effects of demographic changes upon Her Majesty's Government's defence policy.

7. **Mr. Nigel Griffiths:** To ask the Secretary of State for Defence what is his latest assessment of the effects of demographic changes upon Her Majesty's Government's defence policy.

Mr. Neubert: Demographic changes pose a particular challenge which we are taking steps to address for the recruitment and retention of manpower, but they do not require changes in current defence policies and commitments.

Mr. Litherland: Why do the Government have a negative attitude towards the conventional forces in Europe talks in Vienna when we could be discussing the reductions in troop levels? Does he agree that the Government's record in the planning of reductions in the 1990s has been pathetic and short sighted and that it will be very costly for the taxpayer?

Mr. Neubert: The premise of the hon. Gentleman's question is wrong. We played a full part in the events that led to the conventional forces in Europe talks in Vienna and we shall continue to do so. We lack no vigour or enthusiasm for those developments. However, when it comes to defending our country against potential threat, we must maintain our forces at assessed levels. We are endeavouring to do that through a range of initiatives which were put under way long ago—not as recently as the hon. Gentleman first discovered the problem.

Mr. Griffiths: Does the Minister realise that inadequate living conditions are driving people out of the armed forces and that a quarter of armed forces accommodation is of the lowest grade, grade 4? What is the Minister doing to improve the quality of accommodation so that it meets demographic changes?

Mr. Neubert: The hon. Gentleman has a point, and we recognise it. There is—*[Interruption.]* If hon. Members will be good enough to wait for the answer—*[Interruption.]*

Mr. Wm Griffiths: The Minister thinks he is Sergeant Bilko.

Mr. Speaker: Order. The Minister must have a chance to answer.

Mr. Neubert: If I were Sergeant Bilko, I would call the hon. Gentleman to attention.

If Opposition Members were to await the answer, they would know that, over the passage of 10 years, that property, like any other property, deteriorates. We have a major programme of works to accommodate that. The existence of a substantial number of lower-graded dwellings is perhaps of convenience and acceptability to those who occupy them, because they pay low rents.

Mr. Ian Bruce: Does my hon. Friend agree that one of the main reasons why we lose members of the armed forces is that highly skilled personnel are asked to do such things as security duties and ship deep-cleaning? Does he agree that we should continue to ensure that those tasks are civilianised and that security is kept at a high level without having to use highly trained people?

Mr. Neubert: Yes. There are many component parts in the well-being of members of Her Majesty's armed forces. My hon. Friend has pointed to another need, which is to avoid stretch and over-stretch and, wherever possible, to accommodate civilian manpower in operationally administrative roles so that serving men and women can be released to do their proper jobs.

Sir Dudley Smith: Is my hon. Friend aware that, even with the best will in the world and provided that it keeps its bargain, the Soviet Union will take six to eight years or even longer to reduce its conventional forces? Is he further aware that, in respect of NATO, we start from a much lower base, which also includes troops? In those circumstances, does he agree that there is a danger of a serious imbalance occurring unless we watch matters very carefully?

Mr. Neubert: My hon. Friend observes with a rather more expert eye the scene in eastern Europe and beyond. It is quite clear that we shall have a continuing need for manpower and womanpower in the armed services, and we are doing all that we can to maintain assessed levels of need.

Troop Numbers

5. **Mr. McCartney:** To ask the Secretary of State for Defence what assessment he has made of the effect on the British Army of the proposals tabled in Vienna for ceilings on troop numbers.

Mr. Tom King: The current NATO proposals on manpower are limited to forces stationed by the United States and the Soviet Union in Europe.

Mr. McCartney: I should have thought that the Secretary of State would be a little more enthusiastic about initiatives being taken at Vienna, especially as recent public opinion polls in the Federal Republic of Germany show that people are in favour of more troop reductions there. Surely it is part of the British Government's commitment to a safer and peaceful Europe to offer troop reductions in central Europe, as part of our contribution to demilitarising Europe.

Mr. King: I am not sure whether the hon. Gentleman was present when I made clear our full support for the reduction talks in Vienna and our determination to play a full part in them as members of NATO. The proposals tabled by the Warsaw pact and by NATO involve items of equipment. The present proposals affect forces stationed outside the national territory of the United States and the Soviet Union. The most important thing for those who care about arms reductions and force reductions is that this first major undertaking is successfully completed with confidence and trust.

Mr. Batiste: Does my right hon. Friend agree that, as our troop numbers are contained, they should have the latest, most modern equipment to take fullest advantage of resources? Is that policy not wholly inconsistent with the Labour party's commitment to massive cuts in conventional defence expenditure? What assurance can my right hon. Friend offer to our defence industries and to the many thousands of people who work in them that the Government at least are committed to the sound security of this country?

Mr. King: Consistency is not a word with which one should ever charge the Opposition. Although they have proposals for massive reductions in defence expenditure, they never lose opportunities to complain about the potential job losses that they suspect lie somewhere within our proposals, which are for considerably greater defence expenditure—*[Interruption.]*

Mr. Speaker: Order. I ask hon. Members to settle down.

F111 Aircraft

6. **Mr. Cohen:** To ask the Secretary of State for Defence what discussions the NATO nuclear planning group has had concerning the possible deployment of additional F111 aircraft.

Mr. Tom King: At the nuclear planning group meeting in April 1988, Ministers endorsed a proposed package of force restructuring and modernisation measures designed to enable the Alliance to sustain its strategy of flexible response in the post-INF era. The options included possible deployment to Europe of longer-range dual capable aircraft from the United States. However, no decisions have yet been taken.

Mr. Cohen: I thank the Secretary of State for his usual unclear answer. Is he aware that it has been widely reported—as his answer suggests—that the debate has gone beyond the F111s and is now centred on the F15-E strike eagles? Have there been any consultations with the British Government about that and, if so, what attitude are the Government taking? Will it be in the context of trying to reduce nuclear weapons in Europe, not increase them, as President Gorbachev has been trying to instill into the Western Alliance?

Mr. King: I am sorry that the hon. Gentleman found my answer unclear. It precisely answered the two points that he then made in his supplementary question. I made

it absolutely clear that consultations are continuing, and I referred to a package of force restructuring and modernisation measures. Those measures were discussed in the nuclear planning group in April 1988 and discussions and consultations have continued. Furthermore, I have made it absolutely clear that no decisions have yet been taken.

Mr. Bellingham: Is my right hon. Friend aware that there have been rumours that RAF Sculthorpe in north Norfolk might be designated as a new base for the F111s? Will my right hon. Friend comment on that rumour and, if there is substance in it, will he confirm that there will be the widest possible consultation before any final decision is taken?

Mr. King: I am aware that misleading stories have recently appeared in the press as though decisions had been taken. They are not true because no decision has yet been taken. I can confirm that——

Mr. O'Neill: Was it in *The Times*?

Mr. King: The story was correct in some newspapers and wrong in one. If the hon. Member for Clackmannan (Mr. O'Neill) would like to check, he will find that one correspondent managed to get it wrong, unfortunately leaving out a "not" from his report.

I hope that my hon. Friend will forgive me, but I cannot comment at this stage. Such matters are under consideration, but obviously we shall want to give careful consideration to any of the aspects causing concern to hon. Members.

Ms. Short: Will the Secretary of State confirm that Britain is becoming increasingly isolated as a NATO power in pushing so strongly for modernisation? Will he reconsider the commitment to a longer-range dual capability aircraft which could undermine the INF treaty? Is Britain in favour of disarmament in Europe or not?

Mr. King: I have made it absolutely clear that we are in favour of a reduction in conventional arms. We are in favour of a substantial reduction in strategic arms. We are in favour of the removal of intermediate nuclear forces. We have a more successful record of achievement on disarmament than the Labour party has ever dreamt of. However, at the same time we know that we have achieved progress towards disarmament from a position of strength. We make no apologies for saying that we will maintain the defence of this country and of NATO while we continue with the process of disarmament.

Sir Geoffrey Johnson Smith: Although I accept what my right hon. Friend has said, will he bear in mind, when coming to a decision about the deployment of such systems, the fact that the Soviet Union has developed and deployed its own air cruise missile system for its own aircraft?

Mr. King: The latest information about the scale of Soviet nuclear resources suggests substantial quantities and that they are pursuing an increased programme of modernisation. Against that background, it would be grossly irresponsible if we did not ensure that, while pursuing sensible disarmament measures, we keep our own defences modernised and effective.

NATO Nuclear Planning Group

8. **Ms. Ruddock:** To ask the Secretary of State for Defence when the NATO nuclear planning group last met; and what items were on the agenda.

11. **Mr. Heffer:** To ask the Secretary of State for Defence when the NATO nuclear planning group last met; and what items were on the agenda.

Mr. Tom King: The NATO nuclear planning group is meeting today and tomorrow in Portugal. I have postponed my attendance so that I could answer Questions in the House today. My hon. Friend the Minister of State for the Armed Forces is attending today, and I shall join the meeting immediately after Question Time. The group will discuss a range of matters concerning nuclear issues.

Ms. Ruddock: When the Secretary of State gets to the nuclear planning group meeting does he intend to agree to the return of cruise missiles to Britain on American aircraft? Does he not support the follow-on to the Lance missile, which recycles cruise missile warheads and brings them back to Europe? Is he not, on behalf of the Tory Government, acting as a bulwark for rearmament in Europe, which the rest of western Europe does not want?

Mr. King: I cannot accept that. I have made it clear that we have given strong support to disarmament. The lesson —which I believe profoundly, but on which I know that the hon. Lady and I will never agree—is that because we have held a strong position we have been able to achieve greater stability and peace in Europe. We intend to maintain the policy which has proved such a success.

Mr. Heffer: Will the right hon. Gentleman confirm or deny reports in *The Times* and *The Guardian* yesterday which suggested that the air cruise missile will be brought back to Britain by the United States? Will he confirm or deny that the Government have agreed that this should happen? Are the Government not being deceitful to the people through their actions? Is the right hon. Gentleman aware that people thought that the cruise missile was going for all time and it is an absolute disgrace that the Government should follow this policy?

Mr. King: There is no question of reintroducing cruise missiles of the type that the hon. Gentleman mentions. He is talking about discussions that have taken place separately on a weapon that is known as the tactical air-to-surface missile, and also a French equivalent. We have made it clear publicly that we are looking at both as possible alternatives in our modernisation programme to replace the existing free-fall bomb. To try to describe that as the reintroduction of land-based cruise missiles is a total distortion. There is no truth in it whatsoever.

Mr. Brazier: Does my right hon. Friend agree that the gap between nuclear weapons in the East and in the West continues to widen? Would it not be very strange if the Government were to become more worried about the possibility of extra weapons in the West than about actual weapons coming into service in the East?

Mr. King: I fear that those people who have been proved to have lost the argument about the importance of maintaining strong and credible defences continue to put

their old argument, which proved so disastrous and achieved no disarmament whatever. We are proud of what is happening and we shall play our full part in it.

Mr. Cyril D. Townsend: Does my right hon. Friend agree that both the United States and Britain are well advised to seek to modernise their weapons systems, particularly their nuclear weapons systems and at the same time to try to respond to the changed mood in Moscow towards genuine disarmament at all levels? Would not the real mistake be to seek to substitute one for the other?

Mr. King: My hon. Friend is correct. Everybody knows that the Soviet Union and the Warsaw pact have been pursuing their modernisation programme. They respect, and I have no doubt that President Gorbachev respects, the fact that we intend to ensure the security of our people, our country and NATO, in the same way as he seeks to secure his.

Mr. Sean Hughes: If the Secretary of State is asked, how will he explain that the British Government clearly believe that our sea-based nuclear missiles are an insufficient deterrent because we insist on the maintenance of land-based nuclear weapons whether or not we have conventional parity?

Mr. Tom King: I think that the hon. Member for Knowsley, South (Mr. Hughes) is aware that the principle of flexible response has been the NATO strategy for a considerable time, rather than dependence on a single strategic nuclear deterrent. He will also be aware that that strategy was reaffirmed at the recent NATO summit.

Mr. Ian Taylor: At the NATO nuclear planning group meeting will my right hon. Friend remind some of our allies that it would be unwise to anticipate the further successful outcome of talks in Vienna and elsewhere on weapons reductions by further reducing their own defence commitment? It is especially important to remind those allies who already spend less than 3 per cent. of GDP on defence.

Mr. King: It is very important at this time, when there is the opportunity for sensible disarmament built on confidence on both sides, that there is no unilateral disarmament which might destabilise the NATO position. Therefore it is extremely important that NATO holds together. It will be difficult for SACEUR—the Supreme Allied Commander Europe—and NATO command to give advice on exactly how the reductions are to be made and how equality of equipment, which one of my hon. Friends has already mentioned, will be achieved. A number of difficult decisions must be reached, which will be made all the more difficult if some countries anticipate what their share should be.

Territorial Army (Nottingham)

9. **Mr. Allen:** To ask the Secretary of State for Defence when he will next visit the Nottingham, North constituency to visit the Territorial Army base in Hucknall lane.

Mr. Neubert: My right hon. Friend has no plans to visit the Territorial Army base in Hucknall lane, Nottingham, in the foreseeable future.

Mr. Allen: Is the Minister aware that the TA conforms to the Government policy of having conventional defence on the cheap? Would he agree to investigate those companies—particularly a number of those which donate to the Conservative party—which, unlike many other companies, do not allow their staff time off to participate in TA activities?

Mr. Neubert: The national employers' scheme is directed towards employers who are being encouraged to enable their working men and women to take time off for TA activities. I am pleased to say that as a result of the success of that scheme some 50 per cent. of the work force is involved.

Mr. Conway: If my right hon. Friend should change his mind and decide to visit that TA unit, will he take the opportunity to explain that instead of having equipment of the same high standard as its regular counterparts, if we ever followed the policies advocated by the Opposition and slashed £5 billion from the procurement programme, the TA would be drilling with broomshanks and plimsolls instead of up-to-date equipment?

Mr. Neubert: My hon. Friend draws what must be an irrefutable conclusion.

Stand-off Missiles

12. **Ms. Mowlam:** To ask the Secretary of State for Defence what discussions he has had with his United States counterpart about stand-off missiles.

Mr. Alan Clark: My right hon. Friend, as he just told the House, will be meeting the United States Secretary of Defence later today at the meeting with NATO's nuclear planning group, when he will discuss a wide range of matters of mutual interest. It is not our general practice to disclose the details of such discussions.

Ms. Mowlam: I understand that it is not the Minister's intention to give us details of those discussions, but it would be useful if he could give the House some assurance about whether there is any intention to purchase stand-off hydrogen bomb missiles from the United States.

Mr. Clark: Yes, there is a NATO requirement for a medium-range stand-off weapon. That was emphasised in paragraph 92 of the Select Committee report, which suggested that that was the preferable route now that the free-fall bombs were becoming obsolete. The warhead will, of course, be manufactured in this country. We are talking only about the delivery systems.

Mr. Bill Walker: When my right hon. Friend meets the Americans will he remind them of the problem that we are facing in Europe created by the West Germans refusing to allow adequate capability for low-flying aircraft? That has the result of reducing our deterrent capability in the eyes of the enemy. Will he therefore confirm that the need for a stand-off weapon system is essential if the United States and the Royal Air Force are to be credible deterrents?

Mr. Clark: There is no doubt that the stand-off weapon is a requirement and my right hon. Friend will be discussing that. I do not doubt that my right hon. Friend will have noted the points made by my hon. Friend about low-flying aircraft.

Mr. O'Neill: Does not the Minister agree that stand-off missiles on aircraft with in-flight refuelling, the like of which have been described in the press this week, will have a range capable of replicating the work which would have been done by ground-launched cruise missiles, and that because of that and because of their range, these would circumvent at least the spirit if not the text of the INF treaty? It is thus an extremely provocative deployment at a time when we seek further disarmament and possible reductions in tension in Europe.

Mr. Clark: Those missiles do not come within the scope of the INF treaty, which is ground based, and they are not comparable with cruise missiles because both the method of delivery and the warhead are different.

Ethnic Minorities

13. **Mr. Kirkwood:** To ask the Secretary of State for Defence what measures he now plans to take to increase the recruitment of ethnic minorities into the armed forces; and if he will make a statement.

Mr. Neubert: We have received the report on the study that we commissioned earlier this year into ethnic minority recruitment to the armed services and will be making an announcement shortly. In the meantime, we are giving greater attention to recruitment from the ethnic minorities, which we are keen to encourage.

Mr. Kirkwood: Has it not taken the Government an unconscionable time to get round to doing something about this? Is the Minister aware that we are talking not just about recruitment of non-commissioned ranks but about commissioning for ethnic groups within all services and all ranks. I shall be interested to know how many black RAF officers the hon. Gentleman meets in the next six months of his ministerial duties.

Mr. Neubert: I cannot accept the hon. Gentleman's strictures. He knows that we are anxious to recruit from ethnic minority communities. We have had policies under way to this end and shall no doubt be introducing more. Examples of how we seek to recruit from the ethnic minorities include translating recruiting pamphlets into ethnic minority languages, advertising in the ethnic minority press and making greater use of black recruiters in careers information offices.

Mr. Marlow: Is my hon. Frend keener to recruit from ethnic minorities than from the rest of the community or is he equally keen?

Mr. Neubert: Such linguistic discussion would be invidious. We are keen to recruit to the full level of manpower needed for the operational role.

Mr. Ashley: When does the Minister intend to comment on the report that he has received about racism in the Army?

Mr. Neubert: I regret that I did not hear all the right hon. Gentleman's question. Obviously, the report, which is being considered by officials and on which Ministers will shortly make an announcement, will deal with all factors in the perception of the ethnic minorities in relation to the armed services.

European Fighter Aircraft

14. **Mr. Colvin:** To ask the Secretary of State for Defence when he will make an announcement on the awarding of the contract for radar for the European fighter aircraft.

Mr. Alan Clark: Discussions on the choice of radar are continuing between the four nations participating in the European fighter aircraft project. An announcement will be made as soon as they have been concluded.

Mr. Colvin: Will my hon. Friend confirm that in the European fighter aircraft we have a winner with, for a change, a choice of two excellent radar systems, both of which have considerable British industrial components? Following discussions with their West German counterparts, are Ministers any nearer reaching a decision about which radar to choose?

Mr. Clark: Yes, my hon. Friend is right to draw the attention of the House to the fact that there is a British industrial element in both bids. The MFD 2000 system is subject to a technical evaluation at present and we expect the results of that in the middle of next month. The national armament directors will then consider the matter and report to the Secretaries of State of the partner countries.

Nuclear Weapons (Carriage by Sea)

15. **Mr. Loyden:** To ask the Secretary of State for Defence what is his assessment of the efficiency of current technology to ascertain whether nuclear weapons are being carried at sea.

Mr. Alan Clark: The technology to which the hon. Gentleman refers would require considerable development before its full value can be assessed.

Mr. Loyden: Does the Minister welcome the experiments taking place in the United States with the Soviet Navy? Will her Majesty's Government be making vessels available for such experiments to take place involving the British Navy?

Mr. Clark: We welcome any experiments which may provide further data in the complex sphere of verification. Although this technology exists, it has not yet reached a stage at which we could have any confidence in its accuracy.

Defence Export Services Organisation

16. **Mr. Hind:** To ask the Secretary of State for Defence whether his Department is considering changing the policy of the Defence Export Services Organisation.

Mr. Alan Clark: No, Sir. The policy of the Defence Export Services Organisation remains unchanged. It will continue in its successful work of assisting United Kingdom companies, both large and small, to market and sell their defence products and services overseas. It is through the sustained efforts of British industry, with the support of the DESO, that Britain is able to maintain its position as a major exporter of defence equipment.

Mr. Hind: My hon. Friend will be aware of the importance of DESO and of the companies in the north-west which contribute to it. Does he agree that any

attempt which might made along the lines of the Labour party's document on changing procurement policy, with a cut of a quarter in the defence budget, would lead to the loss of jobs and investment and would greatly damage the nation's balance of trade?

Mr. Clark: Yes, indeed. We have a surplus of £517 million in this sphere and it is paradoxical that Labour Members should suggest an arms conversion agency which would take industrial production away from the defence industries and into industries which they regard as socially acceptable.

PRIME MINISTER

Engagements

Q1. **Ms. Quin:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 October 1989.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): I have been asked to reply.

My right hon. Friend the Prime Minister is returning from the Commonwealth Heads of Government meeting in Kuala Lumpur.

Ms. Quin: Does the right hon. and learned Gentleman recall the 1979 election statement by the Prime Minister, that under a Conservative Government

"the products will stream from our factories and workshops while the customers of the world scramble over each other to buy them."

Given the continuing and colossal trade deficit, what is his view now of that prediction?

Sir Geoffrey Howe: The hon. Lady should understand that export performance, as recorded in the figures reported today, continues to be encouraging—*[Interruption.]* Export volume performances excluding erratic items are up over the latest three months by 8·5 per cent. in volume terms. That is consistent with the Prime Minister's claim.

Q2. **Mr. Brazier:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 October 1989.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Brazier: Does my right hon. and learned Friend agree that the scenes last night of 250,000 East Germans demonstrating in Leipzig were a reminder yet again of the utter bankruptcy of Communism? Does he further agree that it is ridiculous for any party in the West to want to see a return to state control and economic collectivism?

Sir Geoffrey Howe: The point that my hon. Friend makes is entirely valid and of great importance. It shows that people all over the world are turning away from the doctrine adopted by the Labour party, which has a prescription for Britain from which the rest of the world is trying to escape.

Mr. Kinnock: Will the right hon. and learned Gentleman say why the Government are so opposed to the sensible course of referring the ambulance dispute to binding arbitration?

Sir Geoffrey Howe: Because, as the right hon. Gentleman knows well, there is no provision for independent arbitration in the Whitley council procedures. On offer to the London ambulance service qualified staff is an increase of more than 9 per cent., with a consequent increase in overtime rates of almost 20 per cent. The real value of the 1986 salary structure has been more than maintained and the offer also contains the prospect of a review of that structure in the light of three years' experience. I am sure that the whole House will join me in wishing that those who are currently taking quite unjustified industrial action would return to the negotiating table and discuss the dispute there.

Mr. Kinnock: If the right hon. and learned Gentleman will not help to get the ambulances back on the road by supporting binding arbitration as a means of resolving the dispute, will he tell us at what stage the Government intend to honour the pledge made by the Prime Minister that ambulance workers' pay should have firm and automatic linkage to national price or wage rises?

Sir Geoffrey Howe: The right hon. Gentleman knows very well that the particular proposals put forward some years ago for linkage of ambulance men's pay to that of other services was specifically rejected by the Clegg commission, which was appointed by the Labour Government. I return to the point that there is no provision for independent arbitration in the current arrangements. National Health Service management must retain control over the pay of National Health Service staff, and since 94 per cent. of those working in the NHS have already settled their pay this year without industrial action, it is greatly to be hoped that the ambulance men will do the same.

Mr. Kinnock: It really is not good enough for the Government, faced with the ambulance dispute, to use Whitley and Clegg as excuses. When will they face up to their responsibilities, support binding arbitration and get the ambulances back on the roads?

Sir Geoffrey Howe: We do not need any advice from the right hon. Gentleman about facing up to responsibilities. When will he face up to his responsibility to confront an industrial dispute without supporting those who take industrial action?

Q3. **Mr. Squire:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Squire: Against the background that we read of the possible non-uprating of child benefit for the third successive year, may I urge my right hon. and learned Friend even now to consider an alternative—the exclusion of the 500,000 taxpayers who have children and who pay the higher rate of tax from eligibility for child benefit, and the restoration of a full increase for the remainder of recipients? That would have widespread approval in the country and bring much-needed relief to many poorer families.

Sir Geoffrey Howe: I understand my hon. Friend's sincere concern with this topic. I must tell him, first, that any statement on the uprating of benefits will be made

shortly in the usual way, and I cannot comment on the matter ahead of it. However, taking account of the principle that my hon. Friend endorses—that there should be some attempt to concentrate help on those in greatest need—he should surely take account of the fact that since 1979, real take-home pay for families on the average wage and with two children has risen by almost a third. In our policy to concentrate help on those most in need through family credit we provided last year about £200 million extra for low-income families, another £100 million extra for non-working families, through income support, and from April this year we have provided for the poorest families an extra £70 million over and above the amount that they would have received through the uprating of benefits. That has been a generous application of the principle that my hon. Friend urges.

Q5. **Mr. Bradley:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Bradley: It is clear from the reply that the deputy Prime Minister gave some moments ago that he has no understanding of the anguish expressed by millions of families in this country or of the horror felt on both sides of the House at the news that child benefit is to be frozen. Does he not realise that one in three families in Manchester already lives in poverty, and that 12,000 children are now not entitled to free school meals because of the so-called targeting of benefits? How do the Government justify these relentless attacks on our children in not uprating child benefit? The answer is certainly not means testing.

Sir Geoffrey Howe: The hon. Gentleman entirely misses the point. The extent to which our social security expenditure of all kinds has risen during the 10 years that we have been in office—by some £17 billion, to a total of some £53 billion, so in real terms, after taking account of inflation, it has risen by more than a third—has been specifically designed to concentrate help on those who most need it, exactly as I described a moment ago. That is the right way to bring help to those in greatest need.

Q6. **Mr. Thurnham:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Thurnham: Will my right hon. and learned Friend accept the congratulations of the House on his bold and wise decision, taken 10 years ago yesterday, to bring great economic benefits to this country by his foresight and daring in abolishing all exchange controls? Now that our EEC partners have decided to follow suit, does he agree that the Labour party can no longer rely on exchange controls to save its economic policies, despite its new-found European enthusiasm?

Sir Geoffrey Howe: I am grateful to my hon. Friend for his congratulations. He makes an extremely valid point. It is of great importance that the other countries in the European Community will be following the example that we set 10 years ago—contrary to the expectations of the Labour party, which predicted that abolition of exchange controls would be a great disaster. In fact, it has turned out to be a huge success and a disaster for Labour's economic insight.

Mr. Steel: The right hon. and learned Gentleman is a veteran of Commonwealth conferences. When the Government team returns from Kuala Lumpur will he seek two meetings—one with the new Secretary of State for Foreign and Commonwealth Affairs to console him, as a fellow sufferer, on the way in which he was treated by the Prime Minister, and one with the Prime Minister to try to teach her the difference between free speech and gross discourtesy?

Sir Geoffrey Howe: I am surprised that the right hon. Gentleman has not expressed satisfaction at the reform measures now under way in South Africa and has been unwilling to acknowledge the part played in bringing that about—not just through the efforts of the Commonwealth as a whole but through the courageous and consistent stance of the British Government, which was always plainly spelt out. My right hon. Friends the Prime Minister and the Foreign Secretary agreed on each of the steps taken, on the communiqué endorsed at the conference, and on the statement issued subsequently. That statement explained clearly the position of the British Government, which has helped to bring about the changes that the whole House should welcome.

Q7. **Mr. Bowis:** To ask the Prime Minister if she has received recent representations regarding energy conservation.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of representations regarding energy conservation and energy efficiency. Over the last four years for which figures are available, the United Kingdom's ratio of energy use to gross domestic product has increased at twice the European Community average.

Mr. Bowis: Does my right hon. and learned Friend agree that it is good news that the £100 million invested by the Government has resulted in energy savings of some £500 million per year? Does he agree that much more needs to be done—not least in Government Departments, where energy costs are currently running at £300 million per year? Will he take steps to initiate savings in all Departments, and not least in the steamy sauna that passes for a House of Commons?

Sir Geoffrey Howe: I am grateful to my hon. Friend for reminding me of the need to apply the policy to the Government as a whole. He will recall that on 20 July my right hon. Friend the Secretary of State for Energy announced the framework of a campaign to be applied to Government Departments, aimed at achieving savings of 15 per cent. of the total energy bill over the next five years and at investing 10 per cent. of the energy bill in measures to improve energy efficiency.

An energy audit of the Palace of Westminster has also been undertaken, but it is more difficult to apply proposals for energy savings to Members of this House than to other parts of Government.

Mr. Pike: Does the Leader of the House recognise that energy conservation is important and that energy provision should not be left to the private sector? Should

we not, therefore, ensure proper control of our energy and stop electricity privatisation so as to guarantee proper energy use and conservation?

Sir Geoffrey Howe: Among other things, electricity privatisation policies will be directed at maintaining and improving energy conservation. As I have said, for the last four years for which figures are available the United Kingdom's ratio of energy use to GDP has been improving at twice the average of EC countries.

Mr. Ian Bruce: Does my right hon. and learned Friend agree that privatisation of electricity will ensure that private companies will make profits by reducing the fuel that they burn and that energy conservation will be greatly improved by that means?

Sir Geoffrey Howe: My hon. Friend is right to remind the House that privatisation induces a much more commercial and cost-conscious attitude throughout all sections of industry, as it will do in the respect that he mentions.

Interest Rates and Inflation

Q9. **Mr. Allen:** To ask the Prime Minister which G7 country has *(a)* the highest interest and *(b)* the highest inflation rate.

Sir Geoffrey Howe: I have been asked to reply.

Interest rates in the United Kingdom are higher than in other G7 countries. Italy has the highest underlying inflation rate. United Kingdom interest rates will stay as high as necessary for as long as necessary to bring inflation down.

Mr. Allen: In view of that reply, and in view of today's trade figures, I do not wish to ask a supplementary question.

Q10. **Mr. Menzies Campbell:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Sir Geoffrey Howe: I have been asked to reply.

I refer the hon. and learned Gentleman to the reply that I gave some moments ago.

Mr. Campbell: I do not share the inability or unwillingness of the hon. Member for Nottingham, North (Mr. Allen) to ask a supplementary question. When the deputy Prime Minister meets the Prime Minister on her return from her triumph at the Commonwealth conference, will he encourage her to condemn the rebel cricket tour of South Africa?

Sir Geoffrey Howe: The Government will continue, as they have always done, to uphold the provisions of the Gleneagles agreement.

London Ambulance Service (Pay Dispute)

3.30 pm

The Secretary of State for Health (Mr. Kenneth Clarke): With permission, Mr. Speaker, I should like to make a statement about the dispute in the National Health Service, the pay of ambulance staff. I regret to say that the trade unions representing the ambulance men continue to refuse to accept the invitation of Duncan Nichol, the chief executive of the NHS, to resume negotiations in the Whitley council on their pay claim. The 6·5 per cent. offer from April 1989, originally recommended by the unions to their members, has since been improved. In London, the offer is now worth at least 9·3 per cent. for all qualified staff and 20 per cent. on overtime rates. For all ambulance men throughout the country, a review of aspects of the 1986 arrangements, particularly on overtime, has been offered together with talks on local flexibility to deal with recruitment and retention problems. The 1986 arrangements were regarded at the time as a major advance in ambulance men's pay and career structure. [HON. MEMBERS: "And women."] The term "ambulance men" includes women for this purpose. If that is the heaviest point that the Opposition can make, I can understand it in view of their lack of more relevant points. I was speaking about the 1986 arrangements, which were regarded at the time as a major advance in the pay and career structure of ambulance staff.

The latest offer more than maintains the whole of that increase compared with inflation and the men have also, in 1988, had an hour's reduction in their standard working week. I do not think that the unions were in any way justified in taking industrial action against patients when negotiations on the current offer had not come to an end.

For more than five weeks, there has been a ban on overtime and rest day working which has in places damaged the non-emergency but important services offered to the public. Last week, the trade union conveners in the London ambulance service, with the knowledge and approval of their national leaders, invented 14 new rules which they said they would apply to the operation of the service. The plain intention was to create new methods of disrupting the service. It was the opinion of the LAS management that some of the instructions in the 14 points were so disruptive that they would make it impossible to operate a reliable accident and emergency service.

On Monday morning, the ambulance crews were expected to work normally so that a full and proper emergency service could be provided. In many cases the crews refused to do so and it became impossible for the management of the LAS to guarantee a reliable accident and emergency service. The LAS management therefore asked the police and voluntary ambulance services to provide the necessary cover to ensure that the accident and emergency service was maintained in London. I regret that this action needed to be taken, but I fully support the management in its decision.

The LAS management considers that the accident and emergency service that has been maintained is the best that could be provided in the circumstances. At present no undue delays of patients being taken to hospital are being reported. The police and voluntary ambulance men have answered all the emergency calls put through to them. Approximately 130 vehicles are being deployed at the moment by the police, St. John Ambulance Brigade and the Red Cross. I am sure that the public owe a very great debt to the policemen and voluntary ambulance men involved for the great efforts that they are making. Plainly, however, it is important that a full accident and emergency service should be resumed. I am told that the trade unions met at 12.30 today to discuss further the 14 points that the conveners have drawn up.

I have kept in close touch with the situation throughout. I have not yet received any reports of action of the London kind spreading to other parts of the country. Neither management nor I will hesitate to take all necessary steps to ensure the continuation of an adequate accident and emergency service. I have been in touch with my right hon. Friend the Secretary of State for Defence and other colleagues. As a result, the Army is now reviewing the state of preparedness of its men and vehicles. I very much hope that common sense on all sides will prevail and that it will not be necessary to call upon their assistance.

Throughout this dispute, the management of the NHS has remained willing to negotiate further with the trade unions. A further meeting between the chief executive of the NHS, Duncan Nichol, and the national officers of the trade unions will be held this afternoon at ACAS. The dispute can ultimately be resolved only if the trade unions agree to return to negotiations in the Whitley council between management and staff sides. The unions should recognise that and not continue to press their claim by taking action that is aimed at harming patients.

Mr. Tony Banks (Newham, North-West): It is a disgrace. Utter crap.

Mr. Speaker: Order. That is not the kind of language that we should hear in the House.

Mr. Banks: It is utter crap.

Mr. Speaker: Order. I hope that the hon. Gentleman will reflect on what he has said.

Mr. Robin Cook (Livingston): The Secretary of State began by assuring the House that the management side is willing to resume negotiations in the Whitley council on the pay claim. Is he not aware that every invitation by Duncan Nichol to resume negotiations has specifically excluded negotiations on the offer of 6·5 per cent. on basic pay? So that the House is not misled on this point, will the Secretary of State clarify whether his offer today to reopen negotiations includes negotiations on that basic offer of 6·5 per cent.?

As to the events in London, will the Secretary of State clarify what responsibility he takes for the conduct of management over the past 48 hours? Is he aware that, throughout yesterday, the management deliberately stopped staff from answering calls, that in most stations staff were told that they would get no insurance cover if they left to answer emergencies, and that at some stations where staff were willing to respond, despite the lack of insurance, the management removed the ambulance keys to prevent them from leaving?

Is the Secretary of State aware that at one station yesterday management warned the crew answering an emergency call that they would be charged by the police if they removed an ambulance from the station? Does not that evidence make it clear that the decision not to use London ambulances to answer London emergencies was a decision by management? Therefore, will the right hon.

[Mr. Robin Cook]

and learned Gentleman tell the House whether those were his instructions to management? Did he approve this escalation of the dispute by management? If not, will he now instruct management to put through emergency calls to the ambulance staff who, right now, are at every ambulance station waiting to answer such calls?

The Secretary of State said that there had been no undue delay so far in the police responding to calls. Is it not clear to the Secretary of State and every hon. Member who has seen the television that police vans equipped with duvets and first-aid kits can be no substitute for the skills and equipment of the ambulance service? The solution is not to call in the Army to substitute for the police substituting for the ambulance service but to solve the dispute. Therefore, I welcome the announcement that the management side is to attend talks at ACAS. I press the Secretary of State to clarify which service it is seeking from ACAS. Does it intend to request arbitration, conciliation or advice, or does the management side intend only to repeat a pay offer less than the rate of inflation to an emergency service already so underpaid that it cannot fill its vacancies?

Why is the Secretary of State so afraid of arbitration? Is his case so weak that he cannot risk taking a second opinion on it? Half the staff of the NHS have access to an outside opinion through the pay review body. What is so special about the ambulance men that they are to be denied an outside view?

The dramatic events of the past few days have shown that the dispute could yet end in tragedy. The Secretary of State could end it today by agreeing to arbitration. He should take the opportunity to do so now.

Mr. Clarke: As for the basis on which negotiations might be resumed, plainly it is not sensible for me to negotiate across the Floor of the House. The 6·5 per cent. offer, which was made in the Whitley council, was recommended by the trade unions to their members two or three months ago. There has since been an improvement in the management's position. As far as the management is concerned, those negotiations never ended. I hope that the hon. Member for Livingston (Mr. Cook) will join me in saying that the proper course is to resume the negotiations in the Whitley council and not to press the union's claim in the way that he has.

The hon. Member for Livingston made the extraordinary allegation that it was the activities of the management in London yesterday which withdrew the accident and emergency service. It is plain that that view is accepted by many of his right hon. and hon. Friends. It was the conveners of the trade unions in London who drew up 14 invented points which they would follow in operating the ambulance service. The only purpose of drawing up the 14-point plan was to disrupt the service. Not one of the 14 points was intended to improve the service. The conveners decided to devise 14 new ways of reducing the service to the public.

The hon. Member for Livingston said that yesterday men were stopped answering accident and emergency calls. The hon. Gentleman knows that instructions from the trade unions included such absurdities as not using the radio telephones and not allowing two men sitting in separate stations to get together to take out an ambulance. It was sheer hypocrisy on the part of the trade unions, and repeated by the hon. Gentleman this afternoon, to say that they were prepared to operate an accident and emergency service that involved their men sitting around in the stations during the day and refusing to operate the vehicles and the emergency service seriously.

If the hon. Member for Livingston were being responsible, he would join me in paying tribute to the management of the London ambulance service, to the police and to the voluntary ambulance men who stepped in and provided a vital service for the public of London.

I hope that the talks which the trade unions have been holding among themselves since 12.30 pm today will lead to some common sense returning to the situation in London. I am glad to say that, as I have already told the House, there is no evidence that the approach in London is spreading anywhere else in the country. I am sure that the management will get together with the trade unions during the day. I trust that they will work out a basis upon which the accident and emergency service can be restored to the people of London in a proper way.

Of course the police vans are not adequately equipped for the purpose. It was forced upon the police to take part in the service yesterday. The National Union of Public Employees and other unions had decided to step up their action and to place the public at risk. I was kept in touch throughout by the management; I know what it was doing. I think that it was right because I believe that it had no alternative. Its first duty was to ensure that an accident and emergency service of the best sort in the circumstances was provided to the public of London, and it was the unions which were getting in the way of that.

I hope very much that the Army is not used. The Army has not been used in providing an ambulance service since 1979, when the then Labour Government brought it in to provide the ambulance service in the middle of an industrial dispute. I hope that the present dispute will be resolved and that we shall not have to use the Army. At the moment my right hon. Friend the Secretary of State for Defence is merely inquiring into the state of preparedness of the Army, and we await progress today.

There is to be a meeting at ACAS today. Duncan Nichol has agreed to meet national trade union officers to see whether there is a basis upon which talks can be resumed. He is, in effect, resuming talks which he initiated about a week or more ago. They are now being resumed under the auspices of ACAS. The only way in which we can make progress is to return to the negotiating table with a suspension of industrial action. We shall see how we get on this afternoon.

To grant the men arbitration on their claim when the union is refusing to complete negotiations in the Whitley council where everybody else has settled such matters would undermine management's position. Management cannot hand over the control of pay of large groups of people to third parties when it also has a responsibility to spend its money on the provision of patient service.

The only reason that the hon. Gentleman is arguing for arbitration is that these men are taking industrial action and he would respond to that by giving this particular group of workers arbitration as a reward. That is not a reward that the Labour party ever gave when it was in government. I look forward to the day—it has not arrived yet in all my years of experience in the Health Service—when the Labour party will not back to the full any group of Health Service staff who take action against patients for any kind of pay claim whatever.

The Labour party's support for pay claims and for industrial action against patients contrasts clearly with its record in government. The previous Labour Government never gave arbitration to the ambulance men. They never linked the pay of ambulance men with other groups. In the last four years of the Labour Government, ambulance men's pay fell behind inflation in three years out of four, and in the fourth year it gave ambulance men 9·9 per cent. in a year of 10 per cent. inflation. They referred the issue of comparability to Clegg and, as my right hon. and learned Friend the Lord President of the Council said a moment ago, comparability with the other emergency services was rejected by Clegg.

The Labour party's record in government on ambulance men's pay is shabby and its record in opposition is downright irresponsible in its preparedness to support patients being put at risk by men pursuing industrial action in pursuit of a pay claim.

Dame Jill Knight (Birmingham, Edgbaston): Since 94 per cent. of NHS staff have this year settled all their pay claims without any strike action, and since nearly all of those settlements were for increases of 6·5 per cent. or about that figure, would it not be an open invitation to play ducks and drakes with patients' safety if the NHS staff saw that damaging and destructive strike action resulted in an 11 per cent. pay settlement?

Mr. Clarke: My right hon. Friend is right. If those who take industrial action receive higher pay awards as a result, it will obviously encourage others to choose that route. That is exactly how the Labour party contrived eventually to put half the NHS on strike in 1979 and we had a winter of discontent.

The management has demonstrated that it is prepared to be reasonable in negotiations with those many dedicated NHS staff who have a particular claim. Details of the settlements that others have achieved without industrial action show that all operating department assistants received well over 10 per cent. and some received up to 30 per cent. and junior clerical staff received more than 10 per cent. That is because their claims were recognised in negotiations in the Whitley council and a settlement was reached which the Health Service could afford without damaging patient care.

The Labour party is now taking up the cause of people who received a huge pay increase in 1986 which has been more than sustained and it is now saying that because those men are prepared to put patients at risk they should be offered arbitration and it would no doubt support a double figure pay settlement again.

Mr. Nigel Spearing (Newham, South): Will the Secretary of State understand that the unions say that what Mr. Crosby said about radio telephonic communication is just not true? Will he please check that? They say that they were referring to the use of radio telephones in certain circumstances, not as the right hon. and learned Gentleman said. Is the Secretary of State aware that the Balaam street ambulance station in my constituency had an emergency call from an address in the constituency of my hon. Friend the Member for Newham, North-West (Mr. Banks) at 10.20 am yesterday and that the ambulance officer threatened the staff with calling the police if they went to that call?

Will the Secretary of State now reply to the question put by my hon. Friend the Member for Livingston (Mr. Cook) about such an industrial management decision? Was it taken by the London ambulance adminstration after consulting the Secretary of State or the NHS administrator, and, if not, why not? Why has he allowed that administration to take such a major step of principle in its reactions without his being consulted, or was he not consulted?

On the matter of ACAS—*[Interruption.]*

Mr. Speaker: Order. These are important matters.

Mr. Spearing: Can the Secretary of State tell us, even if the provision is not in the Whitley arrangements, what is to prevent the matter being sent to a body designed both to prevent and resolve such matters? When will the Secretary of State remove this civic spectre from our capital city?

Mr. Clarke: The hon. Gentleman is right to say that lives are at stake in this dispute. I hope that he will consider carefully what he is saying. Perhaps he will put himself in the position of someone who has just witnessed a road accident, who thinks that lives might be at stake and who wants to know on what basis the ambulance staff are operating. It would not be very encouraging to such a bystander to hear that there is an argument about the circumstances in which the ambulance men may or may not operate their radio telephones, about whether a two-man crew can be put together and about what contact they will maintain with base while they are operating the ambulances. Certain managers on the ground, who had to deal with that immediate crisis, were faced with men who were sitting in the station and who wanted to take ambulances away, but who were extremely unclear about the circumstances in which they would use those ambulances once they were out of the station.

I am sure that the hon. Gentleman, who is usually a sensitive and humane man, will realise that the management had no choice but to say that it must guarantee a reliable accident and emergency service and that it must, therefore, seek the help of the police, the Red Cross and St. John Ambulance to do so. The management kept me in touch, so I knew exactly what was happening, although I did not know, of course, about day-to-day, hour-to-hour incidents in individual stations. The management of the London ambulance service was given no alternative by the representatives of the ambulance men, who had deliberately drawn up 14 new points with the intention of disrupting the service in London. I hope today that discussions between the London management and the London conveners will resolve that and bring back the accident and emergency service.

The management is, of course, willing to go to ACAS. It is going today and there have been contacts with ACAS before, and between the Whitley chairman and the men. However, everybody should realise that this dispute can be resolved only in negotiation. The union's position is that it will not resume negotiations and that it will not go back to the Whitley council. As long as it maintains that position, it is necessary for the management in all parts of the service to maintain the best possible service it can for the patients in its care.

Several Hon. Members *rose*——

Mr. Speaker: Order. The House knows that this is an Opposition day, and there is a further important debate in which there is a great deal of interest. I ask for brief questions on this important matter.

Sir George Young (Ealing, Acton): My right hon. and learned Friend will be aware that all Londoners hope that the talks to which he has referred will be productive and that the dispute will shortly be drawn to a close. Is it not the case that the strategy of the National Union of Public Employees over the past few weeks was clearly getting it nowhere and that over the weekend it decided to escalate the action by introducing on Monday the so-called 14 points, which made management of the service quite impossible? Against that background, is it not hypocritical of Mr. Poole to describe the management action as "evil"?

Mr. Clarke: I agree with my hon. Friend. The NUPE position was straightforward. It had five weeks of industrial action, which had not damaged the patient services. Local conveners, therefore, drew up a list of points that they thought would damage the patient services. Mr. Poole then had the utter hypocrisy to say that that was somehow an evil caused by management. It is up to Roger Poole and his colleagues to sort out today how they will get back the accident and emergency service after they took action to disrupt it yesterday.

Mr. Jeremy Corbyn (Islington, North): Is the Secretary of State aware that, after 10 years of Tory Government, morale in the ambulance service is extremely low as a result of cuts in the service and the low pay of ambulance workers? Is he aware that the dispute with management has enormous support from the public? That is why he has authorised this high-handed action of trying to impose a settlement by bringing in the police and now threatening the ambulance workers with bringing in the Army. Should he not take account of the fact that the ambulance workers have never refused to deal with 999 calls, and should he not send the dispute to arbitration, as has been requested by the workers' side, rather than trying to smash the dispute in the high-handed way he has chosen to adopt?

Mr. Clarke: The offer from the management would raise ambulance men's pay by 28 per cent. since 1986, compared with 20 per cent. inflation. I have already contrasted the way in which the ambulance men have been rewarded and seen their earnings increase under this Government compared with under the Labour Government.

In the hon. Gentleman's constituency, the offer to the London ambulance men who have caused all this trouble is at least 9·3 per cent. for all qualified men. They have a better offer in percentage terms than the police have had this year, a better offer than the firemen, and a much better offer than the nurses. They have no justification for agreeing to 14 silly points which were drawn up for them with the intention of disrupting the service.

Sir Ian Lloyd (Havant): As the standard of equipment and the ambulances used by the police has been criticised by the Opposition, as the majority of the ambulances in London are, I imagine, public property and do not in any sense belong to NUPE, and as most are built to a standard design—they are built in my constituency and I have seen that this is so—would it not be wholly appropriate, and certainly right, that as many of those ambulances as were required by the police were made available to them by the management of the service?

Mr. Clarke: That and other possibilities will have to be considered if the ambulance men in London cannot be persuaded to operate a reliable accident and emergency service. My hope, which I am sure is shared by the majority of hon. Members, is that the talks this afternoon between the London management and the trade unions will so modify these 14 points that, at the very least, we can return to a reliable accident and emergency service on the streets of London being operated by the men.

Mr. Simon Hughes (Southwark and Bermondsey): Will the right hon. and learned Gentleman sound a bit less like the Secretary of State for Employment, the Home Department or Defence or the Chancellor and a bit more like the Secretary of State responsible for the Health Service and support the people, to whom he should have paid a tribute, who for years have done a good job in the Health Service for low pay? Given that the talks are starting at 4 o'clock, will the right hon. and learned Gentleman perhaps pay his tribute by making it abundantly clear that, if necessary, more money will be available? Instead of the pay ranging between £7,000 and £11,000, ambulance personnel whose pay has fallen behind parity with that of workers in other emergency services will then know that they are likely to get more money so that they are rewarded, as the public wish, for a service that deserves money as well as mere words.

Mr. Clarke: As Secretary of State for Health, my prime concern must be for the safety, health and well-being of the public. The hon. Gentleman is obviously most concerned with pursuing a pay claim of a particular group of the staff, which is not quite the same thing. In my opinion, the pay claim can satisfactorily be resolved when the ambulance men return to the negotiations in the Whitley council. I do not accept the hon. Gentleman's idea that somehow, in the interests of the Health Service, we should give them more money until they agree to call off the industrial action. Presumably the hon. Gentleman has no idea how much they want, but he would pay whatever they demanded and then wait for the next group to take industrial action in the Health Service.

I certainly agree with the hon. Gentleman that the bulk of the ambulance men in this country get and deserve a full tribute from the public. They provide an essential service. That work should be properly rewarded, which is the purpose of the pay negotiations that we carry out inside the Health Service. Most other workers in the Health Service provide a vital service and are dedicated. It is only fair that the pay of all of them is resolved through bargaining machinery and that NUPE does not try to get an advantage for one group by taking action against the patients.

Mr. John Wheeler (Westminster, North): Will my right hon. and learned Friend confirm that the ambulance staff are Health Service workers and that for many years their pay and conditions of service have been determined within the Whitley council structure? What would the proposed 9·3 per cent. increase for the London service give in terms of salaries?

Mr. Clarke: The 9·3 per cent. increase for London staff, contrary to what was said a moment ago, would give the

leading ambulance men £13,000, qualified ambulance men £12,100 and an ambulance man or woman £9,020. On top of that, one can expect at least two hours overtime to be worked and we would expect average earnings each week to be about £244. Incidentally, that pay is not very far out of line with that for firefighters in London. This is no doubt why, when drawing comparisons, the union side tends to pluck out of a hat the pay of fifth-year firefighters, who are about £3 a week better off than ambulance men under the present offer.

Mr. Chris Smith (Islington, South and Finsbury): The Secretary of State has twice skirted round the crucial question asked by my hon. Friend the Member for Livingston (Mr. Cook). Will he answer it now? Did he have prior knowledge of and give prior approval to the decisions by London management yesterday to lock out the ambulance staff who were prepared and willing to carry out emergency services?

Mr. Clarke: The managers did not lock out the staff, and it is a travesty of the truth to describe what happened yesterday as a lockout. I had full forewarning of what the London management felt it was obliged to do yesterday. I believe that it was given no sensible choice if, unlike the Opposition, it wanted to continue to put the interests of the public before the interests of a strike in support of a pay claim.

Mr. John Bowis (Battersea): The people of London who are currently at risk will not have been impressed by the sight of the Leader of the Opposition giggling on the Opposition Front Bench throughout the statement made by my right hon. and learned Friend the Secretary of State. However, they will be impressed if the dispute is brought to a speedy conclusion and they will be even more impressed if, after the dispute, my right hon. and learned Friend will bring forward measures to stop strikes and industrial action in certain essential services where health, life and safety are at risk. Will my right hon. and learned Friend heed my comments?

Mr. Clarke: I listened to the Leader of the Opposition enjoying himself by trying to whip up feeling about a strike in the public service about which he knew little and trying to urge on the union in its pay claim. I hope that I have put the matter into perspective. I have explained that the position in London yesterday was contrived by the trade union conveners, and we hope the position can be rectified today.

I will consider what my hon. Friend the Member for Battersea (Mr. Bowis) has said about strikes in essential services. My right hon. Friend the Secretary of State for Employment is sitting beside me now and the subject comes up for discussion frequently in the House when irresponsible action like that embarked upon by the London ambulance service yesterday occurs and therefore puts public safety at risk. Obviously I do not have responsibility for policies about such strike action. My main aim at the moment is to get the accident and emergency services in London working normally once more.

Mrs. Rosie Barnes (Greenwich): The shortfalls exposed by the overtime ban in London show that there is a shortage of ambulance men in the capital city and that they are poorly paid. It is also clear that the Whitley council has failed in its obligation to the ambulance men and to the public. Does the Secretary of State agree that binding pendulum arbitration, which is not inflationary, is the only fair and sensible way of ensuring that the emergency services are always maintained and are not subject to action of this kind.

Mr. Clarke: I concede that there is some evidence of staff shortages. We made an enhanced offer in London so that it is at least 9·3 per cent. for all qualified personnel and 20 per cent. on some overtime rates because we wanted to try to tackle those recruitment difficulties. The management have made an offer which is higher than the settlement accepted by London Underground workers.

I do not believe that the Whitley council can be said to have failed. It produced a management offer three months ago which NUPE and the other trade unions were then recommending to their members. However, they are now refusing to negotiate about that. When I was a Minister in the Department of Employment I was attracted by the idea of pendulum arbitration in certain circumstances. However, as the hon. Member for Greenwich (Mrs. Barnes) will be aware, that tends to occur within the kind of settlements reached by people such as the electricians in which there is a no-strike agreement, single-union recognition and pendulum arbitration. There is no prospect of getting a no-strike agreement or anything else from NUPE, or the Labour party, with which NUPE is in close alliance on this occasion.

Mr. James Couchman (Gillingham): Will my right hon. and learned Friend confirm that if the dispute ends in tragedy, as the hon. Member for Livingston (Mr. Cook) suggested it might, the responsibility for the tragedy will rest fairly and squarely with the ambulance men and their conveners as a result of the escalation yesterday which threatens people who live in London and those who come in to London to work?

Mr. Clarke: I agree with my hon. Friend. To hear a trade union leader on the radio and television explaining that he is advising his members to take action which puts the public at risk and then saying that he regrets the inconvenience caused and that the fault is not on his side brings back all the worst memories of the 1970s. That is really unacceptable in such an important service as the ambulance service.

Mr. Harry Cohen (Leyton): Will the Secretary of State consider his own example of the man lying injured after a road accident in Leyton, perhaps? Would he tell him that the ambulance cannot arrive because the management have taken the keys from the vehicles and are not putting through 999 calls? That is what happened in my area of Whipps Cross. How can the Minister justify that action by management, which he said he supported? Of course he supports the management: he is the management. They are jumping to the Minister's tune in escalating this dispute.

Mr. Clarke: I advise the hon. Gentleman to look at the 14 points which were ingeniously devised by the trade union conveners last week. I will mention some of them. They will not use the radio telephone. They will not double up manning. If there are no red blankets at the scene, they wait for them. They will not take out a defective vehicle. They will not take out one with defective brakes—I do not mind that—but if a light bulb is missing, they must wait for a fitter to replace it. The police, St. John Ambulance and

[Mr. Clarke]

the Red Cross are doing their utmost to provide a reliable service. The management want to go back to relying on their own men to provide it.

It is not true to say that, yesterday, the union instructions were enabling anybody to provide a reliable accident and emergency service, using only some of those men who were obeying their own union's instructions.

Several Hon. Members *rose*——

Mr. Speaker: Order. I must have regard to the subsequent debate. As I have already said, there is great demand to take part in it. I will call two more hon. Members from each side and then the Opposition Front Bench spokesman, and then we must move on.

Mr. David Madel (Bedfordshire, South-West): Has my right hon. and learned Friend received a clear assurance from the ambulance men that, if there were a serious incident on British Rail or the London Underground, normal ambulance services would be resumed at once? Should not such a clear assurance apply also if there were a serious incident at a factory, particularly one dealing with hazardous substances?

Mr. Clarke: My confidence in the ambulance men is such that I am quite sure that, if we get news of a major incident this afternoon, everybody will turn out and take part and temporarily ignore the dispute, as they did at the time of the Deal bombing. It will be no thanks to NUPE if they do. We all know that ambulance men can be relied on in such situations. That is why we want a fair settlement, negotiated properly in the Whitley council, which has always dealt with their pay.

Mr. Dave Nellist (Coventry, South-East): How can the Secretary of State tell caring ambulance workers in London and throughout the country to take a pay cut when, on 21 July 1987, in a Division which I forced in the Chamber, he and his two junior Ministers voted themselves a pay increase of between 11 per cent. and 20 per cent.—£80 a week—to take his salary up to £1,000 a week? It is no good praising ambulance workers at the time of the King's Cross and Clapham disasters and treating them like dirt now.

Mr. Clarke: The ambulance men got a settlement of well over 10 per cent. in 1986, and the offers that have been given to them since have more than maintained the value of that settlement. They have also had an hour taken off their normal working week.

We are not dealing unfairly with the ambulance men. They have been dealt with better than some other Health Service staff in recent weeks. This year other Health Service staff are being given priority in negotiations by management negotiators. The offer is fair. The hon. Gentleman's comparisons are ridiculous. I would not dream of comparing my own increase. As it happens, my own increase was 3 per cent. this year, but I am not complaining about that.

Mr. Nicholas Winterton (Macclesfield): I commend my right hon. and learned Friend on his excellent statement. I agree that a normal ambulance service should be restored while discussions and negotiations go on at ACAS. Does my right hon. and learned Friend agree that there is increasing concern about the Whitley council procedure? I take up the point so excellently made by my hon. Friend the Member for Battersea (Mr. Bowis) that, perhaps, a special system for the future should be considered for those in essential public services such as the ambulance service.

Mr. Clarke: The Whitley council is the system which we have had and which the trade unions always defend. It has weaknesses. I am always surprised that on the staff side of the ambulance Whitley council the Association of Professional Ambulance Personnel, which has a large membership, is not represented at all because that association will not affiliate to the TUC. In my hon. Friend's part of the country, APAP probably has more members than some of the trade unions organising industrial action and, at the moment, parties to negotiations.

The Whitley council is the best we have. It is the agreement with both sides. Normally, NUPE vigorously and vehemently defends Whitley council procedures. It walked out this year only because it decided that it wanted to take industrial action to see whether it could do better than it would otherwise have done by sensible negotiation.

Mrs. Alice Mahon (Halifax): Is the Secretary of State aware that, for all his bluster, union bashing and petulant behaviour on television last night, the public will blame him if there is a tragedy because they know—it is quite clear—that he has been gearing up all weekend for this confrontation? Indeed, he seems to be enjoying it. I hope that he is aware that the blood will be on his hands and not on those of low-paid ambulance workers.

Mr. Clarke: The dispute has been going on for five weeks, in the course of which I have played very little part in the public debate. Both the management and myself have done our utmost throughout not to inflame feelings or to spread the dispute but to try to get back to negotiation. If the hon. Lady casts her mind back, she will find that continually the statements made by Mr. Roger Poole, on behalf of NUPE, throughout those five weeks have been attempts to inflame feelings and to centre public attention on the claim. Our continued aim is to get people back to the negotiating table and to sort out the dispute. I have no desire to have any dispute with ambulance men and nor has the management of the NHS. We remain confident that, if common sense prevailed, the whole matter could be sorted out through discussion.

Mr. Robin Cook: May I share with the Secretary of State some information which has been passed to me by my hon. Friend the Member for Newham, South (Mr. Spearing)—that within the past half hour management in London has agreed to lift the suspensions immediately and to pay the wages of those suspended? Can the right hon. and learned Gentleman confirm that development? Did he have prior knowledge of it? If so, why did he not share that knowledge with the House? Does he agree that this latest development demonstrates that London ambulance management has adopted such a provocative stance that even it could not sustain it?

Mr. Clarke: The hon. Gentleman will find that the unions have modified the silly attitude that they were taking yesterday and that discussions have taken place —*[Interruption.]* My information is almost as good as that of the hon. Member for Newham, South (Mr. Spearing). When I rose to make my statement, I was

passed a note saying that management hoped to be able to reach an agreement this afternoon. That agreement involved facing the conveners with the implications of their 14 points, getting them to reconsider those points, and getting back to a basis on which the service could be resumed. That is what I said I hoped would happen in my original statement, and in all my replies.

I am sorry if the hon. Gentleman is disappointed, but the fact is that the accident and emergency service has now been resumed. I hope that if anybody threatens to put the service to patients at risk again, the hon. Gentleman and his hon. Friends will not leap in excitement to support such action. I hope that if their lines of communication with the unions are so good they will urge that this afternoon at ACAS the unions should agree to return to the Whitley council negotiations, where they should have stayed five weeks ago.

BILL PRESENTED

SEXUAL OFFENCES ACT 1967 (AMENDMENT)

Mr. Tony Benn, supported by Mrs. Audrey Wise, Mr. Jeremy Corbyn, Mrs. Alice Mahon, Mr. Dennis Skinner, Ms. Diane Abbott, Mr. Tony Banks, Ms. Dawn Primarolo, Mr. Harry Cohen and Ms. Mildred Gordon, presented a Bill to secure equality of treatment before the law in respect of sexual behaviour: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 206.]

Points of Order

4.13 pm

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. I apologise for raising this point of order, which arises from the exchange that has just taken place. What is the purpose of a statement being made to the House of Commons when the Secretary of State has just admitted that he had information in his possession which he deliberately withheld from the House in order to inflame an already highly inflammable situation? Surely what has happened in the past half hour has been, first, a waste of the time of the House and, secondly, a deliberate misleading of the House by the Secretary of State.

Mr. Speaker: That is not what I heard the Secretary of State say. As he rose, he said that he had received a message that the management hoped to be able to achieve agreement. I hope that the House will accept that that decision, in the interests of our constituents, is a hopeful one.

Mr. John P. Smith (Vale of Glamorgan): On a point of order, Mr. Speaker——

Mr. Speaker: Order. Today is an Opposition day when many hon. Members wish to speak.

Mr. Smith: It is not my intention to delay the proceedings of the House, Mr. Speaker, but, as I am a new Member, I wonder whether you can help me. It appears that the Ministry of Defence has refused me permission to hold constituency surgeries on the RAF camp in my constituency, which has a large community. I believe that service families have the right to the same access to their Member of Parliament as other citizens. I also believe that a United States Congress man or woman has the right to take up his or her constituents' complaints on a United States military base in this country. Can you help me, Mr. Speaker, and rule on this matter?

Mr. Speaker: Order. That is not a decision that I can take. I hope that, since the hon. Gentleman has raised the matter in the Chamber, it has been heard by the Leader of the House and others and that some solution may be found to his problem.

Mr. Jeremy Corbyn (Islington, North) *rose*——

Mr. Speaker: I shall call the hon. Gentleman, but I repeat that a large number of right hon. and hon. Members want to take part in the Opposition day debate.

Mr. Corbyn: On a point of order, Mr. Speaker. You will be aware that, last Thursday, the Guildford Four were acquitted at the High Court. Could you tell me how I can best raise in the House with the Northern Ireland Secretary, the treatment that Gerard Conlon is receiving? He is being harassed by Royal Ulster Constabulary officers in his street and today he was dragged into a car for questioning because he was acquitted last Thursday at the High Court in England.

Mr. Speaker: The hon. Gentleman knows that I cannot give him advice of that kind. I am sure that many right hon. and hon. Members on both sides of the House will be able to assist him.

STATUTORY INSTRUMENTS, &c.

Ordered,

That the draft Apple and Pear Development Council (Dissolution) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Apple and Pear Research Council Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. John M. Taylor.]*

London Squares Preservation (Amendment)

4.15 pm

Mr. Dudley Fishburn (Kensington): I beg to move,

That leave be given to bring in a Bill to revise and amend the London Squares Preservation Act 1931.

My Bill modestly builds on the wisdom of our grandfathers and great grandfathers and adds another thin layer to the lacquer of legislation that protects London's heritage.

When London exploded into the world's largest city our predecessors saw the need to infuse a few patches of green into the urban sprawl before anyone had heard of people being environmentally conscious. It is interesting that it was the Victorian developers who bequeathed London its squares, voluntarily giving up building land to improve the urban landscape. Parliament took the lead then, as it should now.

There was the Kensington Improvement Act 1851, the Town Gardens Protection Act 1863 and, in 1927, when London's population was near its height and the city was choking in pea-soup smogs, there was nothing less than a Royal Commission into the protection of garden squares. That led to the London Squares Preservation Act 1931. It was a fine Act for Parliament to have passed in the dark days of depression to make London's green corners safe from overdevelopment. The Act specified some 460 enclosures that were to be permanently preserved as open spaces.

The London Squares Preservation Act 1931 is now more than half a century old and showing its age. That is why I should like to update it and to bring in adequate protection for the half century ahead.

The 1931 Act forbids development on protected garden squares, but, because it was unthinkable at the time, the Act gave no thought to development under or over squares. Today, many squares are threatened with underground car parks, and the new possibilities of cantilevered architecture make development over an open space a commercial prospect.

The 1931 Act, if contravened, carries the "heavy" penalty of £20. I propose to update that to a maximum daily penalty rate of £1,000.

The 1931 Act is particularly inadequate because there were only 460 squares listed at that time—and that number cannot now be added to. The list is closed. New squares are being created all the time in the capital and elsewhere. Such spaces are protected only by the leaky planning laws and not by Acts of Parliament. My Bill would open a new register, to which any enclosure could be added at the behest of its owner. These owners are the successors of the Victorian builders. Sometimes they are local authorities or trusts, or ownership may be divided equally between the residents of the 100 or so dwellings that surround a square. Some squares are still owned by a single individual. Good—I have no complaint about such diversity. Owners who wish to set down their squares in the new register would have them protected from any development, on, under or over.

My Bill, if I can get support for it, would try to take the process a stage further. Why should it be only squares relating to London that are given the protection I have described? Does not the great cities of Bristol, Norwich Birmingham and Manchester have "enclosures" too? There should be a national register that extends a national umbrella of protection to the urban garden landscape throughout England and Wales.

The new squares that could be entered are manifold. Some of the better new council housing estates, for example, are built around a garden square. Should not those spaces be protected as their Victorian predecessors were? The Government, however, are not altogether sympathetic to these proposals. One of their objections is that a ban on car parks under garden squares would rob the owners of their property rights. My scheme of a voluntary register would get round that problem. There is indeed a place for underground car parks: it is in new building developments, not under green long-established residential squares.

The Government have yet to work out their community charge provisions on London's semi-private squares. Since the middle of the previous century those squares have, for the most part, been kept up by a special rate levied on the houses around or near them. The residents of those houses then hold the right to use the squares. No such provision has been made under the community charge. Clearly, if everyone in a local authority area pays equally for the upkeep of every garden square, then everybody, in fairness, must have access. That, of course, would mean the end of the squares. Their fragile environments would soon be broken down. Their upkeep, if it came from the general community charge, would soon fall into disrepair—victims of local government politics. Those garden squares would then become the refuge not of the many residents, but of a few strangers: the drug dealer, the vagrant and the mugger.

The Government cannot intend such a thing, so they must do some fresh thinking. I hope that my Bill will help that process and, more importantly, will help the hundreds of London garden squares.

Question put and agreed to.

Bill ordered to be brought in by Mr. Dudley Fishburn, Mr. John Wheeler, Mr. Gerald Bowden, Mr. Matthew Carrington, Mr. John Bowis and Mr. Paul Boateng.

LONDON SQUARES PRESERVATION (AMENDMENT)

Mr. Dudley Fishburn accordingly presented a Bill to revise and amend the London Squares Preservation Act 1931: And the same was read the First time; and ordered to be read a Second time upon Friday 10 November and to be printed. [Bill 207.]

Opposition Day

[19TH ALLOTTED DAY]

Economic Policy

4.22 pm

Mr. John Smith (Monklands, East): I beg to move,

That this House deplores Government economic policies which have resulted in the highest interest rates and the highest level of inflation among the leading industrial nations and have caused the largest balance of payments deficit in this country's history; expresses its deep concern at the impact of the savage increases in mortgage repayments on millions of home buyers and the erosion of living standards of the less well off, including poor families and pensioners; regrets the extra burdens being placed on British businesses and industry as a result of increased borrowing costs and the exclusive reliance on high interest rates as the sole instrument of economic policy; repudiates the absurd claim that a huge balance of payments deficit is not a crucial concern; and calls on the Government to adopt a strategy to reduce the balance of payments deficit by increasing industrial investment and by ending the decade-long neglect of education and training, new technology and regional development.

Mr. Speaker: I must announce to the House that I have selected the amendment in the name of the Prime Minister. I repeat what I said previously: a large number of right hon. and hon. Members have already notified their wish to participate in the debate. Therefore, I shall need to put a limit of 10 minutes on speeches made between 7 and 9 o'clock. I appeal again to those called before that time, particularly to Privy Councillors, to bear that limit in mind.

Mr. Smith: As we meet today to debate the condition of the British economy, there is a deepening concern throughout the nation at the consequences of 10 years of Thatcherism. The extravagant claims of a so-called economic miracle to which we have been so persistently subjected are compared by our constituents with the facts of the economic situation and the impact of those facts upon their lives.

The ineluctable and unavoidable facts are that, 10 years on, at the end of a decade during which the Government have had at their disposal £78 billion of North sea oil revenues and all the added strengths that North sea oil resources provided for the trade balance, Britain now has the highest rate of inflation and the highest interest rates among the leading industrial nations and, as the trade figures today sadly confirm, the highest balance of payments deficit in our history. Nor should we forget that unemployment, even using the Government's massaged figures, is 1·7 million and, on the basis of previous calculation which was changed by the present Government, would amount to 2·3 million. It remains a deep-seated problem in many of our regions.

Throughout the end of the Thatcher decade and in the light of these facts our constituents, not unnaturally, query what sort of strange new form of miracle has led us to such a position. Such consideration brings them face to face with two outstanding characteristics of the Thatcher Administration: its totally non-self critical and wildly extravagant claims to success, and its habitual tendency to blame others for its failures. It was this same Chancellor of the Exchequer, whose candy floss boom is melting before our eyes, who, in the Budget debate of March 1988, said:

"This country is now experiencing an economic miracle, comparable in significance to that previously enjoyed by West Germany and still enjoyed by Japan."—[*Official Report*, 21 March 1988; Vol. 130, c. 109.]

Note the complacent arrogance of the phrase "previously enjoyed by West Germany" and the pretentiousness of the claim to rank with the Japanese level of success.

In Britain today inflation is 7·6 per cent.; in West Germany it is 3 per cent. In Britain today interest rates are 15 per cent.; in West Germany they are 8 per cent. In Britain today, as we know, we have a huge trade deficit and West Germany has an immense trade surplus. Most revealing of all, when the present Government took office in 1979 our trade deficit with West Germany was £1 billion. In the 10 years since, it has increased by almost nine times to the record and alarming level of nearly £9 billion.

Earlier this year the Prime Minister saw fit to give some economic advice to the Japanese on a visit to their country. The trade deficit between Britain and Japan when she took office was £1 billion; today it is £5 billion. Until recently it was fashionable for Government members to patronise the West Germans. We were told that their economy was sclerotic, hidebound, over-rigid and badly in need of a touch of the Thatcher market magic. However, who in his or her right mind would trade our economic position with theirs? Who would swap their dedication to education and training, their success in social partnership, their strength and depth in manufacturing industry for the problems which Britain faces today?

The facts do not fit the hype. Who is to blame? After 10 years of this Government in power, in which the wealth of the North sea has been available to them, in which they have had assured parliamentary majorities and in which they can hardly claim that they have not had sufficient economic and political leeway and opportunity, who is to blame for the failure? Is it the unions, the previous Labour Government or the nasty foreigners? As each year has passed those excuses, so readily on the lips of the Government apologists in the House and elsewhere, have become relentlessly less convincing. The most obvious fact about Britain after 10 years of Thatcherism is that this Government and their economic policies are to blame for our present position.

The Government can no longer evade or avoid their personal responsibility. The balance of payments deficit is, at heart, for this country, a balance of trade deficit. Throughout this decade, and never more so than under the present Chancellor, the importance of the balance of payments has been persistently underestimated. The Chancellor has a lamentable record on prediction. It is almost as though the wish to avoid the problem suppresses the capacity for intelligent assessment. For 1988 he predicted a deficit of £4 billion. It was over £14 billion. For 1989, by which time he should have become a little wiser, he predicted £14·5 billion for the year as a whole. Today it was announced that for the first nine months of this year we have already passed £15 billion—well past his total for the whole of the year and with a full quarter still to come—so we are probably heading, on those figures, for a deficit of between £19 billion and £20 billion, compared with his prediction of £14·5 billion.

[Mr. Smith]

The right hon. Gentleman's response is not to seek to reduce the deficit so much as to pretend that it does not matter. Time and again he has told us that a balance of payments deficit, even one of this magnitude, does not matter provided that it is readily financable. The right hon. Member for Henley (Mr. Heseltine), his former Cabinet colleague, observed in his sideshow speech at Blackpool when dealing with this issue:

"I beg our party"—

referring to the Conservative party—

"not to argue that a deficit on overseas trade is of incidental importance—self-correcting and easily financed. I do not believe a word of it."

Nor should we. Our balance of payments deficit has been caused by two principal acts of Government—the appalling recession of 1979 to 1982, when the mismanagement of, among other things, exchange rate policy eliminated about 20 per cent. of British manufacturing capacity, and the credit boom let loose from 1985 onwards, which recklessly expanded demand well beyond the capacity of a weakened industrial sector to supply.

When the Chancellor said that a balance of payments deficit did not matter if it was readily financable, he did not mention the price of that financing. That price is the price of his priorities. It is interest rates of 15 per cent., and it is being paid not by him but by millions of home buyers, who have faced crippling increases in their mortgage repayments. It is being paid by business and industry, particularly small businesses, which find the cost of investment and the unexpected burdens of repaying loans, often taken out in a totally different climate, intolerably high.

Consider the cost for mortgage payers. As a result of 11 increases in interest rates from May 1988 until now, a family on average earnings with two children paying off a typical £34,000 mortgage is paying an extra £88 each month. In Greater London, the increase in payments on an average mortgage of £55,000 is a massive £162 each month. Is it any wonder that about 400,000 families have mortgage arrears extending to two months or more?

Consider the price being paid by businesses. Today the CBI produced its forecast for business, and gloomy reading it is, predicting a fall in orders and a drop in investment. It is one of the gloomiest predictions that the CBI has made for many years. It has been the practice of Ministers constantly to quote CBI figures in these debates. I suspect that that may not happen today.

Mr. Edward Leigh (Gainsborough and Horncastle): As the right hon. and learned Gentleman referred to the balance of payments deficit, may I ask him to say whether he believes in import controls? Will he answer that question yes or no? While he is thinking of how to answer that, will he say, in connection with mortgages, whether he agrees with the hon. Member for Dagenham (Mr. Gould) about the curbing of mortgage credit?

Mr. Smith: I assure the hon. Gentleman that it need not take me long to think of the answer to his questions, the answer being no. I do not agree with import controls, and I shall deal with the question of how we would impose credit controls when I reach that part of my speech.

Small businesses and mortgage payers are not the only people who have been hit hard by Government economic policies, which now adversely affect almost the whole population—with the exception of a small group of the well-off, whose bounty under this Government has been so great that they are well protected against the Chancellor's policies, as they probably lend rather than borrow and thus benefit from high interest rates.

But what of the others, particularly those in the poorer sections of society, who have had to face economic difficulties with no consideration from the Government? Retirement pensioners whose pensions have fallen so badly behind the rise in incomes of others have to face the same price increases as everyone else. We heard only today of the miserable decision once again to freeze child benefit —a shameful denial of essential support for millions of poorer parents.

So we know all too well the price that is paid for the Chancellor's folly by nearly all sections of society, and people are entitled to feel that they have been deceived. Were they not told that the medium-term financial strategy would put paid to disturbing uncertainties in financial policy? It was only last year that the former Chief Secretary to the Treasury told us:

"Government policy now operates in the medium-term framework which gives individuals and firms the confidence to plan ahead."

Let us take an individual or a firm attempting to plan ahead in May 1988 when interest rates were 7·5 per cent. What bit of the medium-term financial strategy told them that over 18 months later, after 11 increases in interest rates, they would be paying 15 per cent. for the loans that they took out in May 1988? How do they know what Government policy will be next?

I admit that the Chancellor has some problems which are not entirely of his own making. Fairness requires that we take account of some of his difficulties in an understanding way—the present Foreign Secretary is already learning all about how the Prime Minister treats colleagues. The Chancellor could have given him a crash course before he left for Malaysia. The Chancellor was hardly back from Blackpool, where he was portrayed with others as part of the right team of people working together for Britain—[Hon. Members: "Where are they?"] No doubt the chairman will have taken careful note of those of the team who are not present. As I was saying, the Chancellor was hardly back from Blackpool when the man who was missing from Blackpool, Sir Alan Walters, struck again.

One can be naive, I suppose, about Sir Alan. One can believe that it was an accident that an article that he wrote for an American publication most unfortunately and quite unaccountably appeared in the press—an article, moreover, which described the European monetary system as half-baked. If that were not enough, he went on to deride it as not having even a minimum level of plausibility —I checked this again: he was referring not to the Government's economic policy but to the European monetary system. I do not imagine that the Chancellor thinks that it was an accident, because he has suffered before. He knows how, month after month, the unelected and unappointed alternative Chancellor in No. 10 has thwarted his policies and contradicted his purposes—sometimes an allegedly indiscreet remark, sometimes a word in a City dining room, and on occasion even a friendly reference to the need of the Chancellor to move on to other things.

These are not the antics of some eccentric outsider; they are the work of a specially appointed insider in No. 10. When assessing this happy bond between Nos. 10 and 11 Downing street, one extracts the true flavour of the team approach and a proper understanding of why no one in his right mind will believe that a team approach to anything is ever possible under the present Prime Minister. Isolated in Europe, isolated in the Commonwealth, at home she is increasingly isolated by the deference and lack of courage of a Cabinet who dare not challenge her overwhelming pretensions. These Ministers know the lessons of the reshuffle: "If you lose your job, you get another house, but if you keep your job, you lose your house."—*[Laughter.]* "If you are not careful, you might lose both."

Whatever happens, Mr. Bernard Ingham—that other unaccountable source of power in Britain—will be waiting to give a friendly benediction as one moves on. I used to feel sorry for the Chancellor of the Exchequer, but it is time that he did something for himself. It is time for enterprise and individual responsibility. It is time that he told the Prime Minister that the moment has come to end the confusion and disarray in the formulation and explanation of Government economic policy. It is time that he said, "Either back me or sack me."

Mr. Tim Yeo (Suffolk, South) *rose*——

Mr. Smith: The Chancellor should know that at least one volunteer for his job on the Conservative Back Benches is rising to his feet.

I advise the Chancellor to make an early decision on the important question of whether he will jump or be pushed, because the Prime Minister has a plan for him. It is that he should attract the hostility and contumely of the public for the unpopularity of his economic policies and then be discarded when someone else—perhaps the Secretary of State for Transport—is invited to herald a new approach during the run-up to the next general election. It might be more dignified for the Chancellor to jump before he is pushed. I give him a word of friendly advice before he jumps. He should make sure that his parachute has not been packed by Mr. Bernard Ingham.

Mr. Ian Taylor (Esher): The right hon. and learned Gentleman raises laughter among his right hon. and hon. Friends—[HON. MEMBERS: "Among Conservative Members, too."]—but the laughter should be reserved for his inadequate attempt to explain his own economic policy. Is the battle against inflation part of the Labour party's objectives? How will that battle be conducted if at the same time we are to have lower interest rates and a lower exchange rate against other currencies?

Mr. Smith: The hon. Member should listen. Occasionally, we are entitled to indulge ourselves in the odd spot of amusement, when we have characters such as Sir Alan Walters, Mr. Bernard Ingham, and others decorating public life—and who would cause endless mischief and annoyance were they but free to speak. Their lips are sealed now by vows of confidentiality, but let us wait until the memoirs are published. Let us see what the Chancellor—a handy man with a pen if not with figures—writes in his memoirs and his views on Sir Alan Walters as serialised in *The Sun*.

The Chancellor should take an early initiative to end the muddle over the exchange rate mechanism. Under the terms of the Madrid summit declaration, Britain has apparently agreed to stage one of the Delors report, which envisages full participation in the ERM. We are told that that will happen when the time is ripe, but what if the time is not ripe when the timescale apparently agreed at Madrid has passed? How can the Government's position have any credibility when Sir Alan says that the system does not even have minimum plausibility and writes in an article published only last week that "thus far" he has taken the Prime Minister with him?

The Chancellor must assert himself to end needless confusion and misery. Our advice is that he should negotiate to join the ERM under the important and prudent conditions that the Labour party has outlined. He should listen, and ask the Prime Minister to listen, to the advice that he received from not only the Confederation of British Industry but the annual conference of the Trades Union Congress. If the Chancellor and his colleagues believe that it is right to join, they should fight for their policies, rather than sit like cowed and frightened schoolboys whenever the farrago frowns in their direction. They should uphold the minimum requirement of proper government that Ministers of the Crown should not tolerate the undermining of their policies by unelected part-time advisers, however highly placed and with whomsoever they are connected. Ministers must face the need for alternative policies to take us forward from the economic morass in which we are stranded.

It is the height of arrogance for the Government to claim, as they frequently do, that there is no alternative. That is merely another way of saying that the Government cannot be wrong. We believe that the first requirement of an alternative approach is to adopt an industrial strategy that puts the promotion of our wealth-creating manufacturing industry at the top of the national agenda for recovery. It is the weakness of our manufacturing sector—the internationally tradeable part of our economy—that is the fundamental reason for the balance of trade and balance of payments deficits. It is not—this is our fundamental disagreement with the Government—a matter of simply attenuating demand so that the deficit comes round.

There is a structural problem in the British balance of trade and payments deficits that only determined supply-side policies can improve. I wish that the Government would listen to the growing anxiety being expressed throughout the nation and industry that our manufacturing sector is not well enough placed to face the 1990s or the intense competition, as well as the opportunities, that the single market will create. We have argued that case repeatedly, and we shall continue to do so.

I shall content myself today with drawing the attention of the House to a report prepared for the Employment Institute which, from an objective standpoint, endorses our approach. I quote the summary of its conclusions:

"The British disease stems from a combination of poor workforce skills and slow application of design and technology.

Upgrading the quality of British products remains an urgent priority; cost reductions alone will not suffice.

Manufacturing matters, because this sector is the source of the vast majority of innovative products.

Manufacturing matters also for jobs; despite providing a falling share of total employment, manufacturing's demand for services and intermediate products generates jobs in other sectors.

The authors conclude that extra spending in the fields of vocational training, research and development and greater

[Mr. Smith]

support for innovative producers is urgently needed if Britain is not to be relegated to Europe's second division of low wage, low quality producers after 1992."

Mr. Tony Marlow (Northampton, North): I am sorry to take the right hon. and learned Gentleman back, but he was going to tell us the circumstances under which the Opposition would favour joining the exchange rate mechanism. Will the right hon. and learned Gentleman tell the House what those circumstances would be?

Mr. Smith: I am sure that the hon. Gentleman knows them well. They are conditions relating to proper swap arrangements between the central banks, a policy for growth rather than deflation, and consideration of the right point at which entry to the ERM should be effected. [HON. MEMBERS: "What will that point be?"] It will be at the right and appropriate rate for the success of British industry. I should have thought that that would be blindingly obvious to Conservative Members. I have given the hon. Gentleman the answer to his question.

The time to start that industrial strategy is now. Every month that we delay is a month in which the risks of 1992 become even greater.

Sir Peter Hordern (Horsham): The right hon. and learned Gentleman has just made a most important statement to the House. He said that the Labour party rests for the success of its policies on a very considerable devaluation. His statement cannot conceivably mean anything else. What size of devaluation has he in mind?

Mr. Smith: The hon. Gentleman is mistaken. I did not propose a considerable devaluation. He should bear in mind the fact that the Chancellor, who said at the Tory party conference that the Government never stood for devaluation, has seen the pound devalue by 10 per cent. in the course of this year. So much for the party of non-devaluation.

I refer the hon. Gentleman to the interesting speech made by the right hon. Member for Henley.

Several Hon. Members *rose*——

Mr. Smith: I am not giving way—*[Interruption.]*

Mr. Deputy Speaker (Sir Paul Dean): Order. The right hon. and learned Gentleman has made it clear that he is not giving way.

Mr. Smith: I refer the House to an interesting passage in the speech in Blackpool by the right hon. Member for Henley. It is highly relevant—*[Interruption.]* I am sorry if hon. Gentlemen do not like to hear this information, but I shall give it to them. The right hon. Member for Henley said:

"We could accept a lower parity as part of a decision to join because it would be coupled with the disciplines of the Exchange Rate Mechanism."

I interpret that as entering at a rate which is lower than the present rate of exchange. That is a quite understandable point of view.

Mr. Michael Heseltine (Henley): Is not the essence of the challenge how it is possible to satisfy the financial world that the disciplines will be in place to sustain whatever lower parity we accept? Is not the weakness in everything that the right hon. and learned Gentleman says that all the policies in which he believes will undermine the strength of management of the British economy and stoke up inflation, not reduce it?

Mr. Smith: I am grateful to the right hon. Gentleman for confirming the thrust of the policy contained in his speech. I totally disagree with the qualification in the second part of his question. Our policies to put manufacturing on its feet are ones with which I know he has some sympathy because he mentioned them in that speech. Those policies will strengthen the country, not weaken it. How on earth are we to create the wealth with which to sustain our prosperity, let alone improve our public services, if we do not have a strong and vital manufacturing sector? I thought that the right hon. Gentleman agreed with that.

Mr. Heseltine: This is at the heart of the matter. I agree that there is a need for public expenditure programmes to deal with education and training of the sort that the right hon. and learned Gentleman mentions, but those programmes have to be paid for. They cannot be paid for by rising levels of public expenditure. What cuts would the right hon. and learned Gentleman introduce?

Mr. Smith: The right hon. Gentleman knows perfectly well that the crucial decision in government is how much of the extra resources created by economic growth should be allocated to the public sector and how much to the private sector. The Government of which the right hon. Gentleman used to be a Front-Bench member say on every conceivable occasion that a declining proportion of GDP must be allocated to the public sector because public sector investment is inherently unvirtuous while private sector investment is virtuous. It is as though it was virtuous to invest in a casino but somehow malign to invest in a health clinic. That is the approach of the Conservative party. If the right hon. Gentleman were not in a particularly difficult and sophisticated political position, the restraints of which I fully understand, he would agree more fully with the arguments advanced by the Opposition.

Mr. Heseltine: If the right hon. and learned Gentleman is saying that his policies could be implemented over a significant period only by diverting future and as yet unavailable growth, he is saying that he has no policies today.

Mr. Smith: I do not know why I should give way so often to the right hon. Gentleman. I do not know whether I should be helping him in his election campaign, but I feel that in all innocence I am being drawn into it. He knows perfectly well that every Government have to take a decision about whether to raise more money by taxation or whether to use funds available because of the buoyancy of the economy. The Government also have to make decisions about how much they should allocate to the public sector.

The right hon. Gentleman knows perfectly well, because he has written about it, of the decline in our public services. He knows the state of our education system and he knows about the problems in the regions. I understand that he is sympathetic to the Labour party policy on development agencies. I am sorry if that upsets the right hon. Gentleman's campaign, but I can tell the House that he supports many items in the Labour party's policy review. I cannot say that we advertise that when we seek to persuade the public about the merits of the policies, but

candour requres me to say that we are on all fours with the right hon. Gentleman on many important subjects. I hope that that puts the right hon. Gentleman's election campaign to bed for a little.

Mr. Yeo *rose*——

Mr. Smith: I am not giving way to that hon. Gentleman.

The second leg of our approach is to lessen the exclusive reliance on high interest rates by the adoption of sensible controls on the availability of credit. I did not plan to give the right hon. Member for Henley so much attention in my speech. However, in his important Blackpool speech he also said:

"The central problem is an excessive supply of credit. The money may have been expensive but the public has been more attracted by its availability than it has been deterred by its cost. We are all aware of it. Not a day goes by but someone somewhere is urging us to borrow."

That is perfectly true. People can hardly open their mail without receiving more invitations to borrow.

The Chancellor should seek to restrain the amount of credit made available by the banks. First, he should invite their co-operation in restraining lending. I hope that we do not get any horse laughs about that. Why on earth should the Chancellor not invite the banks to co-operate? Only people who are as narrowly partisan as members of the Conservative party would think that such a suggestion was in the remotest degree odd. Any sensible Government would invite such co-operation and sensible bankers would respond. I believe that the banks would co-operate and I shall continue to believe that until I see evidence that they would not. If they do not, what will happen?

Mr. Philip Oppenheim (Amber Valley): When would the banks co-operate?

Mr. Smith: Is the hon. Gentleman saying that the banks would refuse to co-operate with a Government who sought to place some limit on lending? Which bank is the hon. Gentleman making that accusation about? I wonder whether the Committee of London and Scottish Bankers will be pleased to read that in *Hansard*. If the banks do not co-operate, the Government can require them to make deposits with the Bank of England, and that would have the effect of limiting the amount available for lending. I do not see anything impractical in such a proposition. I am fortified in that view by the comments of Mr. Christopher Dow, the former economics director of the Bank of England and economic adviser to the Governor, in his recent book "A Critique of Monetary Policy". He said:

"A call for voluntary restraint by banks could perhaps be effective for a while. It might be worth considering such a proposition."

An added advantage of this approach would be that it could affect the psychology of borrowing by sending a clear signal that it was intended to be limited. In a nation awash with unnecessary and damaging credit, such a signal could most appropriately come from the Government and I suggest that it would not go amiss.

Sir William Clark (Croydon, South): Will the right hon. and learned Gentleman explain how his formula would work for foreign banks? What would be the lending ratio on the funds that such banks held here and their funds abroad? How would the right hon. and learned Gentleman stop foreign banks continuing to give credit throughout the country?

Mr. Smith: I do not think that foreign banks would take an irresponsible view if approached by the Government. I do not see why they should. I object to the view advanced by Conservative Members. Who are they to say that such banks would not co-operate with an elected Government trying to implement their policies? The more I listen to such arguments, the more I despair about the sense of responsibility of the Conservative party. No idea that does not come within the narrow vision of Conservative Members is considered, even when it involves insulting the whole of the banking community at home and abroad.

Several Hon. Members *rose*——

Mr. Smith: There are many bankers' friends in the Chamber, but I shall give way to the hon. Member for Stockport (Mr. Favell).

Mr. Tony Favell (Stockport): Why should not someone be able to decide for himself about borrowing?

Mr. Smith: The hon. Gentleman should have a word with the Chancellor because I think that he is trying to send a signal to that man when he proposes interest rates of 15 per cent. On the whole, the Chancellor does not want people to borrow. I conclude that he is opposed to these controls and the possibility of them not on grounds of practicality but on grounds of dogma.

Mr. Nicholas Budgen (Wolverhampton, South-West): As a lawyer, will the right hon. and learned Gentleman tell the House to what extent he supports unlawful administrative directions to the banks, and to what extent that should be allowed and extended?

Mr. Smith: The hon. Gentleman is also a lawyer, and I am surprised by what he says. There would be nothing unlawful about making a request to the banks.

Mr. Budgen: Why should they obey?

Mr. Smith: Out of a sense of reasonableness and of national duty and a desire to co-operate with the elected Government. I am astonished, once again, that the concept of common good and civic purpose is so lacking among Conservative Members. I shall give way to a distinguished representative of it.

Mr. Norman Tebbit (Chingford): I am grateful to the right hon. and learned Gentleman, who has given us such an entertainment. Why does he believe that the banks would be more co-operative with a Labour Government than the trade unions, which the Labour Government owned—or was it the other way round?

Mr. Smith: I am recommending action by a Conservative Government because there happens to be a Conservative Government in power. They are busy telling me that they do not want to co-operate and that the banks will not co-operate with them. When we have a Labour Government, I can assure the hon. Gentleman that we shall ask for the co-operation of all sections of the community in our economic and social policies.

Several Hon. Members *rose*——

Mr. Smith: No, I have given way many times already, to the point at which I shall take a disproportionate amount of the time available for debate. I hope that hon. Members will understand if I do not give way again.

[Mr. Smith]

The Chancellor should take the opportuniity to make it crystal clear that there will be no tax cuts in his next Budget. That would be a prudent and timely signal to the Community and to the markets. He should also use the autumn statement, which we shall have shortly, to propose regionally targeted public investment to tackle some of the skills deficiencies and regional disparities which not only impair the working of the economy, but are the source of inflationary influences. He must know that skills bottlenecks and south-east congestion are as inflationary as they are otherwise undesirable. He should act to tackle them.

There are alternatives, but they are not recognised, and we saw this vividly in the debate today from the reaction of those on the Conservative Benches. There are none so blind as those who will not see. The country yearns for an alternative—not just in the content of policies but for a better style of government. It does not want government by leak or innuendo or by signing agreements that are repudiated before the ink is dry on the paper. We need a Government who say what they mean and mean what they say. I can understand that the Conservative party finds that an odd description of its Government. We need a Government who honestly say what they mean and honestly mean what they say. After a decade of hype and tax-subsidised advertising, a Government nurtured in their own propaganda have difficulty in distinguishing fact from fantasy. That is true in economic affairs and regrettably true across the whole range of Government policies. It is the overwhelming reason why they are so speedily forfeiting the confidence of the entire nation.

5.4 pm

The Chancellor of the Exchequer (Mr. Nigel Lawson): I beg to move, to leave out from "House" to the end of the Question and add instead thereof:

'commends Her Majesty's Government on its economic policies, which have led to faster growth of output, investment, and manufacturing productivity than in any other major European country in the 1980's; applauds the Government's determination to defeat inflation by maintaining tight monetary and fiscal policies; and welcomes the continued underlying strength of the supply side of the economy, evidenced by record levels of business investment and new business start-ups, and an unemployment rate that is well below the European Community average.'.

The right hon. and learned Member for Monklands, East (Mr. Smith) made, for the most part, a rather jolly speech in which he contrived to say practically nothing, except to reveal that the Labour party's conditions for joining the exchange rate mechanism of the European monetary system consist of devaluation on Britain's part and a commitment to inflation on the part of all the others. I am quite sure that, were there to be a Labour Government, the first of those conditions would readily be fulfilled, but I have to warn him that the second is most unlikely.

I shall be addressing the issues, which will be something of a contrast with what the right hon. and learned Gentleman said. There is one striking difference between this Government and the Labour party. It did not have the guts to defeat inflation, and we have. It does not have the guts to tell the British people what it takes, and we have.

Under Labour, inflation averaged 15½ per cent. Excluding the distorting effects of mortgage interest payments, the lowest it ever reached when they were in office, the lowest that it ever reached, was 7·7 per cent. Today, on the very same measure, it is 5·8 per cent.—lower than they ever achieved, but still too high for us.

Mr. Harry Ewing (Falkirk, East): I am grateful to the right hon. Member for giving way so early in his speech. When he became Chancellor, inflation was half what it is now. As he has been Chancellor throughout the period, does he accept any responsibility for the doubling of inflation during his period as Chancellor of the Exchequer?

Mr. Lawson: What I am not going to do is take any lectures about inflation from those on the Benches opposite, when inflation was 15½ per cent. on average. It went up to 27 per cent. and the lowest underlying rate that the Labour Government ever achieved was higher than the rate that we have today.

To hear the right hon. and learned Member for Monklands, East talk, one might suppose that it is something new that our inflation rate is higher than that of our competitors. In fact, the only thing that is new is that the gap has narrowed. Over the whole of the period that we have been in office, United Kingdom inflation has averaged just half a percentage point more than inflation in the European Community as a whole. It is perfectly true that the latest figures show that the gap has temporarily widened to 2½ per cent., largely because of the distorting effect of mortgage interest payments. Without them—and to make a fair comparison, one has to look without them because of all the other Community countries, only the Republic of Ireland includes them in its index—without them, therefore, to have a more truly comparable basis, the gap would be around 1 per cent. Compare that with the last Labour Government, when British inflation—[HON. MEMBERS: "Oh."] Oh yes, they do not like it. British inflation averaged no less than 4½ percentage points above that of the Community as a whole.

Inflation remains the greatest single threat to our economic wellbeing at the present time. It has to be the priority of economic policy to get it down. And let there be no doubt about it: under this Government that is the priority.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): What political significance does the Chancellor read into the fact that only two of his Cabinet colleagues have turned up to support him in this important debate?

Mr. Lawson: I should not have allowed the hon. Gentleman to intervene. I should have known him better.

The main issue that we have to debate today is this: how are we to bring inflation down? The right hon. and learned Member for Monklands, East spoke for more than 40 minutes without once answering this central question. Not once did he say how a Labour Government would bring inflation down. He muttered a bit of wishful thinking about credit controls, designed, no doubt, to steal some clothes from the real shadow Chancellor, the hon. Member for Dagenham (Mr. Gould). I will come back to him later. Otherwise there was nothing, absolutely nothing.

So what has Labour got to contribute to the debate? What, when it comes to the point, does it really want? Interest rates, it has said on occasion after occasion, are too high and should be lowered. I see that the right hon. and learned Gentleman is nodding now. We are running a

Budget surplus. The Labour party is busy dreaming up ways of spending it. The pound, the Labour party has made clear, is too high, so it thinks, for our exporters. They would like to see it lower. In other words, what it boils down to is lower interest rates, a lower Budget surplus—indeed, probably a Budget deficit—and a lower pound. That is Labour's recipe. That is not just what it is urging now. It is what it was urging in 1988 and in 1987, too. It is a recipe not for lower inflation but higher inflation, as, indeed, it always has been when the Labour party has been in office.

One thing is absolutely clear. Had I taken the Labour party's advice in 1987 or 1988, inflation would be far higher than it is today. The plain fact is that Labour has no credible policies whatever for dealing with inflation—not one. No wonder it received little mention in its 88-page long policy review.

By contrast, the Government's policy and position is absolutely plain. We already have the tightest fiscal policy in Europe. And by raising interest rates to 15 per cent., I have made it abundantly clear that we will continue to take whatever monetary measures are needed. Of course, I well understand the difficulties this causes to people with mortgages and to many farms and small businesses. I wish it were not necessary—but it is necessary. And unlike the right hon. and learned Member for Monklands, East, we do not seek to deceive the British people into thinking that there is some softer option.

What we have seen over the past couple of years has been a fall in personal savings and a rise in borrowing and spending on a wholly unprecedented and unexpected scale. It has certainly not been Government borrowing or spending. That was always the story under Labour: let Government spending rip, and force the private sector to pick up the bill. But under this Government public spending is under control and, so far from indulging in heavy borrowing, we are paying off old debts on a substantial scale. No, what we have seen has been borrowing and spending by private companies and private individuals. Nor, incidentally, has it just been for consumption. Again, that was always the story under Labour. But over the past seven years investment has been growing twice as fast as consumption.

The plain truth is that there has been a step change in private sector behaviour in this country. In part, this reflects the fact that people and companies are now free to lend and borrow whatever they like. When we came into office, people still had to queue up to get a mortgage. In part, too, it reflects the fact that people no longer need to keep adding to their savings to maintain their real value. In the 1970s, the last Labour Government forced the people of this country to fight a losing battle to keep up with crippling inflation. And, at the same time, they made sure that there was no real return on savings at all. I would like the Leader of the Opposition to listen to this, because that is what the last Labour Government did. They wiped out the savings of pensioners. If ever there was a great betrayal, that was it. That world, thank goodness, has gone for good. After 10 years of Conservative Government, people no longer need to keep piling up savings just to stay in the same place.

Mr. Jeff Rooker (Birmingham, Perry Barr): What the pensioners do not understand is that if fighting inflation is the Government's top priority, why are they claiming success for fighting it twice?

Mr. Lawson: I am silenced. I have to tell the hon. Gentleman that it is not a question of fighting it twice. It is a question of fighting it all the time, whereas when the Labour Government were in office they never fought it properly at all.

One unexpected result of the new climate that we are in has been an unprecedented fall in the personal savings ratio between 1986 and 1988, which has meant an increase in spending, financed by borrowing, of over £10 billion. That is what the official figures show——

Mr. Favell: On a point of order, Mr. Deputy Speaker. The Opposition say that they want to hear what the Government's policy is. The occupants of the Opposition Front Bench, including the Leader of the Opposition, have done nothing but chatter and giggle. If they want to learn, they should listen. Will you tell them to behave themselves, Mr. Deputy Speaker?

Mr. Deputy Speaker: The right hon. and learned Member for Monklands, East (Mr. Smith), who spoke from the Opposition Front Bench, was heard in comparative quiet. I hope—*[Interruption.]* Order. I hope that the same courtesy will be accorded to the Chancellor of the Exchequer.

Mr. Frank Haynes (Ashfield): On a point of order, Mr. Deputy Speaker. When my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) was speaking, that lot over there on the Conservative Benches, those public school louts, put into practice what they had orchestrated before they came into the Chamber. When they did that, Mr. Deputy Speaker, you did not do a damn thing about it.

Mr. Deputy Speaker: Order. Many right hon. and hon. Members wish to participate in the debate. These interruptions waste time.

Mr. Lawson: As I was saying, the change in attitudes to saving and borrowing has gone hand in hand with a massive growth in living standards. It is that which has given people and companies throughout the country the confidence to use the new freedoms we have given them. So they have been investing and expanding on a massive scale. Indeed, the increase in investment over the last two years has been the highest since the war.

We can all see the results in our constituencies—new factories, new offices, new supermarkets, free enterprise at work. It is quite a problem, all this activity, is it not? Rising living standards, rising confidence, soaring investment—how many nights' sleep did the right hon. and learned Member for Monklands, East lose about problems of this kind when he was in office? After a decade of revitalisation, British business and industry are taking the opportunities this has offered and are rising to the challenge. Unemployment, I may add, has fallen sharply to well below the European Community average. It is very strange that the right hon. and learned Gentleman had nothing whatever to say about unemployment. Time was when he would talk about nothing else. Indeed, in his own constituency, unemployment has fallen by over a quarter in the past year.

New businesses are springing up at a rate we have never seen before in this country. Last year's figure was yet another record, with business start-ups, net of closures,

[Mr. Lawson]

running at no less than 1,200 companies a week. Compare that with a decade ago, when there were more closures than there were start-ups.

All this has meant that productive capacity is growing faster than it used to. But there is clearly no way in which it could expand as rapidly as domestic demand has lately been growing. So the difference has been made up from abroad, and shows up as a current account deficit on the balance of payments.

That is not, of course, the disaster that the right hon. and learned Gentleman has sought to portray. The right analogy is not with a company running at a loss. It is more like a company that, though profitable, cannot finance its investment programme entirely from its own resources and has to raise external finance to fill the gap. A country in a similar position will draw on the savings of the world, which has been greatly facilitated by today's global markets. *[Interruption.]* I hear the right hon. and learned Member for Monklands, East expressing scepticism. In a recent publication, the IMF said:

"inasmuch as they reflect private saving and investment decisions . . . external imbalances should be seen as efficient and self-correcting."

But it is clear that a sizeable part of our current account deficit is due to domestic demand growing at an excessive and unsustainable rate, which needs to be corrected and is being corrected.

Mr. A. J. Beith (Berwick-upon-Tweed): The Chancellor, in his conference speech, referred to the old and correct definition of inflation as too much money chasing too few goods. He said that industry had to produce the goods and that the Government's job was to see that there was not too much money. Does he think that he has discharged that obligation satisfactorily in his budgetary measures?

Mr. Lawson: It is a question not of budgetary measures, but of monetary measures. Why on earth does the hon. Gentleman think that interest rates are at their present level? He really should take a course of instruction.

As today's trade figures confirm, exports continue to do well—a sure sign of the efficiency and competitiveness of British industry.

Mr. Giles Radice (Durham, North): Will the right hon. Gentleman give way?

Mr. Lawson: I have just given way.

In the third quarter of this year, exports were 13 per cent. up on a year ago and at a new record level. As demand in the economy slows down, that will in due course show up in a marked decline in the recent rapid growth in imports.

Meanwhile, interest rates will have to stay high for some time to come. But, painful though it may be, I have no doubt that they will do the job. Indeed, without high interest rates the job would be impossible. The evidence on this is there for all to see. For 10 years we have been prepared to raise interest rates whenever it has been necessary to do so to maintain sound monetary conditions. It is that willingness that has brought us success.

We have had high interest rates before. We had them in 1981 and we had them again in 1985. On both occasions they brought inflation down.

Mr. Radice: When will the trade figures be in balance?

Mr. Lawson: I do not know, but I am glad that the hon. Gentleman asked me that. The right hon. and learned Member for Monklands, East said that he did not think that I would be quoting today from the CBI's latest monthly economic survey. Well, I will. According to the CBI's economic survey, there will be a marked improvement in the balance of payments next year.

Other countries have used interest rates, too, and that has brought inflation down for them as well. It has worked for Socialist Governments in France and for Conservative Governments in Germany. Indeed, it is only the right hon. and learned Gentleman and his right hon. Friends who seem to believe that they can cut themselves off from the real world.

Mr. Marlow: For a long time Conservative Members have been told, "You cannot buck the market." For how long and to what extent can one buck the market with regard to the exchange rate?

Mr. Lawson: My hon. Friend will have to define his terms more precisely before I can answer that question.

I know that there is a seductive view that we could somehow escape from the need for high interest rates if we were simply prepared to let the pound fall and sit idly by. But I have to tell the House that this is a sheer delusion. In the first place, I have already explained why we need a period of high interest rates to bear down on inflation, by encouraging saving and discouraging borrowing and spending. In the second place, a lower exchange rate would raise the price of everything that we buy from abroad. It would also take the pressure off industry to control its costs, including its wage costs. Together, that could only add to the inflationary pressures in the economy.

But if we stick to the policies that I have described, what then of the prospect? It is already clear that the growth of total spending in the economy is slowing down. As higher interest rates work their way through, it will slow down further. That will gradually bring down inflation and, in time, it will bring down the current account deficit too.

The economy has already come off the boil, and will come off still further. That will take time to show up in the retail price index for the familiar reason that this statistic includes the mortgage rate. In time, though, even the RPI will reflect what is going on in the real world.

But, as I have said in previous debates, what matters most is not these short-run fluctuations but the long-term health of the British economy. Here I can at last find some common ground with the right hon. and learned Member for Monklands, East. The real issues are what is happening to productivity, to the quality and quantity of investment, to profitability and to training. Those are the big questions. I agree with the right hon. and learned Gentleman on all that. The difference is that we are bringing about real progress on all those fronts whereas the Labour party never did and never could.

Mr. John Garrett (Norwich, South): The Chancellor must be aware that throughout the western world our competitors are investing heavily in public expenditure on education, training and communications. When will he look ahead and establish how Britain is to address those fundamental problems on which we lag so far behind our competitors?

Mr. Lawson: We are addressing those problems, and we are addressing them in a way that the previous Labour Government never did and never could.

In one of our earlier debates last year the right hon. and learned Member for Monklands, East said:

"I advise Conservative Members that it is extremely instructive to read OECD publications to discover what it says about the British economy and to compare that with what the British Government say".—[*Official Report*, 14 January 1988; Vol. 125, c. 484.]

I duly had a look at the latest OECD survey of the United Kingdom and I found that it says:

"For the first time in three decades, productivity gains were ahead of the G7 average. . . growth in labour productivity has been impressive, outstripping by a wide margin both the previous United Kingdom trend rate and the G7 average. . . the division of nominal GDP growth between output and inflation was more favourable over the 1979-88 period than during the 1973-79 cycle. . . suggesting that there have been policy induced improvements in supply performance."

I am most grateful to the right hon. and learned Gentlemen for directing my attention to that.

Mr. John Smith: The right hon. Gentleman has not read it all.

Mr. Lawson: The right hon. and learned Gentleman clearly did not because the OECD is saying that Britain's former economic performance has been transformed for the better since the Government of which the right hon. and learned Gentleman was a member was in office. That is what the OECD is saying and I am glad that he now agrees with it.

Mr. John Smith *rose*——

Mr. Lawson: Not only has productivity in manufacturing industry throughout the 1980s grown faster in the United Kingdom than in any other major nation, but total investment over the same period has grown faster than in any other major European country, and business investment is a higher proportion of GDP than at any time since records began. Profitability is higher than it has been for the past 20 years, partly reflecting the much improved quality of today's investment. The quality of British management, too, has been transformed. Expenditure on training is rising fast and is now running at well over £20 billion a year. *[Interruption.]* Yes, of course, the base when we came in in 1979 was very low. Of course, the economy was in a bad condition when we came in in 1979. I agree with that. Of course, it will be a long job. There is no secret about that. Of course, there is a great deal further to go. There is no secret about that either. But it is only by persisting with the policies that we have been pursuing these past 10 years that we shall get there.

Nor will high interest rates frustrate this process. Throughout the time I have been Chancellor, it has proved necessary for our interest rates, in both nominal and real terms, to be well above the average of our main competitors. Yet that has not prevented us from having a faster rate of economic growth, and of investment, than any of them. What destroys business is not high interest rates, but Socialist controls and bureaucracy—plus, of course, the inflation that is inseparable from Labour.

Mr. Ron Leighton (Newham, North-East): On a point of order, Mr. Speaker. Why are Conservative Members falling asleep? Is it something to do with the television lights?

Mr. Deputy Speaker: Order. We must get on with the debate.

Mr. Lawson: Nor has the party opposite changed. The only thing it cannot agree about is what brand of red tape to use. They know that the red tape which is in vogue at the moment is called credit controls, but they cannot agree on what they mean by credit controls. All is total muddle and confusion.

According to the hon. Member for Dunfermline, East (Mr. Brown), and I quote from a recent transcript of a radio broadcast:

"What we are not talking about is control over people's mortgages, but there is genuine concern about the amount of plastic cards and plastic credit in the economy, and credit has been rising very fast."

That is what he said—this despite the fact, incidentally, that some 85 per cent. of household borrowing is accounted for by mortgages, and only some 5 per cent. by credit cards, for which, in any event, other forms of credit could readily be substituted.

Within two days, however—it only took two days—the hon. Member for Dunfermline, East was firmly put in his place by his hon. Friend the Member for Dagenham, who told Mr. Brian Walden:

"We are not talking about familiar aspects of credit control, the hire-purchase restrictions, limiting credit cards and so on: these are not big elements."

Quite right. He went on:

"But what we are saying, is that if there is a problem in managing the degree of credit growth in this economy, it has to be at the margin when new mortgages are being granted."

The truth comes out, but there is a deeper truth and that deeper truth is that they have not the faintest idea what they are talking about.

Of course, the right hon. and learned Member for Monklands, East is rather cannier than his hon. Friends the Members for Dunfermline, East and for Dagenham. He says as little as he possibly can about what he would do, but he appears, as we heard earlier, to be in favour of leaning on or otherwise curbing the banks. That is what it amounted to. But, as Mr. Gavyn Davies, who was an economic adviser to the last Labour Government throughout its lifetime, wrote in last weekend's *The Sunday Correspondent:*

"I trust no one is suggesting a return to this sort of thing. It would be entirely pointless in an environment free of exchange controls, since UK borrowers could simply take their business to foreign banks."

That is the truth of the matter. That is what the last Labour Government's economic adviser wrote. It is only the naivety of the right hon. and learned Member for Monklands, East, who has not a clue. Nor, incidentally, can the right hon. and learned Gentleman derive any comfort from the German or French practice of reserve asset ratio requirements, which are simply techniques for generating the interest rates needed to conduct monetary policy.

Mr. John Smith: As the right hon. Gentleman has introduced into the debate an economic adviser to the last Labour Government, may I ask him about the present economic adviser to this Government? Does he agree that the European monetary system is half-baked?

Mr. Lawson: I have made it absolutely clear. I made it clear at Treasury Questions last week—I do not think that

[Mr. Lawson]

he was in the country at the time—that Sir Alan Walters is a part-time adviser and his views on the EMS are not the views of the Government. I hope that is absolutely plain.

To return to the question of inflation, the plain fact is that the Labour party has no policy to deal with inflation today, any more than it had one when it was last in office. Over the past 10 years it has been on the wrong side of every single one of the big issues which divide the two parties—whether inflation could be brought down without a prices and incomes policy, whether economic growth could be secured without the stimulus of a Budget deficit, whether the investment we so badly needed could be secured without holding interest rates down and so taking risks with inflation, whether Britain's productivity could be improved without Government intervention in business and industry, whether unemployment could be brought down without a massive public spending spree, whether Britain could survive without the protection of exchange control, whether the economy could keep growing when we lost half our oil revenues overnight and whether the Government could perform their proper function without endless recourse to mini-Budgets. On all the issues—on every single one of them—I put it to the right hon. and learned Member for Monklands, East and the House that we have been right and they have been wrong. On all of these issues, every one of them, we have told the British people the truth.

Every time we have been asked to say precisely where growth would come from, to say precisely where the new jobs would be, to say precisely when inflation would come down, to name precisely the industries which would pick up the slack left by North sea oil, every time we have said that of course we cannot do that because ours is a free economy. It is individuals and businesses which make the decisions, not the Government. Indeed, it is only if individuals and businesses are free to choose that we can hope to have a successful economy.

Mr. Dennis Skinner (Bolsover): Will the right hon. Gentleman give way?

Mr. Lawson: But what we can say, and have said, is this. It is the Government's business to keep total spending in the economy on track, and to keep our economy free and open. That is what we said we would do, and the House can be quite sure that we shall do it. So long as we stick to those policies, inflation will come down, and we shall enjoy strong and sustained growth and prosperity into the 1990s. These are the policies which work. These are the policies which, when the time eventually comes, will once again be endorsed by the British people.

5.36 pm

Mr. Robert Sheldon (Ashton-under-Lyne): The Chancellor of the Exchequer presented a rosy pciture of the economy as he has seen it develop over the past few years. He did not mention the words "economic miracle" today, but he talked about soaring investment and the improvement in business. One had only to look at the whole of the House to understand that all hon. Members viewed his comments with complete scepticism and he should be aware of that.

The crucial question was asked by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker). He asked a question that the Chancellor did not seem to understand, which was why we had to fight inflation twice. The meaning of the question was simple. From 1979 to 1981, the Government had brought inflation down at enormous cost to our manufacturing industry and with great devastation to jobs, investment and other industrial opportunities. Having done that, one would have thought that with all the disadvantages that flowed subsequently, that was one advantage that would remain. However, it did not remain and we saw the Chancellor's approach bringing inflation up again, giving us this problem for a second time. The Chancellor has not answered the question put by my hon. Friend the Member for Perry Barr.

The other question that needs to be answered is that of Sir Alan Walters. He said, and it is worth having his exact words:

> "My advice has been for Britain to retain its system of flexible exchange rates and to stay out of the present arrangements of the ERM. So far Mrs. Thatcher has concurred."

It is no use talking about the future, because the future can be postponed indefinitely, year after year. The advice of Sir Alan Walters has been taken and, as far as we know, judging on actions not words, that is still the policy of the Prime Minister even though it may not be the policy of the Chancellor of the Exchequer. The Chancellor needs to consider his own position on that. After all, a number of people have been humiliated in the economic and political scene and they are in a position to insist that certain standards are maintained—standards that we in the House have long come to expect. Those are the standards that he should be pressing, one hopes with some certainty as to their conclusion.

We are seeing the final shudders of the Government's monetary convictions. We are now near the beginning of the post-Thatcher years. I recall with incredulity the naivety of the Government's early commitment to monetarism—the way in which prices were going to obey the iron law of M3, the way in which workers would not be able to get pay rises in excess of productivity, the way in which the theory of "rational expectations" would prevent employers from paying more or becoming bankrupt. The only trouble was that not many people involved in manufacturing industry had been to the seminars held by Sir Alan Walters or to the earlier seminars of the Chancellor of the Exchequer. All this monetarist nonsense was believed and held to be an article of faith.

William Rees-Mogg, the former editor of a one-time important newspaper known as *The Times*, once held that there was a precise relationship which had shown itself over the past two centuries. He produced some bogus statistics to prove that nonsense. His latest offerings, somewhat altered, are still poured out in *The Independent*, for those who like to read these fairy tales. We can now see that the relationship between M3 and inflation appears as close as that between any unconnected variables. The monetarists search for the holy grail of the great monetary indicator in the sky which will restore the arrogant certainty that they once held.

A notable civil servant, whom I knew well, and who went on to distinguish himself in a number of roles—in industry, the City and the academic world—once said:

"To every problem there is a single solution
perfect in its simplicity
easy to apply
certain in its effect
BUT WRONG".

Never have a British Government impaled themselves on so ridiculous a theory. There was much of a type of religious fervour behind such a belief. Why else could a Government believe that the near doubling of VAT would not cause prices to rise? Why else have we seen the twistings and turnings along M3, M1 and M0 and all the rest? No economic theory should achieve such a level of commitment. Such theories need to be judged on their economic and political convenience. The objectives of our economy should once again command the support of the whole House.

What are the objectives of our economy? In 1966, Lord Callaghan, then Chancellor of the Exchequer, explained the complications of economic policy by referring to what he called his "triple objective". I would choose quadruple objectives: high and sustained economic growth, which is very important; low unemployment; inflation under control; and a satisfactory balance of payments. These are our basic objectives, and I do not suppose that those on the Treasury Bench would dissent, although they may wish to add others. Of those four objectives, low inflation is the easiest to achieve, if the other aims of economic policy are ignored. How to achieve it has never been a secret—just deflate the economy. Withdraw purchasing power in any way one likes and inflation will come down. However, people will be put out of work and a number of viable companies will be destroyed. There is nothing clever about it. One can deflate by raising taxes or reducing credit. Whichever way it is done, one creates a depression and inflation comes down.

The Government created the depression—the three years of unparalleled austerity predicted by the right hon. Member for Shropshire, North (Mr. Biffen). We lost sight of two of the quadruple objectives. Unemployment rose to more than 3·5 million and there was a catastrophic fall in manufacturing output in particular. The balance of payments was kept in the black only because of North sea oil.

We talk a lot about North sea oil. Whatever we say here about it, we always underestimate its importance. It produced for us £100 billion in balance of payments and £70 billion of revenue. If hon. Members had had £100 billion to spend, whether in deutschmarks, yen or dollars, what would they have done with it? Would they not have spent it on trying to do something for our manufacturing industry, to keep the finest machinery and machine tools in our firms, to make use of the best electronic equipment from the far east and to ensure that we had the latest factories, equipment, skills, training and education? Would that not have been a sensible way to use that £100 billion of foreign exchange? What did we do? We went on a spending spree and allowed imports to rise. Now there is a major problem because we do not have that base of manufacturing industry.

Ashton-under-Lyne is a microcosm of manufacturing industry. It is one of the areas that is most heavily engaged in manufacturing, even though it has lost a great deal. In 1979, there were 20,000 skilled engineers in Tameside and Stockport. They were members of the Amalgamated Engineering Union. In many parts of the country, one is not an engineer unless one is a member of that union. Those workers know the advantages of being a member. At present there are 5,000 skilled engineers. They have had five-year apprenticeships. Only a small handful of people now work through such apprenticeships. In the past, those highly skilled people were on the dole, yet now there is a demand for them. In the past, we had in Ashton-under-Lyne high levels of pay, employment and skills. The major cause of our present problems is the shortage of those skills and of factories. In two years I lost one third of the companies in my constituency. Medium-sized firms closed their doors because they could not stand a pound worth $2·40 and the high interest rates. They were caught between being unable to export and being unable to meet the competition from imports.

Mr. Oppenheim: If the Labour party now has all the answers to our manufacturing problems, can the right hon. Gentleman explain why manufacturing output fell under the Labour Government, whereas it has risen substantially under this Government?

Mr. Sheldon: The hon. Gentleman does not seem to have read the figures properly. Manufacturing industry in other countries has done extraordinarily well whereas we have failed miserably. Skills and training, to which my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) addressed himself in his magnificent speech, lie at the heart of our problems. At the end of the war, Germany was devastated. Its factories were smashed and there was little working machinery. The Germans had only skills. Give me people with knowledge of skills and technical training and I will swap that for any kind of economy based just on money. That is what the Germans had and what we do not have.

Our depression was monetarism in action. Unbelievably, the Chancellor recently said that the exchange rate was one of the two most important monetary indicators. Monetarism seems to embrace more and more economic indicators. Patrick Minford, one of the few unreconstructed monetarists, calls it a return "to the tea leaves". There is no certainty. Of course, we cannot have certainty. In this world, to search for certainty and a solution to our economic problems is to search for nonsense—they do not exist. We must look at a particular area and see what can best be done to meet demand.

I am waiting for the Chancellor to talk about prices and wages as monetary indicators. When he does that, we will know that monetarism has finally been buried and the obsequies concluded. There will be few such indicators left out of this new interpretation of monetarism if the Chancellor has his way.

We have the reliance on interest rates. The Chancellor has waited 14 months to see a drop in demand. He wanted that drop in demand last year. He still has not got it. That is unbelievable. Whatever people say about stop-go, at least it produced the results which the Chancellor is trying to achieve. He wants the results that were available under stop-go, but he has failed miserably after 14 months.

With regard to inflation, the Chancellor seriously underestimated the effect of his interest rate policy. As the European Commission explained, our interest rates fed directly into inflation. Why are there so many wage claims now? The answer is that many people have bought houses and their mortgage payments have increased. Therefore, they are being squeezed far more than if they were

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experiencing a pay cut. To compensate for that, they make pay claims. The Chancellor's interest rate policy involves an element of inflation.

I want to refer now to the fundamentals of pay, prices and unemployment. We must always return to them. We may play around with theories, but in the end we return to those three fundamentals. We will need a growth strategy based upon the enhanced skills of our people and upon investment, as my right hon. and learned Friend the Member for Monklands, East said so ably. That alone will bring us lasting prosperity.

I have been reading recently the debates which took place in 1945 on the nationalisation of the Bank of England. Those were very interesting debates in which, among others, Hugh Gaitskell, Bob Boothby and Nigel Birch participated. Bob Boothby voted with the Labour Government. He said:

"This Government or any other Government might one day want to go back to a Gold Standard, but if any Government ever committed such an act of insensate folly I should want to attack the Chancellor across the Floor of the House. Further, I should not want him to say that it was really the business of the Bank of England rather than his affair." —[*Official Report*, 29 October 1945; Vol. 415, c. 116.]

That is the danger. Bob Boothby and I were worried about the Bank of England. However, we should be more worried about the German Bundesbank. When the Bundesbank put up its interest rates, who questioned that? Was it right to do that? Was there no disagreement among the Bundesbank's board? Should not others be involved in the arguments? Should it at least be accountable to those whom its actions affect? My right hon. and learned Friend the Member for Monklands, East and my hon. Friend the Member for Dunfermline, East (Mr. Brown) are prudent and cautious people and they are right to lay down firm conditions on joining the European exchange rate mechanism.

Mr. Beith: Is the right hon. Gentleman setting an additional condition that before the Labour party can consent to Britain joining the European monetary system, it must be clear that the Bundesbank and any future European central banks will not be independent of Government?

Mr. Sheldon: I approve of the formula set out by my right hon. and learned Friend the Member for Monklands, East and I believe that he has got it right.

We must return to the major problems with pay, prices, and unemployment and achieve growth. Recently, we have been going down a cul-de-sac and we are now approaching its end. The disarray before us is just one sign of that and I believe that the end cannot come too soon.

5.53 pm

Mr. Norman Tebbit (Chingford): As the first Conservative Back Bencher to speak, it would be less than polite of me not to congratulate the right hon. and learned Member for Monklands, East (Mr. Smith) on a most amusing speech. Conservative Members often laugh at Opposition spokesmen, but it is not very often that we laugh at an Opposition spokesman's speech. However, the right hon. and learned Member for Monklands, East, achieved that today, and he had some very good jokes. The right hon. and learned Gentleman took me back 10 or 12 years. We all understand why the Opposition want a debate on the economy today—to offer them a chance to complain about high interest rates, high inflation and the trade gap.

When the Labour Government had exactly the same problems more than 10 years ago, the Opposition of the day wanted a similar debate. I believe that in those days the Opposition's speeches were even better than what we have heard today because they offered an alternative policy. However, the right hon. and learned Member for Monklands, East made some very good jokes. Indeed, perhaps Bob Monkhouse wrote his speech—it certainly was not written by an economist. The right hon. and learned Gentleman had nothing to say about what a Labour Government—should there ever be one—would do.

Other things, too, are different from what they were 10 or 12 years ago. If inflation had been 7·5 per cent. in those days, it would have been regarded as a triumph, not a disaster. In those days, our rate of inflation was not two, three or four points above the average of our competitors, but 12, 13, 14 or 15 points above. Of course, our trade gap was not so large then, but not all the mischief had come to pass in terms of the trade gap.

I know that Opposition Members do not like to be reminded of the damage done to our car manufacturing industry in the 1960s and 1970s. The repair work began in the 1980s, but it will not pay off fully until the 1990s. This year, some £6 billion or £7 billion of our adverse balance of trade is in respect of imports of motor cars.

The House will recollect that I announced in 1981 that Nissan had decided to bring a car plant to Britain—a statement that was not universally well received. There were claims that it would never get beyond the stage of assembling the CKD kits in a screwdriver operation. That was wrong. The local content at Nissan's plant is now between 70 per cent. and 80 per cent. Production in 1990 will be 85,000 vehicles and it will be 200,000 in 1993 with 50 per cent. for export. Toyota has announced its intention of following Nissan's example, not least because of some pretty nimble footwork by the Department of Trade and Industry and a great deal more realism, at any rate until recently, by some of our trade unions.

Citroen and Peugeot are expanding production here as is General Motors. I hope that Ford will do so as well, although there may be worries and doubts in Dagenham about that.

Mr. Rhodri Morgan (Cardiff, West): Has it occurred to the right hon. Gentleman that all the foreign investment in the car industry will require remuneration by dividends, which will return to the country that provided the capital, and through the research and development content of those cars reverting to the centre where that research and development is carried out? Has the right hon. Gentleman considered the adverse effect on the balance of payments of those dividends and capital repayments?

Mr. Tebbit: Of course I have, and the hon. Gentleman should not be surprised about that. The hon. Gentleman forgets that the trade union movement did so much to destroy the indigenous British car industry and left it open to foreign companies to seize the opportunity to come to this country and replace it. I doubt whether the hon.

Gentleman's constituents worry too much about some of the profits going out of this country when they have good jobs which would not otherwise have been available.

In the early 1990s, the £6 billion or £7 billion of adverse trade in motor vehicles will be steadily reduced, if not reversed. However, it takes a long time to repair the damage to our manufacturing industries from the late 1970s.

Of course, there are still difficulties, not least the present industrial action organised by the Amalgamated Union of Engineering Workers in support of a claim for a 35-hour week. For British engineering workers to believe that they can produce in 35 hours what the Japanese and Americans take 40 hours and the Germans 37 hours to produce is unrealistic to put it mildly. If the 35-hour week claim is conceded, to meet the huge order books of firms such as British Aerospace and Rolls-Royce—both infinitely more successful now than in the 1970s—would require a jump of 10 per cent. in productivity or an increase in overtime working, at premium rates which would simply add to our costs, lose business, worsen our deficit and add to our problems. Yet that is what Opposition Members support.

Neither Bill Jordan nor Gavin Laird are so stupid that they do not know the consequences of the unions' demands. They serve their members ill by forcing on successful companies demands which would reduce the ability of those companies to compete overseas. This may be an appropriate moment to remind my right hon. and hon. Friends of the extraordinary tax treatment of the income which will be received by those on strike in this dispute. They will receive a benefit of £150 per week, which apparently is not subject to tax. Because it does not arise from employment and is not a dividend, it does not qualify for income tax. By anyone's standards, it must be income and should surely be taxed. I hope that my right hon. Friend the Chancellor will therefore ensure that it is taxed.

Mr. Harry Ewing: Will the right hon. Gentleman give way?

Mr. Tebbit: I am sorry, but I will not give way. Hon. Members have been enjoined to make short speeches and the hon. Gentleman will no doubt wish to make his own speech in due course.

As I said, not everything is the same as when the Opposition of the day forced debates on the economy more than 10 years ago. In those days, the Government took great pride in informing the IMF, under whose tutelage the right hon. Member for Leeds, East (Mr. Healey) became a monetarist—I am not sure whether he is still a monetarist, particularly in view of what the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) said a few moments ago—that the standard of living in Britain was being reduced and would continue to be reduced to deal with the economic problems facing a Labour Government. Today, the standard of living has never been higher. That has not been disputed by any hon. Member today, and I doubt whether it will be because it is beyond dispute.

Mr. John Battle (Leeds, West): Will the right hon. Gentleman give way?

Mr. Tebbit: No, I will not give way. The hon. Gentleman may speak later. Hon. Members were enjoined to make short speeches.

Prosperity and the availability of credit have greatly increased personal indebtedness. At the same time, however, my right hon. Friend has been paying off public debt and has a substantial negative borrowing requirement—again a change from 10 to 12 years ago. What is more, despite some claims to the contrary, I believe that my right hon. Friend the Chancellor is still a monetarist. *[Interruption.]* My right hon. Friend is not here, but I think that he would hold his hand up to that one.

There are many other differences. For example, we have just had our 37th consecutive month in which unemployment has fallen. During the past decade, Britain has acquired an extra £100 billion or so of privately owned overseas assets which, I remind Opposition Members, are generating a flow of income back to this country—exactly the opposite of what the hon. Member for Cardiff, West (Mr. Morgan) criticised about the Nissan and Toyota deal. Industrial and commercial investment are at high levels. Productivity growth and corporate profitability are strong. The drain on the public finances of many of those old money-losing laggards such as British Steel and British Leyland, to name but a couple, has ended. Indeed, those companies are now contributing.

British Telecom, for example, has not only held its prices—they are well below the rate of inflation—but, last year, returned more than £1 billion to the public purse in corporation tax dividends and interest, and it has a massive programme of investment of a kind that it never achieved when it was in public ownership.

In the 1970s, the official Opposition, then led by my right hon. Friend the present Prime Minister, set out alternative policies. Today the Opposition have declined to do so with, of course, two exceptions. We have been told about Labour's new-found enthusiasm for entering the exchange rate mechanism of the EMS. I find the controversy over British entry less than thrilling. I doubt whether being in or out would make much difference one way or the other. It certainly would not exclude us from taking the tough decisions that need to be taken and doing the things that need to be done to run a successful economy.

Labour Governments and Labour parties have always had to have some sort of mystical solution to economic problems. In the old days which I remember and, indeed, one or two Opposition Members remember, that mystical answer to all our problems was the prices and incomes policy—the social contract. We heard nothing about such matters today. Is there still to be a social contract in Labour's policy, or was that something else that they tried, found not to work and eventually junked? Alas, it has all gone into the waste bin.

What is the new gimmick? It is industrial training, which is needed and certainly desirable, but I am afraid that the engineering strikes which the Opposition support will more than outweigh any possible gains from any conceivable programme of industrial training. What else have the Opposition to offer today? There are no import controls on offer—they, too, have gone. In the new-found enthusiasm for Brussels there will be no talk of import controls. Indeed, this must be the first debate of this kind in which the Opposition have firmly and officially denounced import controls as unnecessary and impossible. Good old Jacques Delors is having some effect somewhere at least.

Credit controls are the in thing now, but when we ask how they work the answer is not so much mystical as misty

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—indeed, it is thoroughly foggy. The right hon. and learned Member for Monklands, East now has another concept—a social contract not with the AUEW and NUPE but with Barclays and NatWest. They are his social partners now. He says that they will be more reliable and responsible than the old trade union leaders. I am sure that is so, but what would it amount to if it did work? It would mean that credit would be rationed not by price but by nudge and wink. How would the Government ensure that the right people got credit if it was rationed? They would need more controls. People would have to be told, "No, you must lend to him, but not lend to him, and if you don't do that we shall somehow do something nasty to you." You, Mr. Speaker, will remember the debates at the end of the Labour Government's period of office. Many hon. Members remember them. The Ford motor company was getting that sort of treatment, and it was one of the contributory factors to the downfall of the last Labour Government. Labour Members do not learn very much.

I am told, however, that the Labour party has now even abandoned changes in the tax system. The right hon. and learned Gentleman and his hon. Friends are fast boxing themselves in. I take it that the right hon. and learned Gentleman stands by his pledge that if we had a Labour Government we would never have an income tax rate of more than 50 per cent. I take it that that is so—the right hon. and learned Gentleman is a little quiet. I take it also that he backs his hon. Friend the Member for Copeland (Dr. Cunningham), the Opposition spokesman on the environment, who assured me in a television interview with my friend, if I may allude to him thus, the hon. Member for Great Grimsby (Mr. Mitchell), that the 50p would actually include local income tax. The right hon. and learned Gentleman is beginning to box himself in. I take it that he stands by his pledge that a Labour Government would not extend VAT, increase the 15 per cent. rate, or end zero rating. I am happy to allow him to intervene to say whether he stands by those pledges. All the past pledges on social contracts, import controls, high rates of tax, direct control over borrowings and so on have all gone, and the right hon. and learned Gentleman has put nothing in their place.

Today, in effect, my right hon. Friend the Chancellor once again said that there is no alternative. On today's showing, if there is an alternative, the Opposition are determined that it should remain totally shrouded in mystery. The right hon. and learned Member for Monklands, East was right to make the point that my right hon. Friend the Chancellor let that long unbroken expansion of the economy go too fast last year. Of course, those who blame him are almost without exception those who at the time wanted him to cut interest rates further and to raise public spending, too. Had they been in charge, we would have had a problem not of 7·5 per cent. but of nearer to 17·5 per cent. inflation.

There have been some changes over this decade—changes that I have described and they are very much for the better. One thing, however, is for sure—that when a long period of growth gets somewhat out of control and becomes a boom which is not sustainable in the long term, the same old unpalatable medicine is the only one that works, and that is interest rates. My right hon. Friend the Chancellor will undoubtedly take a bit of a pummeling today as he has done in recent weeks, and as he will do for some weeks to come, but as growth resumes and inflation and the trade gap fall, as they most certainly will, it will be my right hon. Friends the Chancellor and the Prime Minister who will have the last laugh—and that is indeed different from what happened at the end of the 1970s.

6.9 pm

Mr. A. J. Beith (Berwick-upon-Tweed): Perhaps it was too much to expect of the right hon. Member for Chingford (Mr. Tebbit), but surely it was not too much to expect that the Chancellor should admit that there is a serious problem and that this country's trade deficit is something about which he is at least embarrassed, because he should be seriously worried. People in the country would think rather more of Conservative Members if they conceded that, and tried to seek the co-operation of the country in doing something about it.

I noticed that the Chancellor left the Chamber a little while ago, bundling up his papers and disappearing. I wonder whether he had a call from the Prime Minister in Kuala Lumpur and whether a press conference has been hastily arranged to reinterpret something that he failed to get right in his speech this afternoon. Whether in Kuala Lumpur dealing with foreign policy or in Downing street dealing with economic policy, the Prime Minister increasingly resembles a demented football manager who, not content with shouting reprimands from the dug-out, rushes on to the field waving her handbag and attacking the players, changing the rules as she goes along. That makes for an impossible position in which to discern any coherent economic policy.

It was the present Leader of the House, when he was Chancellor of the Exchequer, who said that the essential condition for maintaining confidence is a Government determined to maintain the right monetary and fiscal policies. Nobody really knows what the monetary and fiscal policies—especially the monetary policies—of the present Government are. The reason we do not know is the standing disagreement between the Prime Minister and Professor Walters, on the one hand, and the Chancellor of the Exchequer, on the other.

The Prime Minister and Professor Walters, who increasingly resembles Boswell to the Prime Minister's Johnson—interpreting her sayings and advising the world about whether she agrees with his various pieces of advice—do not want to buck the market. They do not want EMS entry and believe that interest rates should change in response to MO. Thus arose the dispute over shadowing the deutschmark, and the recent dispute over the Chancellor's £2 billion intervention to prop up sterling. On the other hand, the Chancellor wants a strong pound and believes that changes in interest rates should be aimed at supporting sterling. He wants to enter the exchange rate mechanism.

The whole economy is suffering from the Prime Minister's Euro-prejudices. She is determined to keep us out of the exchange rate mechanism for as long as possible. I defy the Chief Secretary to tell us in his reply when, on any reasonable calculation, the conditions that the Prime Minister has set can be satisfied. Those conditions include getting inflation down to the level of our European partners, and not only achieving the removal of exchange controls, for which there is already a timetable, but waiting to see the effect of the removal of those exchange controls.

When will we be able to join the exchange rate mechanism? Surely, according to those conditions, it will not be this side of the end of next year. However, Britain could benefit now from lower interest rates if we were inside that mechanism.

The immediate effect of this dispute is that no one knows whether changes in the money supply, narrowly measured, or changes in the value of sterling will be the trigger for changes in interest rates. There is therefore confusion and a loss of confidence in Government policy generally. When one adds to that the trade deficit, one is led towards a great exposure to risk—a risk for all borrowers, mortgage buyers, home owners and small and medium-size businesses.

In such an atmosphere there will be more, not fewer, occasions when sterling is tested because of a loss of confidence. Therefore, the Chancellor has to resort to the interest rate weapon again. How many times can he use the interest rate weapon, and how far can he take it in response to the pressures which his policies have helped to generate? While confidence is low, interest rates will only rise. That is the grim message for the British economy and people unless we see some changes.

During the debate, the Chancellor has been teased about whether he is still a monetarist. Clearly, he is beginning to fail the monetarist test. When I questioned him on Thursday at his own Question Time, he was unable to answer the question whether the money supply or the pound is determining his interest policy. However, he had redefined his policy by the evening in a carefully worded section of his Mansion House speech, stating:

"We cannot allow the necessary rigour of monetary policy to be undermined by exchange rate weaknesses".

One can interpret that how one likes, but it seems to mean that the exchange rate and pressure on the exchange rate will determine further rises in the interest rate.

How can one have confidence in a Chancellor who, in the space of one week, has said that the largest trade deficit in our history is not a problem and that he would never devalue the pound after 10 months when sterling has fallen 1 per cent. per month? How can one have confidence in a Chancellor who says that the economy is simply catching its breath or that the Government's job is to see that there is not too much money, yet who was responsible for all the mistakes of last year's Budget and the compounding of credit expansion through his measures on mortgages? I refer, for example, to his decision to allow a period within which people could take out multiple mortgages, and which would end on a stated date, 1 August. Clearly, that had a vicious effect on the spiralling house market, which started in London, and then went throughout the country and which has only lately come to an end. It had a powerful effect on expanding the private money supply, which has been a major factor in the economy over the past year. One does not need to go through the grim figures of the trade deficit to recognise what a serious problem that represents.

We have sought to argue that there is an alternative to all this. That alternative requires, first, that we enter the exchange rate mechanism to gain the stability and discipline that it provides. It is my belief that even the announcement that we are determined to join at an early date and that the conditions that I have mentioned will not be used to prevent us from doing so would in themselves bring a degree of stability. If we are successful in that object and in entering the exchange rate mechanism and, even in the course of doing so, being enabled to have lower interest rates—because that would be the effect—we cannot leave it there.

One of the failings of the speech made by the right hon. and learned Member for Monklands, East (Mr. Smith) was that he seemed—it was not entirely clear—to be moving towards membership of the exchange rate mechanism. He did not appear to recognise that one cannot stop there. We need to have other counter-inflationary policies if we are to experience the lower interest rates that so many people want.

To do that, a tighter fiscal policy will be required at least initially and there are two ways of doing that. The first would be by the Government's favourite method, which is to slash public expenditure. However, that is the last thing that one should do if there are—as I believe there are—important things that could be done to improve our competitiveness by spending money on research, on training and on some of the things listed in the Opposition motion, with part of which I agree. If we begin to cut such expenditure, we will remove our ability to do anything about the trade deficit.

We must therefore look to taking money from the economy by other means. That is why we have argued that the Government should, if they are able to achieve lower interest rates through EMS membership, remove the ceiling on employees' national insurance contributions because that would remove a significant amount of money from the economy. At the same time, the Government should carry out a number of other tax reforms, such as removing mortgage interest relief at the higher rate. It is absolutely crazy to give the largest housing subsidy to those who are on the highest rate of tax. It makes no sense. Those two measures between them could have a significant counter-inflationary effect. There should also be an announcement that next year's Budget will not be a tax-cutting Budget. The pledge that the rate of income tax will be reduced to 20p in the pound should also be abandoned.

The Chancellor dwelt heavily on savings, but he has still not devised an instrument that would provide a good tax incentive for saving. Paradoxically, high interest rates by themselves do not provide a sufficient incentive to save. The Chancellor must involve more people in saving. At the end of his Mansion House speech he said that people seemed to have lost the habit of thrift. Why does he not set about encouraging thrift with something more ambitious and exciting than the limited personal equity plan schemes?

Mr. Tebbit: I wonder how far the hon. Gentleman will go down that road. Does he accept, for example, that allowing dividends and investment income to have a lower rate of tax than is standard would be desirable, or is he thinking of a bureaucratic system, rather than something that could make people feel that it is worth their while to save and invest?

Mr. Beith: The trouble with the right hon. Gentleman's suggestion is that it would give an uncovenanted benefit to very many existing shareholders without attracting more people in. That is why I have argued that we should build on what the Chancellor has already done with PEPs. We should front-end that scheme. We should make sure that tax relief is available at the point of entry. We have had

[Mr. Beith]

that argument in previous debates, but I believe that we would have widened the range of people saving through that kind of scheme.

We have also argued that funding policy should be changed. It is interesting that the Chancellor devoted about a quarter of his Mansion House speech to saying that the Government could not go back to overfunding but then, in the small print, admitted, in a quiet way, that that would be done, in a limited way, month by month, over the rest of this year.

In present circumstances, it does not make sense for the Government to be repaying debt so heavily and thus maintaining a large gap between short and long-term interest rates. If interest rates are supposed to make industry leaner, tougher and fitter, why is the impact concentrated on smaller businesses which pay higher interest rates? Why are they, and not those businesses that have access to long-term interest rates, bearing the burden?

The House enjoyed a good speech by the right hon. and learned Member for Monklands, East, but he missed the opportunity to spell out more precisely whether the Labour party would be prepared to join the EMS at an early date. Both parties are trying to accommodate disagreements about whether to join the EMS by setting out conditions to determine when they might join. I have argued that that is true of the Prime Minister's conditions, and it remains true of the conditions set out by the right hon. and learned Member for Monklands, East and it is certainly true of the additional condition set out by the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who chairs the Public Accounts Committee, who suggested that an independent Bundesbank was an obstacle to British membership of the EMS. There will continue to be an independent Bundesbank, and if we had more central bank independence in this country there might have been more effective discipline than there has been here for the past 20 years.

Mr. Alex Salmond (Banff and Buchan): Does the hon. Gentleman have any conditions for his policy of joining the exchange rate mechanism?

Mr. Beith: I believe that this country's interests would have been best served if we had been in the EMS some time ago and it is worth negotiating our way into it now. Any Government will negotiate their way in. I am arguing about the conditions set by the other parties, because they appear to be designed to be obstacles to entry, or intended to appear so to at least some of their supporters. The right hon. and learned Member for Monklands, East speaks as an enthusiast, but there are hon. Members who do not share his enthusiasm.

Mr. Christopher Gill (Ludlow): Will the hon. Gentleman give way?

Mr. Beith: No, I am trying to be brief and I have given way twice.

EMS is not the only area of disagreement. I listened with great interest to what the right hon. and learned Gentleman said today about credit controls because he has almost entirely moved away from them. Initially, we thought we were being offered controls on credit cards, then there was the possibility of special deposit and controls on new mortgages, which were spelled out quite clearly by the hon. Member for Dagenham (Mr. Gould). Now we are being offered something resembling a proposal which these Benches argued for more than a year ago—that the Government could seek the co-operation of banks and financial institutions to restrain their lending.

More than a year ago we argued that the most helpful approach would be for the Government to encourage institutions to restrain high pressure advertising of credit. That could have been done. The Governor of the Bank of England has gone some way towards doing that since then because the pressure that has been put on people to obtain credit has been ludicrous and is inconsistent with the Government's arguments.

Mrs. Teresa Gorman (Billericay): Will the hon. Gentleman give way?

Mr. Beith: No, I must draw to a conclusion. I have given way several times.

The right hon. and learned Member for Monklands, East has moved rapidly on credit controls because I suspect he realises that most of those advocated are nonsense. They will not work, and they are likely to bear heavily on those most dependent on credit, rather than those who have the discretion and the ability to seek credit elsewhere if controls are introduced.

A lot of ambiguity about fiscal policy remains. Will it need to be tightened and, if so, how? What about exchange rate policies? Does the Labour party want sterling to fall? If so, how far?

The motion is full of good stuff; I agree with every word of it. It makes some good suggestions about the steps that we need to take in, for example, training and research, and its analysis is accurate as far as it goes. However, it reminds me of a school maths book. The teacher's copy has all the answers bound in the back, but the pupils never have access to those copies. On the Order Paper we seem to have the version without the answers in the back. I refer particularly not to long-term issues, but to the immediate economic management of the economy and how we deal with the precise problem which Labour has placed before the House today—the effect of interest rates on our economy. High interest rates are very damaging. If we join the EMS properly, we can get interest rates down; but if we do that we must take other steps to ensure that inflation is under control. The absence of any discussion of those issues in the motion calls into question whether the Labour party has addressed those problems at all.

6.24 pm

Sir William Clark (Croydon, South): There is one danger for the economy in this debate and that is that there are too many people speaking gloom and doom about our economy, whether in the media, the press or the Opposition. They are talking down sterling and that does not do the country any good. We have to show confidence in our economy, and I hope that I can prove that to the House. We have had ups and downs, but the underlying basis of our economy is sound.

The right hon. and learned Member for Monklands, East (Mr. Smith) made great play of the so-called rift between No. 10 and No. 11 Downing street. This lie must be nailed. If there were a rift, in my opinion—I am sure that my right hon. and hon. Friends will agree with me—in no circumstances would the Prime Minister go along

with a policy with which she did not agree. Nor would the Chancellor of the Exchequer. Therefore logically, there can be no rift.

Sir Alan Walters, who is a part-time adviser to the Prime Minister, holds the position of a senior civil servant. He should conform to the same rules and regulations as a senior civil servant, and he should not make public statements or write articles for the public to read because it confuses politicians and the markets. It is essential that we have stability in the markets and no confusion.

Mr. Ian Gow (Eastbourne): I have been following my hon. Friend's argument closely and I wonder what substance future speeches by the right hon. and learned Member for Monklands, East (Mr. Smith) will have if the professor follows that period of restraint that my hon. Friend has recommended.

Sir William Clark: That is an interesting point. I shall let my hon. Friend answer that for himself when he makes his speech.

The Opposition motion rightly draws attention to our present high interest rates. As my right hon. Friend the Chancellor said, all countries have recently put up interest rates. We have had to increase our rates, and are in front in that respect, because our economy was growing too fast and had to be slowed down. High interest rates have curbed spending, which is now on a plateau and will come down. High interest rates, as hon. Members have already said, have stopped the property boom and have helped to keep up the price of sterling. Consequently, they have helped to ease inflationary pressure on imports. It has been said that high interest rates help the saver, but I shall return to that.

The Opposition motion talks about the 7·6 per cent. inflation rate. As a politician, I have no right to be cynical, but I think that the Opposition have a nerve to criticise a rate of 7·6 per cent. when they were clever enough to get it to 27 per cent. Consider the effect that that had on pensioners and people with small invested incomes. It is disgraceful that, within three years, their savings were decimated.

The Opposition talk about hardship for home owners. That is a conversion; some years ago they did not like home owners. For example, they talked originally about taking away houses from those who bought them under this Government's successful sale of council houses. Now they have changed their minds because they know that there are millions of votes there. Let us make no mistake —a Socialist Government would still give priority to council housing. Owner-occupiers have independence, and the Opposition do not like that.

The Opposition criticise the Chancellor for using high interest rates alone to control the economy, but they overlook the fact that public expenditure has been controlled. I welcome the fact that the Exchequer is not taking as much of the GDP as it did in 1979. Such public expenditure control is another way in which the inflation rate has been made to come down.

The Opposition criticise the level of industrial investment, but this year it is up 15 per cent. Companies are more profitable. If one considers the tax structure of companies today, it is clear that corporation tax is much lower than it was under Labour. Let us consider the liquidity of companies. In 1980 bank borrowing by companies represented some 45 per cent. of those companies' equity in the market. Today, that figure of borrowing is down to 28 per cent. That means that industry has more money to invest and has more money to put into production.

The economy is buoyant and politicians on all sides should, occasionally, talk about the achievements of the country—not necessarily those of the Government. The economy has turned round. We should avoid talk of the Opposition and the Government. I accept that the Government have set the scene, but the economic buoyancy has been created by the country. My right hon. Friend the Chancellor told us that 1,200 new businesses start up each week. I accept that some businesses fail, but the net figure still stands at 1,200. That must be good.

Unemployment is down and the number of people employed is the highest that it has ever been. The Labour party has said that if it were in government it would operate credit controls. My right hon. Friend the Member for Chingford (Mr. Tebbit) has already said that the Opposition envisage some sort of social contract with the banks. That may be all right with the British clearers—one may have a reserve lending ratio if one wishes—but one cannot control foreign banks like that. What is their capital? It is easy to say what the capital of British clearers is and what the ratio should be, but how would one evaluate the capital of, for example, Chase Manhattan or the Japanese banks in the City? The credit control advocated by the Opposition is absolute rubbish.

One of my hon. Friends has already asked why a Government should prevent a citizen from borrowing money. Those who lend the money—banks or other financial institutions—will stop lending money when the bad debt ratio gets so high that they cannot afford to lend.

Mr. Tebbit: Does my hon. Friend agree that if such banking controls could be imposed in Britain it would be almost inevitable that banks in places such as Gibraltar and other places where we have had little problems with banking organisations would get into the credit market here and would lend to the most vulnerable people in that market on terms entirely outside the control of the Government's legislation to protect consumers?

Sir William Clark: My right hon. Friend is absolutely right. One would have a proliferation of what is known as offshore funds and Gibraltar could be the centre for such operations.

My right hon. Friend the Member for Chingford made an extremely good point when he discussed the car industry. He related the history of how that industry went down and how it has now been built up again. The car industry is part of the cause of our balance of payments deficit. My right hon. Friend is right that it will not be until 1990-91 that available cars will come on stream for sale here and for export. It is worth noting that 75 per cent. of our imports are accounted for by capital goods.

Under the Government our gold and dollar reserves are some £27 billion. My right hon. Friend the Chancellor told us that, last month, our exports went up by 13 per cent. That figure included oil, but if oil is taken out exports still rose by 8·5 per cent. Exports are at an all-time high. It is true that imports went up by just over 4 per cent., but they are flattening out.

During the past two years the policy followed by my right hon. Friend the Chancellor has resulted in some £17 billion of the national debt being repaid. In the same

[Sir William Clark]

period nearly £4 billion has been saved in interest. I remind the House that that is equivalent to nearly 3p off the standard rate of tax. That saving will be made not only this year, but in coming years. However, my right hon. Friend should be wary of repaying too much of the national debt. If a future Government did not have the national debt —I am exaggerating slightly—it would be so easy for them to borrow money that a profligate Government would soon lead us into the high spiral of inflation.

The autumn statement will soon be published. As soon as that happens everyone will become a mini Chancellor of the Exchequer. Everyone will have his own ideas about how the next Budget should be formed. The hon. Member for Berwick-upon-Tweed (Mr. Beith) offered two suggestions: to negotiate to join the EMS immediately and to increase taxation. The Prime Minister and the Chancellor of the Exchequer have made it perfectly clear about our joining the EMS—*[Interruption.]* I am sometimes worried by the Opposition; they start laughing before they know what I am about to say. Opposition Members should listen to the facts before they distort them.

My right hon. Friend the Chancellor has made it perfectly clear that we are the only country in the European Community that has complete freedom of exchange control. As soon as all the others have freedom of exchange control the playing fields will be level and, consequently, that might be the time when we should join the EMS.

I do not believe that the Chancellor should rule out tax cuts in the next Budget. In common with the hon. Member for Berwick-upon-Tweed, however, I would like a super boost to be given to savings. Last year my right hon. Friend increased the personal equity plans—PEPs—which are equivalent to new savings. I would like a tax-cutting Budget together with a savings Budget that would give an incentive to saving. I do not necessarily agree with my right hon. Friend that investment income should be at a lower rate because, as the hon. Member for Berwick-upon-Tweed rightly pointed out, that would affect people now. We want new savings and that can be achieved only by allowing contractual savings to be set off against one's income vis-à-vis the "Loi Monery".

Although my right hon. Friend the Chancellor and his team are pilloried and criticised by the media—in many cases quite wrongly—no one in the House or in the country can say that the Government do not stick to their policies. There are no panic measures and I assure the House that there will be none in the future. We have been down this road before in 1985 when we had to increase interest rates. That increase was responsible for bringing down the rate of inflation.

I am convinced that the medicine prescribed by my right hon. Friend is the right sort. My advice to him is, for goodness sake, do not change policy. It will work today as it worked in 1985.

6.39 pm

Mr. James Molyneaux (Lagan Valley): For the benefit of the next speaker whom you, Mr. Speaker, may call, I shall be brief as usual and set a good example to him.

Leaders of minority opposition parties face the temptation of indulging in the luxury of irresponsibility in the sure knowledge that they will never be called upon to form a Government or serve in a Government. However, in response to what was said earlier, may I say that if we were ever to form a Government we could be depended on to be consistent. In response to what the Opposition spokesman said, let me point out that we would mean what we said.

The current minority Opposition party leaders can, if they wish, advocate policies which are capable of attracting short-term popularity without worrying about the need to be consistent. A new factor has entered into the equation and the two main forces in Parliament—Government and Opposition—have somewhat relaxed the requirement to be consistent. The party which I lead has seen its consistency rewarded by being branded as inflexible and stubborn. We would plead guilty to such charges on the subject of today's debate.

Ten years ago we welcomed the Treasury's conversion to the concept of the floating pound. I know that lip service is still paid to that concept. We have to ask why the Treasury and not the Government is trying desperately to control the exchange rate of the pound. Formerly, the manipulation took the form of artificially forcing the pound down to placate the Americans. This autumn we appear to be doing the opposite to please the Germans.

These contradictory policies seem to have given us the worst possible result, which is hardly surprising. Inflation has been fuelled by flooding the economy with fresh money and we are now crippling industry and business by raising the cost of credit. Unfortunately, it is, as usual, small companies and businesses which suffer most grievously. As a nation we do ourselves a grave disservice by blindly refusing to recognise that these troubles stem directly from a crazy desire to manage the exchange rate of the pound.

The Treasury simply has to shake off what is no more than a superstition that if the pound floats downwards the consequence will be higher inflation. The Treasury must refrain from cheering on its champion in his duel with the Bundesbank which should be seen as a totally irrelevant tussle and not a test of economic virility. I do not agree that any advantage would accrue from our joining the EMS. Our entry would not prevent wide fluctuations in our economy but would simply necessitate higher than average interest rates. The effect of that would be to punish non-exporting industries and companies, in particular. The Opposition spokesman, the right hon. and learned Member for Monklands, East (Mr. Smith), did not make it clear why, if we joined the EMS, we should expect European banks to take orders from the Treasury. It would, as usual, be the other way round and we would be subservient.

In recent weeks and days, and today in this Chamber, many have asked what the Chancellor can do to reduce inflation. I do not know whether his attention has been drawn to the advice tendered to him about two weeks ago by another Ulster Unionist, Enoch Powell, who in a speech at Milton Keynes said:

> "The candid answer to that question is: 'nothing whatsoever'. The money splurge created by easy credit eighteen months ago cannot be counteracted by over-tight credit now. We simply have to sweat it out while the flood of new money, of which the creation was permitted and even encouraged by easy credit last year, in the endeavour to rig the sterling exchange rate downwards, will have worked its way gradually through the system into final prices."

I would differ from the Chancellor, who seems to have taken a different approach. He seems to be waiting until interest rates have worked their way into the final prices.

It is depressing to see the recurrence of the industrial disputes of former times. We must face the fact that those are the consequence of inflation and not the cause. It simply will not do for all of us to set out on a course of industrial conflict and contemplate with bogus fortitude endless strikes and disputes. I trust that hon. Members, particularly on both Front Benches, will remember that it was precisely that misguided course which destroyed the Labour Government in the late 1970s.

6.45 pm

Mr. Terence L. Higgins (Worthing): I shall begin by drawing the attention of the House to a mystery: who drafted the Opposition motion? Clearly it was not the shadow Chancellor, the right hon. and learned Member for Monklands, East (Mr. Smith), who made a number of interesting points in his speech, none of which appears in the Opposition motion. He began by saying that we must not forget the unemployed; but that is precisely what the Opposition motion does because it makes no mention of the unemployed. That is scarcely surprising because, happily, the unemployment figures have been improving for a considerable time.

The shadow Chancellor went on to discuss at some length the European monetary system and its exchange rate mechanism. However, there is no mention of either of those in the Opposition motion. If hon. Members had hoped that he would elucidate the basis on which a Labour Government might join the exchange rate mechanism, they—particularly Government Members—would have found his speech unilluminating, certainly in relation to the rate at which we would join.

The shadow Chancellor talked at considerable length, and with a degree of innovation, about credit controls, of which there is no mention in the motion. "Credit controls" is not quite the right expression because apparently a Labour Government, if one should ever come to power, would encourage the banks not to expand the amount of credit. In an intervention the legality of this matter was raised. We must consider carefully the responsibility of the banks to their shareholders. If we were to have credit controls in the strict sense, the banks would have some defence against their shareholders saying that the banks were not doing as well as they might for their shareholders. However, the idea that this might be done through back-door persuasion raises difficult questions.

However, as a number of my colleagues have pointed out, such an idea is completely out of date because in a system of open economies without exchange controls it is simply impossible to achieve that degree of control, or even persuasion, over the international banking community. If nothing else, there would be no means of preventing overseas banks which had no base in this country from refusing to give credit to a person in this country who wanted a loan. Therefore, a mystery surrounds that matter.

I shall turn to broader issues and put the debate into context. It is clear that we are suffering from a hangover from the stimulus given to the economy as a result of the stock market crash in the autumn of 1987. Finance Ministers throughout the world took the view that in order to prevent a world recession it was necessary to stimulate each individual economy. At that stage no hon. Member, with the exception of my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen), who I do not see in his place, objected to that.

That stimulus did not extend to the measures which the Chancellor put in the Budgets, both the one following the crash and the next one, which have produced the largest fiscal surplus we have ever had. Unfortunately, no hon. Members perceived the extent to which Britain's economy was already accelerating. After a long period of sustained growth we must bring that growth down to manageable limits. Essentially, that is the problem facing the Chancellor of the Exchequer.

I do not accept that by using the instrument of interest rates the Chancellor is, in a sense, a one-club golfer. He is also using fiscal policy on a massive scale, and that sets the framework within which monetary policy is operating. To borrow a corny analogy, he is using a rate of interest putter but in the context of having previously used a fiscal policy driver. The effect of his actions in those respects is to slow down the economy in a satisfactory way.

In a good article, the *Economist* this week draws attention to the fact that retail sales in the three months to September were only 1·25 per cent. higher than they were a year earlier, which is the smallest increase in the last seven years over a 12-month period. On the other side of the equation, output is rising at about 4 per cent. so the overall result is that output is rising faster than demand is rising.

That is important for the balance of payments, and combined with the natural overrun when the economy is slowing down—of stocks building up at each level of production and at the point of retail sales—one has reason to believe that the balance of payments situation will come right. The figures today, unacceptably high though they are, give reason to suppose that the peak may have been reached and that, for the reasons I have given, matters are likely to improve in the future.

It has been important for the Chancellor to act by way of interest rates. Some people, including my right hon. Friend the Member for Shropshire, North (Mr. Biffen), have asked whether interest rates are being used for domestic internal inflation reasons or for international sterling reasons. While there are occasions when those two objectives cannot both be achieved by interest rates, I do not believe that to be the situation now. The domestic and expansion of credit issues to which I have referred, and the fact that higher interest rates keep sterling at a higher level than would otherwise be the case, work together to bring inflation under control. As that is, rightly, the Government's overall objective, the measures on interest rates which the Chancellor has taken have been appropriate.

Concern has been expressed about the fact that the object of the exercise must be to put a downward pressure on demand and that that, in turn, is bound to have an adverse effect on profits in a situation in which, as the Chancellor pointed out, profits are at their highest level for 20 years. That means that the normal effect of a downward pressure on demand and a building up of resistance to inflationary wage settlements will take a considerable time to work through. It is important for us to bear that in mind.

I share the concern of my right hon. Friend the Member for Chingford (Mr. Tebbit) about the situation facing the engineering industry. He referred to the claim for a

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35-hour week, the shortest that would exist in any country. I remind my right hon. Friend—I had experience of this issue some years ago in Europe—that when people in Britain say they want a shorter working week they really mean that they want to be paid at a higher rate for doing more overtime. When, in any other country in Europe, people say that they want a shorter working week, they mean what they say.

It is important that inflationary wage claims of that sort should be resisted. Otherwise inevitably, and especially in the engineering industry, the repercussions of more profitable firms granting such increases are felt by other parts of the industry, and the effects in the west midlands and elsewhere are traumatic. That would be bound to have an effect on unemployment, a subject which, although it is not mentioned in the Opposition motion, was described by the right hon. and learned Member for Monklands, East as an issue that we should not forget.

Mr. Thomas McAvoy (Glasgow, Rutherglen) *rose*——

Mr. Higgins: I will not give way because I am under a strict time restraint.

I come to the issue of the exchange rate mechanism. I do not believe that being members of that would have made a significant difference in the last month or so because the Chancellor took the measures that he would have had to have taken even if we had been members of the ERM at this time. I doubt whether we would have received any more co-operation from the Germans, and it is clear that what happened in that connection had severe repercussions on us.

Similarly, in terms of the longer term prospects for the exchange rate mechanism, let us not forget the argument for joining, which is that we would have a degree of currency stability within which various currencies would be held in relation to each other. I suggest that this is not the moment when it would be sensible for us to join because exchange controls in other countries have not yet been removed, and we do not know what effect their removal will have, when it occurs.

The French, despite all their misgivings—they are lagging 10 years behind us, yet they still say that we are not communautaire—are due to take off controls next July, and that would seem to indicate that it would be appropriate to join about next August.

One cannot predict these matters because, as we are well aware, situations can change and we cannot be sure at this stage what things will look like by that time.

However, whatever my views might be on stages two and three of the Delors report—there are variations of view about that—there seems now to be a strong case for us joining the exchange rate mechanism. I hope that at the appropriate moment, which is not now but which may be next year, such a step may assist our policy rather than act in the opposite direction. It was extraordinary that the right and learned Member for Monklands, East did not spell out the alternative. Nor is it mentioned in the motion. I suggest that overall, looking at the situation, the Chancellor responded appropriately in autumn 1987, and is responding appropriately now, to get us back to sustainable economic growth.

6.56 pm

Mr. Brian Sedgemore (Hackney, South and Shoreditch): History will heap plaudits on the right hon. Member for Worthing (Mr. Higgins) for having chaired the Treasury and Civil Service Select Committee which produced the report on the Delors issue and which said in paragraph 28 that we should join the exchange rate mechanism of the European monetary system at an early date and go on to work towards the creation of a common European currency. When those plaudits are being given, most people will have forgotten that the right hon. Gentleman voted against the proposal. But I shall not be churlish and remind him of that fact.

I wish to behave in the debate as a consensus politician, as I usually do, and to make it clear that I go along with the new economic consensus that is arising. It is not a monetarist or neo-monetarist consensus. Nor is it a Keynesian or neo-Keynesian consensus. It is shared by, among others, Sir Alan Walters, the chief economic adviser to the Prime Minister, all the way across the spectrum to Michael Boskin, the chief economic adviser to the President of the United States. That new consensus says that the Chancellor's fiscal and monetary eccentricities can no longer be regarded as economic wisdom. Indeed, the Chancellor—to paraphrase Dr. Samuel Johnson—brings to economics the wisdom of the fool and the folly of the wise.

With the right hon. Member for Worthing, I have just spent a week in Washington. In private, politicans and economists there constantly asked me what was driving the Chancellor in his dispute with the Prime Minister. The simple answer is that the Chancellor is a fan of Damon Runyon and is very taken with that sexist male chauvinist pig of a character who, in "Take It Easy", explained his dispute with the women who lived nearby by saying:

"I do not approve of guys using false propositions on dolls, except of course when nothing else will do."

Many of the Government's problems stem from the fact that they insist that bringing down inflation is the one important goal and that everything can be subordinated to that. It is interesting that in America, Michael Boskin, the chairman of the Council of Economic Advisers, disputed this. When someone made a sotto voce comment in reply to his answers he said, "Do I detect some editorial comment there, because if you are telling me that one should subsume everything to the control of inflation, that is advice that I would never give to the President of the United States." He became agitated and went on to explain that no one in his right mind would give that sort of advice—yet it is what the Government and the Prime Minister are doing. The great and the good across the Atlantic say that it should not be done.

There are two other problems with inflation. One is the dispute between the Chancellor and the Prime Minister over how we should deal with it. The Prime Minister, egged on by that strange economic guru Sir Alan Walters —every now and then he takes centre stage like some sort of demonic Rasputin—says that domestic monetary conditions are the critical factor. She says that they are tight enough not to have given cause to raise interest rates recently and not to give cause to raise them in the future. The Chancellor, by contrast, says that we must raise interest rates to keep the level of the pound up and import prices down.

We must get to the bottom of this. The Treasury and Civil Service Select Committee meets tomorrow, and I suggest that we call Sir Alan Walters before it. We heard today that he is only a part-time economic adviser, not a civil servant, so there is nothing that the Prime Minister or anyone else can do to stop Sir Alan answering our summons and spelling out all the details of his disputes with the Chancellor. I am sure that the right hon. Member for Worthing and other members of the Select Committee, who are smiling benignly, will agree to my proposal.

The other problem with inflation is that everything that the Chancellor does to deal with it is inconsistent with what needs to be done to improve the balance of payments deficit. I suppose that the Chancellor, who is as capable of contradicting himself as he is of contradicting the truth, believes with Emerson that

"with consistency a great soul simply has nothing to do."

Just as some people attempt to rewrite history, the Chancellor attempts to rewrite economics.

On 27 September this year the right hon. Gentleman made a speech—he referred to it again today—to the IMF and the World Bank. In it, he argued, as he did from the Dispatch Box today, that balance of payments deficits do not matter very much and are in any case self-correcting when the growth of domestic demand falls below the growth of output. I have scoured the western world in vain to find someone who believes that balance of payments deficits of £20 billion—4 per cent. of GDP—are self-correcting and do not matter. Even if that were true —it is not—the Chancellor's statement poses the question: at what level of output and employment would the balance of payments deficit be self-correcting? The answer must be that it would be self-correcting only at a level that involved a considerable recession.

I do not ask anyone to take my word for this. I am prepared to plead my own mediocrity—[HON. MEMBERS: "Guilty as charged."]—a lovely phrase that I used to hear in the law courts. I invoke some of the great figures of the Conservative party, beginning with the right hon. Member for Henley (Mr. Heseltine). I thought that the right hon. Gentleman made a delightful speech at that fringe meeting at conference. I saw him on television; the mane was flowing, the voice was modulated, the adrenalin was running high, and he stood every bit like tomorrow's leader of the Conservative party. He scoffed at, he poured scorn on and he ridiculed the Chancellor's assertion that the balance of payments deficit did not matter and was self-correcting, and he begged the Chancellor to think again. There came a moment when the right hon. Gentleman's pellucid denunciation of the Chancellor became so brilliant that I began to feel sorry for the Chancellor, because, unlike Shelley, the right hon. Member for Henley not only pours venom out of his mouth whenever he speaks, he really can sting.

Recently I have been asking Conservative Back-Bench Members—I shall not name them because these conversations are confidential—whether they believe it right to say that these balance of payments deficits do not matter and are self-correcting. The standard answer that I have received across the ideological spectrum on the Conservative Back Benches is: "He may say it, but he certainly does not even believe it himself." I am looking at one of these Conservative Back-Bench Members——

Mr. James Cran (Beverley): On a point of order, Mr. Deputy Speaker. If the hon. Gentleman was looking at me when he said that, we have not had a conversation about that point today or this week.

Mr. Sedgemore: As I am in the mood to appeal to ex cathedra figures, I appeal again to Michael Boskin, whom I asked this academic question. I told him that there are arguments to the effect that balance of payments deficits driven by the public sector can be cut only by cutting the budget deficit. The counterposing argument is that balance of payments deficits driven by the private sector—the Chancellor's argument—are self-correcting. Quite rightly, the adviser to the biggest economy in the world opined that the second argument—the Chancellor's—involves the cateris paribus fallacy. All hon. Members will know that every fifth former is told not to fall into the cateris paribus fallacy which, in economic terms, runs as follows: one can produce a savings and investment equation which shows that under some conditions a deficit can start to be self-correcting; but then, things would not be cateris paribus—income, output, employment, revenue and other variables would change.

So it is nonsense to say that a balance of payments deficit of this size is self-correcting. What can we do about it? I preface my remarks by saying that I believe that such is the scale of the problem now that we can deal with it —under any Government—only with a depreciation of the currency and with at least a mild recession. There is no point in Labour Members seeking to pretend that we can get out of the current mess without at least a mild recession. The problem is how to minimise the recession.

I began with a consensus; another consensus is growing about what we should do. The City of London, industry and her Majesty's loyal Opposition, including me—the soon-to-be loyal Labour Government—all believe that we should join the exchange rate mechanism of the EMS at an early date as a prelude to working towards a common European currency. We believe that that will give us some external discipline and that it will steady markets and give us some protection against speculators.

I have suffered barbs and jibes from people who have accused me of changing my mind and said that I am not in a good position to start lecturing them on this. The politician who cannot change his mind as the world crashes around him soon becomes an irrelevant bore. Things have changed. When I was young I was brought up on the theory of comparative advantage and purchasing power parities which worked through changes in the exchange rate, driven by the current account, on the balance of payments and internal domestic price levels. All this has gone and is irrelevant to the modern world. I say that to those on the Left of my party and those on the Right of the Conservative party. We do not live in that world any more and exchange rates are not driven by the current account.

Foreign currency is no longer primarily a medium of exchange. It is an investment vehicle that provides speculative opportunities. That is why $175 billion crosses the exchange markets every day—one third of it in London. I defy anyone to tell me what those speculators say about sovereignty. They do not care a damn about sovereignty or about what right hon. and hon. Members say. In the modern world, many politicians who preach sovereignty as a noble, democratic ideal are often engaged in base, populist politics.

[Mr. Sedgemore]

I congratulate my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) and his colleagues on going to Germany to talk to the officials of the Bundesbank and to France, to talk to the members of that country's Government. They engaged in something close to negotiations about the way in which Labour would join the ERM if it were returned to power.

As British society views the sarcophagus of Thatcherism and looks over its dead bones, it is time for the Labour party to take up the reins of Government with fresh ideas, new hope and some vision.

Mr. Deputy Speaker (Mr. Harold Walker): I remind right hon. and hon. Members that speeches should now be limited to 10 minutes' duration.

7.11 pm

Mr. John Browne (Winchester): I enjoyed the speech of the right hon. and learned Member for Monklands, East (Mr. Smith). It was extremely entertaining and interesting. Although he did not provide specific details of future Labour economic policy, he gave some interesting pointers.

For example, he said that a Labour Government would bring in credit controls. That would stifle growth and enterprise. But who is to say that politicians are better equipped than entrepreneurs, business men and professional bankers to decide whether a certain loan is worth while in terms of growth, productivity and enterprise? Who is to say that politicians are better able to choose new products, penetrate international markets and internationalise product lines? Politicians cannot do that and political business experiments have in the past proved disastrous and went completely out of control. As the right hon. and learned Gentleman and my right hon. Friend the Member for Worthing (Mr. Higgins), Chairman of the Treasury Select Committee, both asked, who will umpire and control foreign banks on the basis that they exist in England?

Another interesting point arising from the right hon. and learned Gentleman's speech is that we would see political rather than market direction of investment. That would mean bolstering sick and dying industries and companies at the cost of healthy ones. That would initially lead to inflation. Under a Labour Government there would be at least a populist drop in interest rates until inflation took hold. The right hon. and learned Gentleman mentioned an "appropriate" rate for sterling for joining the ERM. To me, that means devaluation, again in favour of British industries and companies that are either ailing or very sick.

In all those policies, we glimpsed the prospect of a return to old-fashioned hyper-inflation. That prospect is not new to the international foreign exchange markets, which regard it as a potential threat to the value of sterling. They view any threat to this Government as a threat to the value of sterling. I term it the "Thatcher factor". The Thatcher factor accounts for between 5 per cent. and 20 per cent. of the spot value of sterling on the exchange markets—at least on an initial basis. If the Prime Minister is under threat for any reason—perhaps because of internal arguments or hyped-up articles in the press—the pressure on sterling increases relentlessly. When German interest rates rise by 1 per cent. we raise ours by 1 per cent. —but it is not enough because people continue to criticise the Government.

I notice that the people who are most violent in their criticism of the Prime Minister and her economic policy are those who immediately complain that interest rates are too high. Interest rates have had to be raised to defend sterling. The Thatcher factor should be borne in mind by people who, as my right hon. Friend the Member for Guildford (Mr. Howell) said, talk down sterling and our economy. To over-criticise has an enormous downward effect on sterling. The result is that people have to pay higher interest rates on their loans and mortgages. We must take that into account when making speeches, because it does none of us any good.

Any Government guiding our economy, with its history of inflation and its declining, relative productivity, must walk a tightrope. They must achieve disinflation without creating deflation.

It is an extremely sensitive tight rope because it involves the psychology of the consumer. To cite a hypothetical example, say that a family with a joint income of £20,000 keeps £12,000 of that net of tax. Say that they have a house valued at £50,000, which is increasing in value by 20 per cent. a year—*[Interruption.]* Opposition Members may laugh, but houses in many constituencies are worth at least that.

I venture that house prices in many areas are so high that many newly married couples cannot buy a home. My hypothetical family start to spend their £12,000 as though they had £22,000. They save nothing for a rainy day, thinking that they could always mortgage the house. That results in tremendous property-induced inflation of the money already available. That is not measured in terms of M3 or the money that is already in circulation. On top of that, the inflationary psychology is to spend as much as possible. If the Government changed their philosophy and house prices started to tumble, that family would spend their £12,000 as though it were £6,000—and we would have an enormous slump on our hands.

Economic management is a delicate business. In October 1987, there was a stock market crash. The Government, together with others, pumped a lot of liquidity into the system. Fortunately, at that time our economy was growing faster than most others. Therefore, there has been a much greater inflationary impact on our economy. We are now paying the price for it with high relative real interest rates.

High interest rates are tough. They are a blunt instrument, especially on first-time buyers. The main aim is to reduce inflation. However, they have some beneficial side effects. First, they benefit the saver. As my right hon. Friend the Member for Guildford said, we must help savers. I understand that there are about six lenders for every borrower in a building society.

High interest rates also encourage businesses to reduce excessive wage increases and to invest in increased productivity, rather than merely add to productive capacity.

I address now the question of whether we should join the exchange rate mechanism of the European monetary system—and if so, when.

Many supporters of the ERM see it as a panacea to protect sterling, despite inflationary and disruptive economic policies at home. I believe that it is no panacea and that wildly fluctuating exchange rates are an

international problem—not only a problem for sterling. Fluctuating exchange rates are caused largely by a crucial flaw in the Bretton Woods agreement of the 1940s. The flaw was that when the United States of America dominated world economics, it had a huge surplus. It was built into the treaty that to run a deficit was an economic sin. To run a surplus was fine. There was a crucial and inherent imbalance in the Bretton Woods agreement.

Now that the United States is in deficit we hear a different story. It is said that the Germans and the Japanese are doing terrible things by having a surplus. This points to a structural matter that we must get right, and we need to do that urgently. We must make sure that it is seen as evil economically to run a surplus just as much as it is to run a deficit. They have to balance out on an international basis. Someone's surplus is someone else's deficit.

In that context I see the exchange rate mechanism and even the EMS itself as something of a cartel; even a deutschmark cartel. We have decided that the world has tremendous international problems on exchange rates. Let us form a club of European nations and we will sort it out among ourselves and leave the rest to stew. It is not inherently bad to do what the EMS is doing but it should be done on an international rather than on an isolated, European basis.

Therefore, the United Kingdom should not join the full exchange rate mechanism until, first, all members have free movements of foreign exchange and capital with no foreign exchange controls. Secondly, we should not join until the single European market of 1992 has been achieved with a free flow of goods, services and labour. Thirdly, we should urge the denationalisation of the central banks of all the member nations.

In the United States there were many largely autonomous states. Yet they accepted the US dollar. It was largely successful. It was gold-linked in its earlier days, which had an enormously positive effect on its original success.

Mr. Deputy Speaker: Order. I remind the House that arrangements have been made for hon. Members to be warned in advance about the termination of the 10 minutes allowed for speeches.

7.21 pm

Dr. John Reid (Motherwell, North): I listened to the Chancellor's speech with a mixture of frustration, anger and amazement. I was frustrated by the complacency that he continues to show, angered because he was not prepared to accept any responsibility for the mess that we are in, and amazed that he still appears to believe in what he is saying and, more important, in what he is doing.

We have heard that the balance of payments deficit continues to grow and now stands at an annual rate of £20 billion, the highest in the United Kingdom's history. Over the past year interest rates have risen inexorably. They have been raised 11 times and now stand at 15 per cent., twice the rate of those in our major competitor, West Germany. The average British mortgage has gone up by £88 a month and in Greater London it has gone up by £162 per month. We have heard that 380,000 home owners are more than two months overdue with their mortgage payments, and that the economy is tottering on the knife edge of a recession and that investment—never high under the Government—is starting to fall.

What was the Chancellor's response? He told us that the gap in inflation between us and our major competitors has temporarily widened; it is another blip. The Chancellor has had more blips than Heathrow air traffic control. He told us about rising living standards and rising confidence and said that exports continue to do well. Presumably that is why we have a projected deficit of £20 billion. He said that "in time" inflation and interest rates will come down and that the balance of payments will be self-correcting. To misquote John Maynard Keynes, "In time we are all dead economically and otherwise."

The Chancellor was complacent and insubstantial. He said nothing about training or skills or about the need for a flexible response to the present crisis. He was so removed from reality when he talked about rising expectations, living standards and confidence that I expected his peroration to end with the words "and they all lived happily ever after." A Japanese financier on "Newsnight" last night and the British public realise that we are tottering on the cliff edge of a recession. Why in God's name does the Chancellor not realise that?

We cannot allow the Chancellor alone to take the blame because the Prime Minister is just as complacent. At the Tory party conference in the middle of yet another interest rate crisis and with a chance to address the nation she took the opportunity to give us a cookery lesson. She told us, "You can't get a soufflé to rise twice." As a cook she should also understand that we cannot get a wholesome economy out of a half-baked recipe. She should be even more familiar with the old cuisine adage that too many cooks spoil the broth.

Perhaps the right hon. Lady would like to put us all out of our misery by telling us which chef is responsible for the economic stew that we are in. Is it the resident and much-vaunted chef at No. 11 Downing street, is it the part-time pastry cook in the basement of No. 10, Mr. Walters, or is it old Mrs. Beeton herself, the Prime Minister? As they say in *Private Eye* editorials, "Surely we have a right to know since it is us who have to eat the damned product in the last instance."

Nowhere is that product more painful or unpalatable than in my part of Britain. The remedies designed to cool down an over-heated south-east economy are unpalatable enough in the south-east, but they are excruciatingly painful in a Scottish economy that has been, at best, lukewarm. Much of the industry in my constituency and my country has been industrially destroyed and is only just starting to revive. That is why when the Prime Minister comes to Scotland she is willing to talk about almost anything except the effects on Scotland of her economic policies. She came to Edinburgh and told us about the Bible and came to Glasgow and told us about Adam Smith. She came to Perth and told us about that well-known Scottish folk hero Julius Caesar. She said in what must be the most deranged piece of political rhetoric that I have heard for many years:

> "If Julius Caesar were to land on our shore today he would have no hesitation in saying, 'I came, I saw, I invested.'"

I cannot believe that any of the Prime Minister's speech writers put that in, so she must have put it in herself.

Mr. Robert Sheldon: That cannot be true.

Dr. Reid: It is perfectly true; I double checked it.

I am tempted to observe that if Julius Caesar were to land on our shores today he would be amazed at how rapidly things could deteriorate since his time. If he were

[Dr. Reid]

able to afford the poll tax and could get a safe ferry across the Channel and find a seat on a crowded north-bound commuter train, I am sure that he would turn back at Watford Gap because economically the north of Britain has declined tremendously over the past 10 years.

I shall give some statistics. In Scotland the effect of the Chancellor's mismanagement has been nothing short of disastrous, not just in mortgage payments, hire-purchase charges or investment, but in jobs. Recently in my constituency the firm of Terex, a thriving go-ahead company with a history of investment, was forced to make redundancies. It publicly laid the blame directly at the door of No. 11 Downing street and interest rate charges.

The story is the same throughout Scotland. An economy which was bruised, battered and bludgeoned for 10 years was on the verge of revival but has been pushed back into the quagmire. Is it any wonder when every 1 per cent. rise in interest rates puts an additional £40 million burden on the shoulders of Scottish industry? The 10 rises in base rate in the last 12 months mean that by 1990 Scottish business could face an extra £250 million in borrowing costs.

Mr. Cran: Will the hon. Gentleman give way?

Dr. Reid: Time is limited.

Is it any wonder that the latest figures from the CBI —and the Scottish CBI is the equivalent of the fifth column of the Conservative party—show that in the second quarter of this year investment in plant and machinery is down by 15 per cent. compared with the previous year and that investment in building is down by 11 per cent. on the previous year? Such facts speak volumes about the lack of industrial confidence in the Chancellor's handling of the ecomony. The contention that we now have a leaner, fitter economy in Scotland at least is a propaganda myth by someone who cannot distinguish between slimming and starvation.

We do not need a crystal ball. I shall quote from one of the books that we can consult. It is from "Cambridge Econometrics" and it says:

"(In Scotland) the bubble bursts in 1990 and both employment and output growth starts to lag behind the United Kingdom average for the rest of the century . . . Most sectors of Scottish manufacturing . . . are forecast to under-perform United Kingdom counterparts resulting in 70,000 job losses. Scotland's population is forecast to fall a further 132,000 by the end of the century and consumer spending per head is projected to remain a consistent 6·6 per cent. below the United Kingdom average."

Every other statistic supports those projections. Regional industrial assistance, worth £242 million three years ago to Scotland, is worth only £15 million this year, and will be worth only £100 million in the next two years. Scotland has gained only 2 per cent. of the jobs created in Britain between 1983 and 1988. Earnings in Scotland have fallen behind. In 1978, a Scottish male earner was earning £7·30 a week less than his counterpart in the south-east. In 1989, he was earning £49·70 a week less. The rate of investment in 1986 in Scotland was £641 million less than it was in 1979. That is a fall of 17·8 per cent., compared to a United Kingdom fall of 3·1 per cent. Rarely have I heard a more damning statistical indictment of the Chancellor's performance.

In the midst of all this, what have we heard from the Secretary of State for Scotland? Not for him the fighting of his country's corner that his counterpart in Wales has put up, and that shows in the statistics. The census of employment from 1984 to 1987, on which all Government statistics are based, the crucial barometer, showed that every area of the country had an increase of people in employment. Among the highest was Wales, with more than 4·3 per cent., and even Ireland had an increase of 1·4 per cent. The only part of the country that saw a fall in the number of people in employment was Scotland, where there was a fall of 1·2 per cent.

Admittedly, the Secretary of State for Wales does not have the burden of a Conservative party chairman who wants to do to the Welsh Conservatives what has been done to the Scottish Conservatives. I have sympathy for the Secretary of State for Scotland. It is not easy to speak both for the nation and for the hon. Member for Stirling (Mr. Forsyth) any more than it is easy for the Chancellor to speak for the Government and the Prime Minister's adviser. However, a choice has to be made. After 10 years of the Government's policies and economic miracles, we have a balance of trade crisis, a crisis of inflation, a crisis of confidence and a crisis of credit. If the confidence cannot be restored, the Chancellor should go.

7.31 pm

Mr. John Biffen (Shropshire, North): The Opposition motion is drawn widely. It deals with the economy and the issues that they believe should be part of the developing political conflict over the coming year or so. I shall not say much about that because, within the time constraints, it is important to deal more exhaustively with a more narrow topic.

The policy of my right hon. Friend the Chancellor, through high interest rates, is showing signs of success. No doubt it will have its difficulties and carry its unpopularities, but that it can succeed I have no doubt. As the debate has proceeded, it has become plain that the exchange rate mechanism is a handy diversion for those who want to concentrate on other aspects of the broader areas of conflict. Those on both of the Front Benches and the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) are united in an impressive trilogy of commending early or measured membership. As a devotee of free exchange rates, I do not share that view, but to take part in the spirit of things, I thought that I would discuss some of the conditions that it is suggested should be attached to our prospective membership.

One can hardly find a business man who, dealing with the European Community, does not complain of the advantages of one sort or another that his competitors have in their operations. Therefore, the search for level playing fields, as is the expression, so that we operate within the exchange rate mechanism on terms of equity and equality with our partners is not only widely desired outside this place but should commend itself immensely to hon. Members.

It is clearly explicit in the Government's view that there should be the free movement of capital within the Community, and a chance to see how that operates, and that our inflation rate should come down to approximately those of Community partners. That is a fair start to the level playing field approach, and I doubt whether the right hon. and learned Member for Monklands, East (Mr. Smith) would much dissent from that. The Government's position is reasonably clear, although I suspect still

tentative. There is nothing wrong about that, and continuing debate in these matters is healthy. There is a certain amount of vigorous newspaper speculation and we can live with that.

However, the right hon. and learned Member for Monklands, East had a chance to make more clear the approach of the Labour party to the level playing fields so that we can be in a fit state to take on this new challenge and responsibility. His speech saw a delightful occasion that will be etched in our memories of the dying days of this Session—the fraternal relationship that he struck up with my right hon. Friend the Member for Henley (Mr. Heseltine). I got a little worried that my right hon. Friend would be asked to address a fringe meeting at the Labour party conference next year, which would have all the frenzy and evangelical excitement that was generated within the Conservative party, because there was such a clear rapport. They agreed on going in at a lower exchange rate and on a great deal of industrial planning as the means of preparing the country for the enterprise. It was clear after a while that there has been a vacuum in the policies of those on the Opposition Front Bench. The team there is stuffed with right hon. and hon. Members of the utmost quality, but of ideas and policies there was a certain absence. After tonight, we know that they follow the Henley school of Socialism.

One central factor in this is that we have a trade deficit. My right hon. Friend the Chancellor argues that one should not get too emotional about these matters. A different view is taken by the Labour party and my right hon. Friend the Member for Henley, who are anxious about the sums of the trade deficit and presumably the compensating capital inflow. Therefore, I suspect that they believe that the present exchange rate, which is a factor in that, is not an acceptable exchange rate in which to secure membership of the exchange rate mechanism. I believe that a great many people take that view. To join a kind of exchange rate link dominated by the Germans when we have a record trade deficit, 40 per cent. of which is accounted for in trade with that country, is a rather heroic undertaking. Once fixed, the whole of domestic policy will be aimed at the struggle to compel and to cajole British industry to perform within the new disciplines.

If an exchange rate view is taken as part of the exchange rate mechanism, that is an essential piece of levelling to provide the appropriate groundwork for our membership of the mechanism, but it should not be a rush job. It cannot be secured on the early terms suggested by the Select Committee and endorsed by the Liberal party—it gets worse as one reads through this litany of enthusiasts.

We have to ask ourselves to what end this enterprise will be undertaken. As a nation of tradesmen, shopkeepers, yuppies and entrepreneurs, we often think that life is all about economics. I do not believe that stage 1 of the exchange rate mechanism, leading to economic and monetary union as elaborated in the Delors plan, is just an economic enterprise. It has political objectives to create a much more centralised western European Community than I think is appropriate for the Europe of tomorrow, which has to be related to the great changes taking place in the Warsaw pact countries and the Soviet Union, which will require a much more flexible response on our part. By all means look at the economic implications of the level playing fields, but never be so concerned to go around with the digger that one fails to set one's eyes on the far further, more fundamental and more challenging political objective of trying to create for the next generation a much happier set of European institutions than we have now.

7.40 pm

Mr. Alex Salmond (Banff and Buchan): I shall argue, in terms of the amendment that my hon. Friends and I have tabled, that neither a policy of penal interest rates nor the rather old-fashioned deflationary credit squeeze proposed by the Labour party is appropriate to the Scottish economy. As we note in our amendment, the argument applies also, for example, to the north of England, Northern Ireland and Wales. Within the monetary union of the United Kingdom we have, as the deputy Prime Minister reminded us last week, one monetary policy for the entire country—regardless of whether that is appropriate for all the constituent parts of the United Kingdom. Sky-high interest rates are clearly misplaced in a Scottish context.

The most that can be said about the state of the Scottish economy at the end of last year is that it was undergoing a painfully slow recovery from the oil price recession of 1986—a recovery which has been aborted by a succession of interest rate rises. The industrial production figures for the first quarter show a further sharp fall of over 2 per cent. following the 1·3 per cent. fall in the final quarter of 1988. Two surveys, prepared by the CBI in Scotland and the Fraser Institute, confirm that recession has arrived in the Scottish economy. No one—not even the absent Minister of State, Scottish Office, with his tremendous experience of advancing hopeless arguments in a deadpan manner—could argue that the Scottish economy is overheating. Everyone accepts—including the Minister of State, who did so in a Radio Scotland interview on 18 July—that the objective of high interest rates is

"to cool the over-heating in the South East."

I think that we can safely assume that the Minister was not talking about the south-east of Scotland.

It is uncomfortable to endure a high interest rate policy when an economy is overheated, but having to endure it with an economy that has barely come out of the fridge adds significant insult to substantial injury. That was commented upon by the hon. Member for Motherwell, North (Dr. Reid). The hon. Gentleman should bear in mind, however, that to be told by the Labour party that the alternative is to implement a credit squeeze is advice which defies explanation, except in the sense that the right hon. and learned Member for Monklands, East (Mr. Smith) is displaying all the excessive zeal of a convert to monetary rectitude.

The Scottish economy requires neither high Tory interest rates nor Labour's credit squeeze. The damage caused by high interest rates is severe. Interest rates in Scotland are at least 5 per cent. higher than the rate which could be justified by domestic economic conditions. The cost is substantial to home owners, council tenants and Scottish industry in terms of additional borrowing costs amounting to about £200 million per year. The cost to Scottish farmers is about £50 million and for the hard-pressed Scottish fishing industry it is about £7·5 million. The Government owe a substantial explanation to all those individuals, industrialists and farmers.

I was interested when the Chancellor of the Exchequer said that high interest rates were not of major economic significance. That will come as interesting news to those being forced out of business by the policy of high interest

[Mr. Alex Salmond]

rates. The Government must explain what possible contribution will be made to the defeat of inflation, which is generated in the south-east of England, or to overcoming the United Kingdom balance of payments difficulty by wrecking the finances of, for example, the fishing industry in the north-east of Scotland. What contribution will be made to the defeat of inflation by implementing such a policy in an area of the United Kingdom which manifestly does not need it?

Much has been said about the exchange rate mechanism. I think that on balance the United Kingdom should join it, but I wish to add one word of caution. Sterling is a major international investment currency. It is highly visible and highly volatile. The United Kingdom's domestic economy is chronically weak and poorly balanced. Sterling's entry into the exchange rate mechanism will turn a system which is currently deutschmark dominated into one with a dual polarity. There is at least as much chance of sterling destabilising the exchange rate mechanism as of the ERM stabilising the price of sterling. The ERM offers no panacea for the United Kingdom's economic problems.

Since the war, successive Administrations have applied a variety of solutions to the endemic balance of payments problems. Withdrawal east of Suez, dashes for growth, freezes, squeezes, stop-go, indicative planning, the floating of the pound, entry into the EC, social contracts and compacts, monetarism with M3, monetarism without M3, Lawsonism and shadowing the deutschmark—all these policies have been tried and all, without exception, have failed. I was interested to hear some hon. Members express concern about the Bundesbank taking control of United Kingdom economic policy. In defence of the ERM, I should have thought that in view of the litany of failure that I have described the Bundesbank could scarcely do a worse job than the United Kingdom Treasury or the Bank of England.

There may be some in the EC who realise that sterling's entry into the ERM will create substantial difficulties. There is no stable staging post between the present position and full monetary union. If it comes to that, the House had better bear in mind the Scottish experience of full monetary union within the United Kingdom. The Chancellor of the Exchequer has said that the Tory party has never been one of devaluation, although sterling has depreciated by 10 per cent. during this year alone. The right hon. Gentleman should ponder that the alternative within monetary union could be the Tory party becoming the party of emigration as capital and people flow to the high activity areas of the EC.

The position could be ameliorated by resource transfers and an active regional policy, but the Government have entirely undermined regional policy and the Chancellor of the Exchequer has set his face against it in a European context. In any event, Scotland's experience within the monetary union of the United Kingdom is that resource transfers almost always operate in the opposite direction —from the periphery to the centre. How else can we explain why, with 30 per cent. of the population, the south of England obtains 50 per cent. of tax relief—a subsidy of more than £1 billion in one area and a sum greater than the regional aid budget for the entire United Kingdom?

The Chancellor of the Exchequer should know that there is an alternative to his policy of prescribing the wrong medicine for a disease from which the Scottish economy is not suffering. A Scottish pound within the European monetary system would allow for a monetary policy suitable for Scottish domestic requirements against a framework of European currency stability. In this context, I was struck by a remark made by Professor Tony Thirlwall of the department of applied economics at the university of Kent, which was reported in the *Glasgow Herald* last month. Professor Thirlwall stated:

"I have always thought that if I was Scottish and lived in Scotland I would be a Scottish nationalist. Sovereignty is an appealing and attractive prospect for a people rich in history, culture and resources, both human and material. There are also reasons for believing that Scotland might be better off if it was able to pursue an independent economic policy in the fields of taxation, public spending and trade relations with other countries."

Professor Thirlwall is right. He has advanced an argument which grows in strength daily as the Government's economic policies are misapplied in Scotland.

7.48 pm

Sir Peter Hordern (Horsham): We have learnt from the Opposition this afternoon that a central part of their policy is to devalue the pound against other currencies. I would think that they would seek to devalue it substantially given the large increase in public expenditure that they plan. I do not know what they believe that that will do to inward investment. It would certainly have a major effect on investment as well as providing a substantial spur to outward investment. Consequently, such a policy could only be followed by the usual run on the pound, which would have to be met by extremely high interest rates, the very thing which the Opposition seek to avoid.

My right hon. Friend the Prime Minister clearly put it on record in Madrid that the United Kingdom should join the exchange rate mechanism when we have inflation under control and when capital controls in other European countries have been lifted. My right hon. Friend's adviser, Professor Sir Alan Walters, differs. He says:

"My advice would be to retain the system of flexible exchange rates and to stay out of the present arrangements of the ERM."

The article from which I am quoting states:

"So far, Mrs. Thatcher has concurred."

Professor Walters's advice does not accord with what my right hon. Friend the Prime Minister said in Madrid, but I have not referred to all that the professor said. He added:

"Of course, I would not be opposed, at least not on economic grounds, to the development of a proper European currency administered by a European central bank preceded by absolutely fixed exchange rates."

That is so far from the position of my right hon. Friend the Prime Minister, let alone that of my right hon. Friend the Chancellor of the Exchequer, that I can assume only that the professor is playing the part of a licensed jester within 10 Downing street. That is not an unknown position. The president of the Horsham Conservative Association was once Lord Egremont, and it was a role which he played extremely well. However, Lord Egremont always played the role in private. He did not jest outside, as the professor is now doing. Whatever policy the professor is espousing, one thing is certain, and that is that he relies absolutely on interest rates. He does not appear to rely on anything else.

I prefer the economic policy of Sir Alec Douglas-Home to that of the professor. At least with Sir Alec one could see the matchsticks and count them. But while the professor is busy digging among the entrails of MO and M4, it is uncertain, and hard to tell, what will happen. He could send up the storm cones in the Channel when things are going badly, and when things are going well light beacons on the downs and set the church bells ringing. But it is hard for the outside observer to guess exactly what the professor's policy is if he spends all his time delving among the entrails.

I regret the professor's entry into the public arena. If he is to hold his position as an official adviser, he should remain silent in the best possible tradition. I think that he sees himself as some kind of Rasputin figure, but it is high time that he was disabused of that view.

However, the question that the professor raises is one that we all have to answer. Although almost everybody agrees that interest rates play some part—I believe a vital part—in dealing with the economy, are interest rates alone sufficient? What about, as the Opposition suggested today, deposits with a central bank or hire purchase controls? Those arguments were effectively dealt with by my right hon. Friend the Chancellor and others by pointing out that that could apply only to British banks, so what about foreign banks?

There is one other matter that I should have thought that my right hon. and hon. Friends would have held dear, and that is that there is something disturbing about referring to credit rationing by decree rather than to credit rationing by price. That surely brings us back to interest rates.

However, interest rates in themselves are not sufficient. The exchange rate is an additional and necessary weapon. We should align ourselves to the deutschmark and the ERM, and that is the Government's policy. In the best of all possible worlds we would have an independent central bank. In the old days we were tied to the gold standard, and that was regarded as the height of British sovereignty. In those days we depended entirely on South African, Russian and American gold, so we could hardly be called independent. That was not independence at all.

What are those who oppose our joining the ERM talking about when they talk about sovereignty? They mean the right to let sterling go where it will. That is not policy; it is an abnegation of policy. It is to allow companies to pay their people as they will. It is for the Government to accommodate any wage increase, no matter how large, including directors' salaries, just as they come. It is the sovereignty to let things slide. It is called "keeping our options open", but it means a one-way track leading downwards towards certain inflation.

We should have joined the ERM 18 months ago and at the same time given clear warning that we would align sterling to the deutschmark and that high wage increases unrelated to productivity would end in disaster because the Government would not bail them out. That was an opportunity that we missed at the time. It is necessary now to explain that the pound will be aligned to the deutschmark and to join the ERM.

It is necessary to set a standard. We do not need to go any further than to join the ERM. I am against a common currency, a European central bank and all that sort of nonsense. But joining the ERM is not painless, nor is it an alternative, but it is a necessary additional weapon—a standard for all to see.

We are committed to reducing inflation. Only one person is directly responsible for the economy and that is my right hon. Friend the Chancellor. He should be given every possible support, and he deserves it. We cannot have the professor with an official position apparently second-guessing, and we cannot be ambivalent about tackling inflation. We should be allowed to wave goodbye to the professor and to let him go on writing his memoirs.

I have one final word about the serious statement at Madrid. That was regarded as a commitment which we cannot, with honour, go back upon. It was a commitment and a contract. We sometimes seem in relation to Europe to spend all our time counting the pennies and examining the small print. That is a lawyer's view. I have no doubt that that is all very necessary, but it is not in itself sufficient. Western Europe is changing fast, just as eastern Europe is changing, and we must be part of it. Western Europe is in flux, but it is moving and we should join it in order to keep the balance of power in our interests. Otherwise the train will leave the station while we are still counting our change.

7.55 pm

Mr. Thomas McAvoy (Glasgow, Rutherglen): I am sorry that the right hon. Members for Chingford (Mr. Tebbit) and for Worthing (Mr. Higgins), who attacked the members of the Amalgamated Engineering Union, are not here to listen to what I have to say. AEU members have taken action with the genuine intention of reducing their working week. It is the height of hypocrisy for the right hon. Member for Chingford, with the number of jobs that he has, to attack people who are trying to reduce their hours. The more the right hon. Gentleman reduces the hours that he works in the House, the more jobs he takes on outside. The same applies to the right hon. Member for Worthing. I should like to hear how many jobs he has outside the House.

While I waited to speak, I could not help recalling the atmosphere in the House when the Chancellor presented his Budget in 1988. I recall how the Chancellor was the hero of his Back Benchers as they cheered every concession made for the better-off in our society—among whom, of course, they count themselves. The Chancellor must regret his overuse of the word "prudent" that day because, as he was warned by the Labour Front Bench spokesman, he was sowing the seeds of the recession that the British economy is now facing. In addition, he also had the accolade—if that is the right word—of being described by the Prime Minister as "Brilliant, brilliant, brilliant." Later, she stabbed him in the back, undermining his strategy by using the phrase, "You can't buck the market."

Because of disagreements, the Prime Minister would now like to make her brilliant Chancellor semi-detached, or even consider him as a future Leader of the House. After all, that is the position in which she placed the latest Cabinet Minister who had the guts to disagree with her—replacing him with a toy poodle who, in his first major role as Foreign Secretary, has been publicly humiliated by his Prime Minister.

The Government and the Chancellor claim that there has been an economic miracle, but let us look at the record. September's balance of payments deficit of £1·6 billion completes the most disastrous quarter in our history. The deficit for the first nine months of 1989 is the worst ever, at more than £15 billion, and suggests that we are heading

[Mr. Thomas McAvoy]

for an annual rate of more than £20 billion. The Chancellor's forecast of a massive £14 billion deficit has already been exceeded. Industry and employment have been mentioned. The level of imports, in both value and volume terms, is at a record high. Britain's performance in manufacturing continues to deteriorate, with September seeing the highest level of manufactured imports ever at more than £8,000 million.

I take no joy or satisfaction from those figures. It would be irresponsible and counterproductive for anyone to gloat over the position in which Britain finds itself. It is the British people who are suffering from the present situation, and Labour Members are conscious of that. Conservative Members will try to say that any criticism of the Government is tantamount to treason and that in the interests of the country we should remain quiet. That attitude can only be described as the last refuge of those trying to avoid the consequences of their own actions. It is precisely because we have the interests of the people at heart that we are exposing the folly of the Government's policies and calling for a change of direction.

The behaviour of the Chancellor and the Prime Minister in relation to the public conduct of the dispute between them has been nothing less than grossly irresponsible. They have indulged their baser instincts, not caring about the damage being done to the perceptions of a united front in running the economy. It cannot be credible for the Prime Minister's personal economic adviser to be making public pronouncements undermining the Chancellor of the Exchequer, especially when the adviser claims the endorsement of the Prime Minister. The Chancellor and the Prime Minister should cease their war of the ego trip and act in the interests of the country.

We all believe that the Chancellor is ready to go and that he is staying on only so as not to damage the economic credibility, as he sees it, of his Government. It is getting to the stage, however, when any damage to the Government's policies—eventually the country suffers or benefits from those policies—involved in his going will be as nothing compared with the damage done by the Prime Minister's economic adviser, especially when she seems to be using that adviser in a war of attrition against her own Chancellor.

The Chancellor should be made aware of the effect that his policies are having on people in Scotland, for example. In June to July 1989, unemployment rose by 1·8 per cent. in Scotland and by 1·5 per cent. in the United Kindom. In Strathclyde region—the central belt—it rose by 2·8 per cent. If one takes into account the Government's special measures to fiddle the unemployment figures, the unemployment rate in Strathclyde region would be 21·9 per cent. Strathclyde has published its own study of economic trends, taking employment into account. The Opposition have complained that no mention has been made of employment. Since 1979, manufacturing employment in Strathclyde—I continue to stress manufacturing employment because manufacturing is the wealth creator—is estimated to have fallen by 152,000 jobs, or more than 46 per cent. That is the economic miracle from which Scotland is supposed to have benefited since 1979.

In my own constituency, we have just had the latest instance of the damage caused by the Chancellor's one-club policy. At the Hoover factory in Cambuslang there have been more than 200 redundancies, which are directly due to the high interest rates policy. High rates have always damaged the domestic appliance industry. I can vouch for that as I worked at the Hoover factory in Cambuslang for 13 years and I experienced several periods when redundancies followed immediately from the jacking up of interest rates. I may have reservations about how Hoover is responding, but there is no doubt that the company is having to deal with a difficult economic situation which has been caused by the Government.

I shall quote one part of the statement from the Hoover management announcing redundancies. It said:

"The market place situation in the United Kingdom has continued to worsen significantly on an over-all basis."

Hoover is an important manufacturing company uttering what can only be described as a cry of despair about the state of the market place in the United Kingdom—the very market place which is the object of adulation by Conservative Members. In the judgment of that market place, the economy of the United Kingdom has continued to worsen. The statement also says that Hoover

"cannot predict the economic climate in which we will operate and obviously this has a very major effect on some of the assumptions and proposals that have been made."

What a position for a major manufacturing company to find itself in!

Mr. Morgan: Hoover is a major exporter.

Mr. McAvoy: Is that the best way ahead? Is that the best way to plan investment and to provide employment? Is that the best way to encourage British industry to respond to the challenge of imports, which are not always subjected to the same scrutiny and checks to which our exports are subjected? To depress our own manufacturing industry simply creates easier trading conditions for our competitors. The balance of trade figures have proved that yet again.

The report from the Confederation of British Industry says clearly that 19 per cent. of firms reported that the cost of finance was likely to limit their authorisation of capital expenditure over the next 12 months, and that figure was up from only 5 per cent. in April 1988.

I did not receive it in an envelope, but I happen to have a copy of the Tory brief for today's debate. It says:

"For the most part companies are in a far stronger financial position today than they were in the early 1980s. The resurgence of company profits has enabled firms to fund more investment".

Let us look at the contrast between what we read in Tory propaganda and the reality that one sees in the statement by the management of Hoover, a major manufacturing industry in the United Kingdom and, as my hon. Friend the Member for Cardiff, West (Mr. Morgan) said, also a major exporter. The reality is wholly different from the propaganda in the Tory brief. It is significant that I am the first contributor to today's debate to have quoted from that brief—Conservative Members did not even trust or quote their own figures.

I could continue, but having waited so long to speak, I am aware that other hon. Members are waiting, so I will finish now.

8.4 pm

Mr. Julian Amery (Brighton, Pavilion): In the short time allowed, I want to return for a moment to a point that I made in the Budget debate earlier this year. I suggested that it was time that the Government considered restoring

to the Bank of England some of the old independence it had until 1948. I thought that that was a rather radical proposal for an elderly Privy Councillor to make, but nobody paid it the slightest attention. Perhaps, like tonight, other hon. Members were in the Smoking Room or elsewhere and the Press Gallery was empty.

Since that debate, many rather eminent people, who are far more qualified than myself, have taken up the idea, not the least of whom is my right hon. Friend the Member for Guildford (Mr. Howell) who has written a powerful letter to *The Times*.

The case for separating the Bank from the Treasury is fairly simple. It rests on the belief that fiscal policy is essentially political, whereas monetary policy should be essentially professional. Fiscal policy is obviously political. It is concerned with taxing and borrowing and with which interests in our society we want to encourage at any time and which we want to restrain, whether in the private or the public sectors. All such matters are essentially political and that is the bread and butter of our normal debates in the House. That must be the responsibility of the Chancellor of the Exchequer of the day and of the Government.

It could be argued—as I would argue—that when the fight against inflation has top priority, monetary policy should be professional and should be run to some extent independently, as it is in the United States and in West Germany, which has the Bundesbank. Of course, it should not be completely independent. Under the old system, the Governor of the Bank of England was appointed by the Government, like the Archbishop of Canterbury or the Lord Chief Justice, but once appointed he was very much his own man.

The question I asked in the Budget debate and which I ask with a little more insistence now is whether we should not again consider the desirability of moving towards that. Of course, one cannot do that at once. The Treasury and the Bank have become so mixed up that one cannot get matters back overnight to where they were. But should we begin to think about that? Should it be an item in our next manifesto? I do not know.

Certain advantages would follow from such a change. I do not for a moment doubt the sincerity of my right hon. Friends the Prime Minister and the Chancellor of the Exchequer in saying that the fight against inflation is their first priority, but the markets are suspicious of Britain. The British public do not have the same fear of inflation as the Germans have or as the public have in some other countries that have endured appalling inflation. Those markets are suspicious, but the change that I propose would be a signal to them of our determination to fight inflation and would show them that control of the currency was not wholly in the hands of the Government, but in the hands of a more or less independent Governor of the Bank. Such a development would also protect the Chancellor and the Government, whose position is rather vulnerable today. I am talking about such a reform taking place in the future, but let us look at the position today.

If I have read the Mansion house and Blackpool speeches aright, my right hon. Friend the Chancellor is saying that he has two weapons against inflation—the interest rate, which he says must be kept high, and maintenance of a high exchange rate. In effect, my right hon. Friend says, "We will not countenance devaluation." These are a couple of rather difficult horses to ride. If there were an attack on sterling, because of poor figures or some other unaccountable development, he would have no option left but to increase the exchange rate. This is a speculator's paradise. I wonder whether it might be more helpful for him to restore authority to the Bank of England and so keep the markets guessing which way we are going—to an increase in interest rates, or to a smaller devaluation? I have never been convinced that it might not have been wiser to let sterling fall a point or two rather than increase interest rates from 14 to 15 per cent. However, that is neither here nor there. It does not affect my argument.

There is another consideration. As we move towards a convergence of European currencies—we will—I wonder whether we would make more successful practical progress if the Bank of England enjoyed the same autonomy as the Bundesbank in Germany and whether between them they might reach agreement more easily than our Government do with a German Government who do not entirely control the Bundesbank. There is much that they could do in common. The deutschmark is the strongest currency, but the City of London is the biggest place after New York and Tokyo—in some respects it is bigger—where transactions are made. We also have extraordinary experience. Unlike any other country, Britain created a reserve currency of its own, the sterling area. We had a single reserve currency, sterling, and a single reserve bank, the Bank of England, but all the other independent members of the sterling area had their own currency and central bank and there was no attempt to dictate to them what their budgets should be.

There may be lessons to be learnt here in approaching the second stage of the Delors programme. I am convinced that we must join the EMS. I would like our inflation rate to come down first and exchange controls to be lifted by our potential partners. My good friend, Sir Alan Walters, has said that it is a half-baked scheme. He may be right, but if it is, let us get in and do some more of the baking ourselves.

8.12 pm

Mr. Denzil Davies (Llanelli): There were not many memorable phrases in the Chancellor's speech, but I noted one. Alluding to the vast sums of what used to be called "hot money", which are now deposited in London—they need interest rates of 15 per cent. to keep them there—he described it as drawing on the savings of the world. The habitués of the bankruptcy courts have been given another argument—"I was merely drawing on the savings of the world, my Lord"—when they are faced with having borrowed so much money.

Indeed, the Chancellor needs to draw on the savings of the world. Today we were told—the statement was greeted with relief—that the balance of payments deficit this month was merely £1·6 billion, or an annual rate of almost £20 billion. Imports account for a quarter of all domestic spending, including spending on services, which in the main are not and cannot be imported. Inflation is almost 8 per cent. The bank base rate is 15 per cent. This is despite the Chancellor's cry that he is not a devaluer. In his Blackpool speech—my hon. Friend the Member for Glasgow, Rutherglen (Mr. McAvoy) referred to the splendid background briefing from Conservative central office—the Chancellor said that there was

"salvation in the rakes progress"—

a good phrase—

"of perpetual devaluation".

[Mr. Denzil Davies]

The Chancellor did not say "devaluation"; he said "perpetual devaluation". This is not the time to indulge in textual analysis, but I wonder what he means. Does he believe in a stepped devaluation into the EMS? We have had perpetual devaluation over the past year because the pound has depreciated in value by at least 10 per cent. against most other currencies. Unemployment will soon start to rise again as the recession begins to bite. Inflation will come down and unemployment will go up. Unfortunately, that is the structural problem that we have with the British economy. Yes, inflation can be reduced, but at the cost of closing firms and of rising unemployment.

The Government have no excuse. They can blame only themselves. They must do so because of a couple of horrendous economic misjudgments and the rapid deindustrialisation of Britain over the past 10 years. The economic error started in 1981 when monetary policy was tightened far more than was needed. As my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) said, it has been estimated that about 20 per cent. of our industrial manufacturing capacity was destroyed at that time, never to be replaced.

In addition, when the Chancellor took office, he suddenly realised that perhaps the tools of monetary control in his hands were not as perfect as he had thought or as he had been led to believe, so he lurched in the opposite direction. He changed his monetary targets and abandoned some. In fact, he loosened monetary targets. On top of that, the election came along and it was necessary to bribe the electors with tax cuts, and substantial tax cuts were put in place. This caused a pent-up demand in the economy, with the result that British industry could not meet demand and imports flowed in.

If the British economy and our industrial base had been as strong as that of the Germans or the Japanese, we might have been able to withstand even the Government's economic mismanagement. Unfortunately, we know that that did not happen. Over the past 10 years, we have witnessed the deindustrialisation of Britain. The Conservative party, in government or in opposition, has never had any real interest in Britain's manufacturing industry and its industrial base. Those of us—there are a few left—who between 1974 and 1979 sat on the Government Benches during economic debates listening to the then Opposition spokesmen speaking on economic matters could not help but realise their contempt for any attempt to rebuild, rejuvenate and help our industry. Any measures put forward were greeted with contempt and derision by them.

At that time, the present Chancellor, Leader of the House, Secretary of State for Trade and Industry, the Prime Minister and others were interested merely in a service economy, a financial economy, a rentier Britain living off foreign income and foreign investments, a tax-saving Britain. In a memorable speech, the present Leader of the House called for a low-tax Britain to bring back all the pop stars who had had to go to California because the British tax base was so high. That was an Opposition who were not interested in industry and who came into government with no industrial strategy. The attitude of the Conservative party to industry was completely different from that of even the Right-wing political parties of western Europe.

We had something called "supply-side economics". It is included in the Government's amendment. The Chancellor did not mention it. I do not think that one Conservative Member mentioned it. That phrase merely meant tax cuts for the rich. With a fistful of money, apparently the Government were going to invest, create wealth and rejuvenate our industry. That has not happened. I believe that the phrase was not even invented by the Tory party. It was invented by a rather loopy Right-wing American Congress man. Supply-side economics has not done the United States any good. Over the past 10 years of supply-side economics the United States of America has been transformed—if that is the right word—from one of the largest creditor nations in the world to the largest debtor nation. So much for Reaganite and supply-side economics in the United States.

What has happened in Britain with supply-side economics? We have heard the figures for manufacturing industry. However, over the past 10 years there has been only a 12 per cent. increase in manufacturing industry output and that is little more than 1 per cent. a year increase. Manufacturing industry's share of gross fixed capital formation has fallen under supply-side economics from 18 per cent. in 1979—and that figure was far too low—to 13 per cent. last year. The share of manufacturing in the United Kingdom's gross domestic product is lower than in any other major country in the Western world.

I accept that there have been some increases in productivity, but most of the fruits of those increases have gone to consumption instead of to investment. We must have lower interest rates to assist industry. I believe that we must join the European monetary system, but I do not believe that that is a panacea. However, it is necessary to have some kind of monetary discipline. The Chancellor would agree with me and he would have liked to have joined the EMS a year or 18 months ago to provide the kind of discipline which his monetary targets have failed to provide. We need a better balance between monetary policy and fiscal policy. If that means raising income tax, so be it. There must be a better balance between the two arms of Government economic policy.

Many of us have sat through debates on the economy and listened to discussion of monetary and fiscal engineering. We always debate macroeconomic matters. However, all the monetary and fiscal engineering in the world will not retard the dangers of the de-industrialisation of Britain which has been happening for the past 10 years. The Government do not have the will to stop that. They do not have the tools and they do not want to acquire the tools. It will be left to the next Labour Government to stop that de-industrialisation and to try to rebuild our industry. That will be a major task.

8.22 pm

Mr. James Arbuthnot (Wanstead and Woodford): It is always a pleasure to listen to the right hon. and learned Member for Monklands, East (Mr. Smith). In the past few days, I seem to have seen little else but the right hon. and learned Gentleman or one of his colleagues telling us how frightfully badly we are all doing. I had always thought that being a Scot meant being reasonably short on words but long on actions. Having listened to the right hon. and

learned Gentleman as closely as possible today, I must say that his speech was the exception that proves the rule. It reminded me of the froth at the end of a strawberry milkshake—full of air, of little substance, rather sweet and sickly and unremittingly pink.

Mr. Graham Allen (Nottingham, North): Such imagination!

Mr. Arbuthnot: How very kind!

The right hon. and learned Member for Monklands, East and his right hon. Friend the Leader of the Opposition have no policies to deal with the problems facing the world. Both are turning gently on their kebab sticks, trying to remember the answers of the 1950s to the problems of the 1950s. They have no idea that the world has moved on, but they have suggested three solutions.

First, the Opposition believe that the problems could be solved by the return of a Labour Government, with their history of successful management of the economy and a relationship with the International Monetary Fund which became so close as to border on the indecent. Secondly, they suggest a return to virtually fixed exchange rates through the exchange rate mechanism. As many hon. Members have already pointed out today, the problem with that is that our European competitors have yet to abandon exchange controls. Thirdly, the right hon. and learned Member for Monklands, East seems to have suggested the return of credit controls. I was not sure whether he was actually backing gently away from credit controls, but in the absence of any other sensible solution one must assume that a leopard does not change its spots and that what the Labour party said two weeks ago remains its policy today.

The true voice of the Opposition has been revealed in all its glory. When they do not like something, they decide to ban it. If they do not like it, they want to make it illegal. If someone wants to borrow money, even with the present high interest rates, the Opposition will put a stop to it. Socialism throughout the world is in retreat. The only people left who agree with the Opposition seem to be Herr Honecker and Fidel Castro—and one of those two has resigned. The Opposition have no policies apart from the ephemera of credit controls, which they know could not work without the reintroduction of exchange controls.

Let us consider the experience of our competitors in Europe. My right hon. Friend the Chancellor of the Exchequer quoted from the Organisation for Economic Co-operation and Development economic survey of the United Kingdom. I shall quote from the OECD survey of France:

"As in many other OECD countries, the instruments and mechanisms of monetary policy in France have changed considerably as a result of the spate of financial innovations and the reform of financial markets. The complete removal of credit controls in January 1987 helped to make adjustment in the Banque de France's official intervention rates on the interbank market the main instrument of monetary policy."

Germany does not use direct controls on credit. Spain has controls on bank ratios, but they have not been a success and Spanish interest rates are virtually the same as ours. Italy has credit controls, but it also has an uncompetitive banking system. The Italian controls on credit barely work. The more competitive the banking system, the less effective exchange controls will be. Italy has tried the persuasion method of credit controls, which the right hon. and learned Member for Monklands, East sought to wish on us today, but the Italians had virtually no success with that. Even the banks in Italy ignored it. To suggest that foreign banks would take any notice of such suggestions from the Italian Government is bordering on the laughable.

Credit controls do not work unless there are exchange controls. Would the Opposition renounce the possible reintroduction of exchange controls? If they refused to do that—and we are approaching a time when a Labour Government might conceivably be elected—there might be a run on the pound of a kind never seen before except the run on the mark in the Weimar republic. We might end up going to the shops with a wheelbarrow full of money, only to find that the wheelbarrow is worth more than the money it contains. If the right hon. and learned Member for Monklands, East is now prepared to renounce the reintroduction of exchange controls, however, I have a slightly different vision from that of the wheelbarrow—the vision of a Labour Chancellor as a butterfly collector busily chasing the butterfly of credit with a small butterfly net of credit control. As he wanders around falling desperately over his own feet, he will want to use the blunderbuss of exchange controls, although he promised his mother he would not use it. I fear that if a Labour Government were returned to power we should see a return of exchange controls and the economic disaster that that would entail.

8.29 pm

Mr. Pat Wall (Bradford, North): One of the Chancellor's most endearing characteristics is his lack of any overweening modesty. He best expressed his view of his achievements at the 1988 Conservative conference, when he said:

"The people understandably feel more confidence about their future than they have for decades.

Everywhere a new spirit is alive—a new confidence, with factories humming, new businesses starting up, busy cranes dotting the skyline."

He received the typical spontaneous standing ovation at the Conservative party conference led by the Prime Minister, but, possibly even at that time, he was not supported by Sir Alan Walters. He added:

"The growth of the British economy will go on and on."

Last year the Chancellor probably wrote his speech on the back of half a dozen seaside postcards in his hotel suite. This year, there was the unedifying spectacle of his scuttling back to his constituency to rewrite his speech, which contained less imagery and self-congratulation. No doubt he again received a standing ovation, but he certainly would not have had the support of Sir Alan Walters.

It is interesting to look at the economic figures over the period of the right hon. Gentleman's Chancellorship and of the Government's time in office. The right hon. Gentleman said that British factories were humming. In the recession of 1979-82, manufacturing production in Britain fell by 32 per cent. As several of my hon. Friends have pointed out, at least 20 per cent. of industry was laid waste. Only in 1987 did manufacturing output regain its 1979 level. In that period, manufacturing output rose by 38 per cent. in Japan, 25 per cent. in America, 16 per cent. in Italy, and 12 per cent. in West Germany. From 1979 to 1988, economic growth in Britain was only 2·1 per cent. a year, which was the slowest in any nine-year period since the end of the second world war, to end wars.

The key to that crisis and the situation that we now face is a lack of investment. At 1985 prices, in 1979, investment

[Mr. Pat Wall]

was £10·14 billion a year. In 1982 it was down to £6·35 billion, and in 1988 it rose to only £10·01 billion, scarcely recovering the 1979 position—not much higher than in 1973 and, in real terms, little different from the position in 1950.

Although manufacturing investment has stagnated over the Tory decade, financial and business investment has doubled. At the same time, we have had a 50 per cent. reduction in infrastructure. The Chancellor spoke about the cranes that dotted the skyline. However, those cranes were not building new factories, schools or hospitals; they were building hotels, leisure centres and speculative offices.

In her Conservative party conference speech this year, the Prime Minister poured scorn on the previous Labour Government going cap-in-hand to the IMF like a Third world country, but, with the horrifying decay of our hospitals, sewers, water, and rail and tube transport, we are approaching Third world levels. Taiwan spends a greater proportion of its gross domestic product on research and development than Britain does. South Korea spends a greater proportion of its gross domestic product on education and training than we do. A recent article in *The Political Quarterly* described the Chancellor's predicament as

"a strategic predicament of staggering proportions with the only real alternative to a trade deficit of £40 billion or more a virtual stop to growth or even an absolute decline in total demand and output in the British economy".

The Chancellor has an unpalatable choice. If he allowed sterling to fall in line with the views of Sir Alan Walters, it would certainly help exports and make imports dearer, but it would increase inflation and eventually lead to a recession. If the Chancellor continues to increase interest rates to protect the pound and reduce inflation, he will lead us to an even earlier recession. The Chancellor is taking a gamble, hoping that he will create a soft landing by reducing the rate of economic growth and inflation, but avoiding bringing the economy to a halt. That gamble depends on the world economy.

America has not managed to deal in a real sense with its twin problems of balance of trade and budget deficits. Added to that is the $20 billion which the American Treasury had to use to prop up loan banks, and the leverage bids—the over-extended bids—in the American takeover madness. West Germany and Japan have not greatly reduced their balance of trade surpluses over the past few years.

The gradual rise in interest rates, not only in Britain but in other economies, means that Third world indebtedness is approaching a trillion dollars because of the change in circumstances. The Chancellor talks about going on and on, but he has been a monetarist, an interest rate cutter, and a man who has savagely increased interest rates, but he is still the same Chancellor. We now have a stop-go economy, stagflation and possible recession.

British labour costs have risen over the past two years twice as high as those of our major competitors. In 1987, consumer credit including mortgages reached £282 billion, which is more than the total disposable income of wage earners in this country. Personal savings, which in 1981 were 15 per cent. of personal income, are now down to 1·3 per cent. of personal income, and the Chancellor talks about encouraging savings. Since 1979, 100,000 mortgage default repossessions have taken place—an 800 per cent. increase under the Tory Government. Sixteen thousand individuals have been declared bankrupt and 170,000 companies have been liquidated.

That is the new spirit of enterprise which the Government have spoken about. There is a new spirit in Britain, but it is among the Opposition and the working people who have fought back over the past few months despite the managerial counter revolution which the Government have encouraged and despite the reactionary and vicious anti-trade union legislation. More workers were prepared to take industrial action in one week in July than in the whole of 1986. There is a new spirit in this country. Many people—40 per cent.—have never received anything from the Government. They have not had an increase in their standard of living, and their housing benefit, pensions and child benefit have been reduced under this Government. Those who once gained have also been savagely attacked. That means that the Chancellor will go and that there will be a change of Government, and the sooner the better.

8.39 pm

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): There is, of course, no doubt that we have some economic problems at present. Indeed, I cannot think of a time in the history of this country when there have not been some economic problems and it would be nonsense to say that all is now going swimmingly. However, at least my right hon. Friends are dealing with the problems of success. In fairness to Labour Governments, I should say that successive Governments after the second world war had no such problems of success. They had to deal with one failure after another.

I have sat through most of this interesting debate. Whenever people pick on just one name, I always think that that means that there is a paucity of argument. The name of Alan Walters has stalked this debate like a ghostly mist over the moors. His name has been brought up because those who do not know what else to do think that if they can say that Her Majesty's Government, in the shape of the Prime Minister and the Chancellor, are split, it somehow makes it easier for them to define what to do. It may be true that the Chancellor thinks one thing and that Alan Walters thinks another. However, Alan Walters is only an adviser.

As a Member of Parliament, one does not have the time to be a partner or a director, so I am called a "consultant" to some businesses. That means that I am an adviser. Every now and again I am asked for advice and it is not taken. If we ever reached a position where as soon as an adviser were appointed everything that the adviser said had to be taken as gospel, no one in his right mind would ever have an adviser. The adviser would become Prime Minister and the Prime Minister would become nothing. If Alan Walters feels that he must disagree, he should shut up because he damages what he is trying to advise.

As my right hon. Friend the Member for Shropshire, North (Mr. Biffen) said, those who talk about the EMS and the Common Market, which Opposition Members now seem to think is a wonderful witches' brew which will take them into office, should beware. As my right hon. Friend said, Britain's balance of payments with West Germany is nine times worse, so why should being in the EMS suddenly make things so much better?

I come from the midlands and my right hon. Friend the Chancellor sometimes accuses me of being a Brummie industrialist, as though that is an insult—I do not think that he means it that way.

The Chief Secretary to the Treasury (Mr. Norman Lamont): He does.

Mr. Beaumont-Dark: When the pound went to $2·40, industry melted and wilted. When in 1985 the pound went to something like $1·20—heading down to almost $1—manufacturing industry began to blossom. Therefore, I do not go all the way with the Government when they seem to think that the panacea of a high pound will somehow solve all the problems of inflation. When one looks at the figures for the deutschmark, which is the Chancellor's favourite currency, or at the dollar, one finds that it is not true that a high pound against the deutschmark or a high pound against the dollar helps inflation. When there were five deutschmark to the pound, inflation was something like 14 per cent., and when there were three deutschmark to the pound it was 10 per cent.

Economists are the great plague of our time because they get paid so well to say such nonsense. If one takes 500 economists, one gets 700 opinions and 200 computers. I wish that we had never heard of them. If only common sense could rule.

I turn now to business men. In my view, a trade deficit of £20 billion matters. I come from a manufacturing area and I do not care what clever people say. I know that a trade deficit of £20 billion cannot go on for ever. What I find most disturbing is that the investment views of West Germany and Japan are so different from ours. In West Germany and Japan the mega-rich are those who make things—the industrialists who have built great manufacturing companies. It is even the same in Italy, but in America and, unfortunately, in the United Kingdom at present the mega-rich are those who make money and who make deals. I advise hon. Members not to believe what anybody says about this because the simple truth is, "If you don't make it, you haven't got it." We should not fall for the charismatic chimera that making money is the same as making goods, because it is not. In the end, money must lead to goods, to the things that people buy.

We in this country must do the same as the West Germans and the Japanese—let us pray that this day comes—and produce goods so that our mega-rich will comprise more than just a few shopkeepers, property dealers and financiers. Our mega-rich should once again be those who make the goods. This country was at its greatest, as Japan and West Germany are now, when the great rich—apart from landowners who are always rich —were those who made something and built businesses.

Unless we build something for ourselves, all that we are doing is sucking in other people's goods. That is what is happening at present. It is not the problem of Government alone; it is industry's problem and the financiers' problem. It is no good saying that Governments can solve everybody's problems because, of course, they cannot. Why do British financiers regard a long-term investment as being one of six to 12 months when the Japanese and West Germans regard a long-term investment as one of five to 10 years? The Japanese and the West Germans mean to invest and to build.

By some form of tax concession, the Government should encourage us to be producers, not consumers. If we can encourage people to conserve and to preserve our manufacturing wealth, this country has just as much chance as other nations. We have inventiveness, and people who care and those who are economic and financial geniuses. But what good is that without someone who can make the goods? If we invent things but the Japanese and the West Germans make them, we will end up more and more in debt. Let us turn our thoughts, respect and will to those who make things.

8.47 pm

Mr. Giles Radice (Durham, North): The hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) accepted that Britain is now facing serious economic difficulties. However, as we heard from his speech, the Chancellor prefers euphemisms. He talks about a temporary blip and about the British economy catching its breath. At the Mansion House last week, he even blamed the short-term vagaries of the economic cycle. However, as everybody now knows, the reality is that the British economy is dangerously out of balance. Our inflation rate is higher than that of any major industrial country and there is little sign so far of any improvement.

The other glaring symptom of the imbalance in our economy is our huge balance of payments deficit, which is the largest in our history. The Chancellor has consistently sought to play down the significance of the deficit. According to him, it is merely a temporary phenomenon. He says that it is benign because it is the result of British industry re-equipping and reinvesting. He goes on to argue that in an age of massive international capital movements deficits can be easily financed.

The trouble for the rest of us is that the markets no longer believe the Chancellor. Why should they? In defiance of the Government's forecasts, the deficit has grown from a rough balance two years ago to a deficit of between £19 billion and £20 billion this year, and even the most optimistic forecasters do not believe that there will be a major improvement next year. Indeed, on present trends we will be running a balance of payments deficit of between 2 and 3 per cent. of GDP well into the 1990s.

The United Kingdom deficit is not just a symptom of reinvestment by British industry, as the Chancellor argues, nor is it merely due to overheating, although the over-rapid growth of the economy in 1987 and 1988 sucked in a massive flow of imports.

The major structural problems which are increasingly revealed in our balance of payments are what disturb most of us. Growing import penetration, the weakness of our exports and the massive deficit in manufactured products all suggest that British industry is simply not producing enough of the goods that people want to buy.

Does this failure really matter? As we are finding out, the short answer is that it matters very much indeed. In a world of global markets, we cannot rely upon international capital to go on financing our deficit indefinitely. Money which comes in can go out again and, sadly, as we shall find out to our cost, it can go out again very rapidly.

Many hon. Members have consistently warned the Chancellor about the dangers of running a massive balance of payments deficit. The main problem is that it takes control over the shape and timing of economic decision making out of the hands of the Chancellor. Instead of being able to adjust in our own time, we are

[Mr. Giles Radice]

likely to be forced into a process of abrupt adjustment, both to levels of demand and the value of sterling, by the markets.

I predict that the Chancellor's failure to react to the balance of payments deficit in 1988, when it was still manageable, will force the British economy into a hard landing in 1990, and affect employment, output and growth. I predict that the Chancellor's gamble will fail.

I agree with the right hon. Member for Worthing (Mr. Higgins) on many things, but, contrary to what he said, we warned the Government of what would happen, of the dangers of inflation and the balance of payments problem. We urged the Government not to make drastic cuts in taxes in the March 1988 Budget and to take a grip on consumption. They did not listen, and now the economy is in a mess. I do not want to say, "I told you so"; I want to draw a lesson for the future.

The conclusion that should be drawn from the failure of the Government's economic policies is that the prime objective of economic management must be to secure and preserve balance in the economy. A Government must keep a balance between their objectives—low inflation, low unemployment, sustainable growth—and an equilibrium between exports and imports. When one of those objectives is pursued at the expense of others, the economy runs into trouble, as we have seen.

As my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) has often said, good economic managment is a question not just of keeping a balance between objectives, but of ensuring a proper balance, or mix, of economic instruments. The Chancellor's obsessive reliance on interest rates risks getting the worst of both worlds. To work effectively, it has to bear down heavily on mortgage holders and on business and, as we have seen from the survey published by the Confederation of British Industry today, it also clobbers vital investment.

Because the strategy takes such a long time to work, it risks being derailed by the markets before it achieves its objective of slowing down the economy. That is why the Chancellor should have been employing fiscal methods and control over bank lending as well as an interest rate policy, and why there should have been a balance between nationally and internationally co-ordinated instruments. Hence the case, which I have long supported, and which has been ably argued by my right hon. and hon. Friends, for joining the exchange rate mechanism of the EMS. We should join as soon as possible, as it would provide greater currency and interest rate stability and could add a useful counter-inflationary discipline.

A better balance is needed between the short term and the long term. One of the most powerful charges against this Government is their neglect of the long term. The Chancellor has often criticised other people for their short-term outlook, but the Government have mortgaged the country's future to a considerable extent with their poor record on education, training, research and development, the labour market and regional policy. A Government committed to a better structural balance in the economy would have to give a higher priority to this issue.

I doubt whether the Government are capable of providing the leadership necessary to bring the economy back into balance, particularly as they have allowed it to get so out of control. Once again, it will be the Labour party that has to get Britain out of the mess—as it did in 1964 and in 1974. To judge by the excellent performance of my right hon. and hon. Friends, they are well equipped to provide the necessary leadership, in contrast to that of the Government.

8.55 pm

Mr. Philip Oppenheim (Amber Valley): Every one of the policies urged upon us by the Opposition in the past 10 years would have exacerbated our demand side problems. They have consistently urged that the Government should spend more, which would have pushed up demand and crowded out private sector investment. In October 1987, the Opposition joined the huge chorus of people urging the Government to cut interest rates. In May 1988, when there was a debate as to whether we should cut interest rates to lower the pound, which many people said was uncompetitive against the deutschmark, the Opposition urged the Government to cut interest rates, which the Government eventually did—although I think that they now recognise that that decision unwise.

The supply side is far more important than short-term demand. It is worth recognising that our problems on the supply side, in manufacturing industry, are not new but go back at least to the turn of the century. Germany and the United States overtook us in manufacturing output before the first world war. Japan almost overtook us in the 1930s and eventually did so in the 1960s. To blame the present Chancellor for Britain's long-term industrial problems is to blame him for history and for the mistakes of the past. Britain's supply side and manufacturing problems are so deep-seated and have been with us for so many years—probably as long as a century—that it will take more than a decade to turn them round. It will be many years before British industry is capable of competing with the best in the world.

It is easy for Opposition Members to pose as the champions of manufacturing, but it is worth reminding them that this country's manufacturing output fell under the Labour Government. Under this Government it has risen, and last year it rose by 4 per cent. Those figures tend to get lost in the fuss over the mini stock market crash. People may talk about the decline in our manufacturing industry, but it is worth pointing out that large sectors of that industry have done well. Our aerospace industry is booming, and last year it overtook that of France for the first time in many years to become the third largest aerospace industry of the world after America and the Soviet Union.

Rolls-Royce, a company which operates close to my constituency and was virtually written off as an industrial basket case in the 1970s and early 1980s, is now booming. It is recognised as a major world manufacturer of high technology engineering and jet engines. Our pharmaceutical industry—another high-tech industry—has also done extremely well and in recent years its exports have overtaken those of West Germany, the United States, Japan and Switzerland to become the largest exporting pharmaceutical industry in the world. For the first time in many years, our share of world exports has stabilised.

With regard to imports, it is worth bearing in mind what is known as the "balancing item", which is a black hole in the world trade balance worth something in the

region of £50 billion. If the effect of that is aggregated across the world's trade balances it substantially reduces the trade deficits of those countries in negative balance.

I cannot take the Labour party's pose as the champion of manufacturing seriously when it has rigorously opposed every policy designed by the Government to improve the supply side of the economy. The Opposition opposed our reform of the trade unions and they have consistently opposed our attempt to end monopolies and subsidies for industry. They have opposed our attempts to increase competition in the economy, they have opposed our cuts in taxes and they have opposed our attempts to lower public spending as a percentage of GDP so that it does not crowd out private investment so much. Now they tell us that education is vital to our industrial performance, but they opposed our reforms designed to make our education system more disciplined and more geared to the vocational needs of our industry. The Opposition sneer at us when we say that education must be so geared.

What of the Opposition's policies? Today we have heard that they want us to join the ERM, but they have not told us at what rate they would do so. They have told us that they will abandon any pretence that trade protectionism can work. If they plan to abandon trade barriers, does that mean that they will renounce the multi-fibre arrangement? We all know what Opposition Members will do at the first sign of constituents running to tell them that those awful foreigners are making goods with which they cannot compete—they will put up trade barriers. The Opposition have also told us that there will be a new form of administrative guidance for banks, as though anyone believes that the banks would take any more notice of them than their trade union pals and paymasters did in the 1970s.

It is also important to consider the industrial policy of the right hon. and learned Member for Monklands, East (Mr. Smith), who is, I believe, a lawyer. He was one of those who urged the Government to drop the proposed General Motors takeover of Land Rover in 1986. What was the result of that industrial policy? General Motors effectively pulled out of United Kingdom van manufacture. It made most of its work force redundant and handed the remainder over to the Japanese company, Isuzu. That outcome was partly thanks to Labour's national industrial champion, the right hon. and learned Member for Monklands, East.

I know that it is fashionable to compare us with the Japanese. Hardly a Labour spokesman stands up without comparing our performance with the Japanese and without telling us that we must adopt the policies adopted by the Japanese since the war. Those Japanese post-war policies can hardly be called Socialist. The Japanese have extremely low levels of taxation and of public spending. They have not been ashamed of encouraging enterprise and business. They have virtually no nationalised industries and they have denationalised the few that were. Above all, the Japanese have always had a high rate of saving and a sound, vocationally-oriented education system. If, when the history books are written, people say that the Government have made one major mistake and if there is a lesson to be learnt from the Japanese, it is that we should have implemented our education reforms much sooner than we did. Despite the firm action that we have taken to improve our education system, unfortunately, the benefits of those reforms will not be seen for many years.

In Japanese schools the children are expected to clean out their classrooms. That has a great effect on the level of litter in Japan and on the cleanliness of the workplace. Anyone who has worked in industry will know that that is important. If the Government were ever to propose such a policy for our school children, it would be met with howls from the Opposition saying that it was terribly inhumane to expect children to do that.

The other leaf that we could take out of the Japanese book is that, traditionally, the Japanese have taxed savings either at a low rate or not at all. They have followed that policy because they want to encourage savings and because high levels of saving mean a good pool of available investment for industry. Virtually every economy in the West has, on the one hand, heavily taxed savings and, on the other, heavily subsidised and given tax reductions towards consumption. I believe that to cut taxation on savings or to abolish it altogether up to a certain level would do us much more good than the currently fashionable panacea of joining the EMS.

It is fashionable for Opposition Members to say that it would be a good idea to join the EMS and I shall not argue the rights and wrongs of that, but I know full well—as does every Conservative Member—that if we had gone in 18 months ago and still had economic problems, Opposition Members would claim that those problems were a result of our rash and unwise entry into the EMS tying us to the high interest rate policy of the German Government.

Today we have learnt that, at best, the Opposition have no policy and at worst, at the very time when the Soviets are dropping their Gosplan industrial planning policy and when virtually every Government in the world bar North Korea, Romania, East Germany, China and one or two others are abandoning planning, the Labour party proposes fresh industrial control and a fresh industrial planning strategy for Britain. Have Opposition Members learnt nothing? Do they not recollect the economic planning board of the 1960s and the National Enterprise Board of the 1970s? Have they forgotten the fiasco of the British Leyland merger, the billions of pounds which were pumped into Concorde and the unwise and unnecessary investment in the British Steel Corporation? Have they forgotten their attempts to set up an office equipment company to rival the world which they called Nexos and which has now been consigned to the history books of the office equipment world?

Those policies are not part of some new post-Thatcherite agenda, but a return to the old, discredited pre-Thatcherite agenda which is being abandoned right across the world.

9.6 pm

Mr. Rhodri Morgan (Cardiff, West): In the four minutes available to me I shall concentrate—as we should on this supply day or seminar on the state of the economy—on a couple of facts which should be common between us since they are well established. Perhaps we can discuss their implications for the economic conduct of the Government over the next five to 10 years.

The trade figures for September were published today. They show that we are still running with a trade deficit equivalent to 4 per cent. of our gross national product, which we can no longer regard as an odd statistical freak. That is one of the largest gaps which any country has had

[Mr. Rhodri Morgan]

in its current trade this decade. It is a sort of San Andreas fault underneath our economy which has opened up in the past two or three years. We lived in a fool's paradise for many years, believing that we were somehow manufacturing the oil which emerged from the ground under its own internal pressure. This hid the weakness in our trade deficit.

Now that our oil revenues are about one quarter of what they were at the peak of oil production, because oil is worth only half what it was and we produce only half what we did, we are returning to normal. Can we make as much to sell to foreign Governments and consumers as they make to sell to us? It is perfectly clear that in 1989 we cannot. We have an absolutely colossal trade gap which shows a lot of competitiveness of a kind with which we are familiar in a mild form but which we now have in an acute form.

I can see the Financial Secretary shaking his head as though what I have said is contradicted by the fact that the economy is growing too fast and that we expanded the economy because we did too much to restimulate it when we misunderstood the October 1987 stock market crash. But that is complete baloney. Every other country overstimulated its economy but they do not have a trade deficit equivalent to 4 per cent. of their GNP.

I hope that I can kill off Government claims that exports are rising strongly. Of course they are. There has never been a better time to export because world trade is rising strongly. In the past couple of years the economies of Japan, Germany and the United States have been importing and consuming as never before. The fact that our exports are rising, but our imports are rising faster is not due to some strange aberration of British economic policy caused by an overstimulation of the British economy alone after the October 1987 crash.

Every OECD advanced country stimulated its economy because of fears of a recession after the October 1987 stock market crash. Let us never again hear from Conservative Members the excuse that somehow only this country expanded rapidly after October 1987 and that exports generally have been difficult to find, suggesting that the fact that our exports have been going up represents massive credit to the British economy.

It has never been easier to sell abroad than it has been in the past two years. Economies abroad have been sucking in imports as they have never done before, as the OPEC decade and a half has expired and as the post-OPEC era has been upon us. As I say, it has been easier for OECD Governments to get their economies and manufacturers to expand. It is a unique factor of the British economy that our competitiveness has undoubtedly worsened, as is evident from the 4 per cent. equivalent of GNP in our trade deficit. We are now weaker than we were 10 years ago in the competitiveness of our economy.

9.10 pm

Mr. Gordon Brown (Dunfermline, East): The background to this debate is the worry of industry, small businesses, home owners and low-income families that, after 15 months of the highest interest rates, the worst inflation and the biggest trade deficit of our major competitors, inflation has still been rising, the trade deficit is worsening and interest rates have still been going up.

The Chancellor devoted a major part of his speech today to the subject of inflation. The issue, he said, was getting it down. We must ask why it went up. The same Chancellor who told us that the battle was with inflation is the Chancellor who has doubled inflation over the last 15 months. The same Chancellor who told us that inflation was a blip presents us today with inflation at 7·6 per cent., the highest of all our major competitors.

The same Chancellor who told us that his objective was zero inflation now presents us with a situation in which we have 7 per cent. inflation here, 3 per cent. in Germany, 3·5 per cent. in France and 1 per cent. in the Netherlands. This is the Chancellor who said that he would eliminate inflation. It looks just now that inflation will eliminate him.

Not only have we the highest inflation in our major competitors, but we have the worst interest rates. Interest rates have risen 11 times, yet still the Chancellor persists in denying the reality of the consequences. High interest rates, he told the Tory party conference and repeated at an interview afterwards, were testimony to the vigour of the economy. The Prime Minister said after that that Britain, as a result of those policies, was stronger than ever. The British economic miracle, they still insist, is intact.

What are the real problems that people are facing? What are business men and industrialists saying about their prospects? The Chancellor quoted from the CBI, but he did not tell us the main impact of the CBI's message —that manufacturing investment will fall, that order books are falling back and that vital investment to correct inefficiencies is being denied.

Last year's business man of the year, the head of the Coloroll Group, John Ashcroft, is saying that next year investment in his company will be halved. He says that in terms of what is happening in the United Kingdom now, if this is a soft landing, pass him the bruise cream because the present rates of decline are significant.

Consider what is being said throughout the country. The West Midlands chamber of commerce comments that the cash flow problems for small businesses are worsening. Birmingham chamber of commerce reports that about 40 per cent. of companies have reduced export orders. Investment in Yorkshire and Humberside, reports the chamber of commerce for the area, "is falling quite rapidly." The Scottish Federation of Small Businesses reports that small business is buckling under the strain.

Despite all of that, the Chancellor is hamstrung by his obsession with high interest rates, like a gambler obsessed with a system that shows no sign of immediately working and who increases the stakes regardless of the damage that is being caused and regardless of the difficulties that industry faces.

For those reasons, our policy is to end exclusive reliance on interest rates. We would introduce an autumn statement for investment in our future and we would take steps to deal with the supply side problems that the Government have created. We would rule out tax cuts in the Budget so that we can have proper investment in our future. The Chancellor should act directly on the inflation he has created by refusing to allow higher water, electricity and rail prices and the poll tax to be imposed on this country.

Our complaint against the Government lies not just in the mistakes of the past two years; it lies in the mismanagement of our oil wealth over the past ten. It is not only that they have pushed up interest rates to levels

way beyond those of our competitors, yet still failed to curb inflation; or that we have the worst combination of these indicators of any country in Europe; it is that the Government have failed to create, after the one decade of North sea oil, the long-term stable environment that industry needs for a modern economy of the future. To seek to run a consumer boom without the necessary prior investment was bound to be unsustainable and to lead to the problems that we now face. The solution that the Chancellor has chosen—high interest rates—directly damages the investment that we need. And the tragedy of the Chancellor's position is that he has no greater desire in life than to repeat the mistakes that he has made.

We know that the Budget surplus that the right hon. Gentleman has is never intended to be used for investment, now or in the future, in training, skills, the regions or innovation. The Budget surplus is to be kept in store to finance exactly the same mistakes that we saw in the past—a give-away Budget, a consumer boom on credit and a further deterioration in our trade deficit with all the predictable consequences for interest rates and inflation.

Nowhere is the Government's failure to be seen more clearly than in what has happened to the trade balance—the worst quarter in our history, the worst month for imports and a trade gap not only in our traditional industries but in the new high-tech industries of information technology and electronics. Imports of consumer goods are up by four or five times the level of imports of capital goods. The volume of imports is up by twice as much as the Chancellor's forecast in the Budget.

What does the right hon. Gentleman claim now? Does he still claim that a trade deficit approaching £20 billion for the year is a result of freak figures—his first explanation? Does he still define it as of no consequence? Does he still say that it gives no cause for concern? Does he still repeat, now that it is approaching £20 billion, that the trade deficit is a second order problem? Does he still insist that it is self-correcting and easily financed? How many of the Chancellor's previous statements are now inoperative? The truth is that he cannot admit that there is a problem because he has no solution to it, and he cannot admit that the gap has not widened because we have had a supply side transformation, because there has been none.

Having denied industry the necessary stability and subjected it to the uncertainties of rising borrowing costs, having starved it of essential infrastructure and imposed on it all the inefficiencies and absurdities that flow from the doctrinaire abandonment of regional, training and innovation policies, what is the Government's view now? Their policy is to abandon Government responsibility for industry when we need a Government who will adopt a policy for all the regions. We need a Government with a strategy for science and technology and for innovation, a Government with a competition policy that restricts the use of junk bonds in company takeovers.

Instead, we have a Department of Trade and Industry presided over by a Minister appointed from the Department of the Environment, not to head it up but to close it down—not a Minister but the Official Receiver. This Department, once the responsibility of Gladstone and of Churchill, is to become the retirement home for the Secretary of State for Trade and Industry. When all those working breakfasts of the previous incumbent have been cancelled and the glossy brochures have been pulped, when the PR men have been sent to the Department of Health for the next campaign, what will be left of the Department of Trade and Industry and of the Government's responsibility to industry? The Secretary of State, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), will be seated alone at his desk: no in-tray, no out-tray, just an ash tray.

If the economy of the 1980s in Great Britain is as Ministers claim it is, if all the countries of the world are following our example, as the Chancellor tells us they are, why are not the Japanese closing down Miti, their department of industry, why are not the French abandoning their policy of encouraging centres of excellence, why are not the Germans abandoning regional policy and leaving the Ruhr to market forces? What other nation on earth runs down regional policy or its policy for science and for innovation? Blind to the needs of industry, deaf to the claims of small business and insensitive to the damage done by high interest rates, the Conservative party—the party of high interest rates—can no longer even pretend to claim to be the party of industry.

Where is the Chancellor in all this? The man who has been bestriding the world stage for the past few years, boasting of his successes and their applicability to countries abroad, now tells us that the German economic miracle is one of the past but that ours is of the present. How does he see himself now, when his day begins with a begging telephone call to the president of the Bundesbank and continues with telexes to the Bank of Japan and with calls to the Federal Reserve Bank? The Chancellor who once boasted of his economic successes around the world is now reduced to ringing around the central banks for handouts to support his currency at the mercy of speculators.

What is his policy now? The man who considered every nuance of the M3 figures unceremoniously abandoned their publication this summer after 10 years. The man who said that interest rates were to be set by the markets in 1979 now insists on setting them himself. He is the man who has cast aside all the Right-wing theories of the Adam Smith Institute in which he has successively lost faith. The only invisible hand in which he now believes is that of Professor Sir Alan Walters, who is making the decisions at No. 10 Downing street.

What do we know of that mysterious figure of influence? He was once a member of the Centre for Policy Studies—the think tank for the Prime Minister—financed by the now Lord Joseph, and is a member of the American Enterprise Institute financed by American business—a think tank for such impressive figures as Vice-President Dan Quayle.

For a few years Sir Alan was also a member of the standing committee of the Global Economic Action Institute, financed—as *The Sunday Times* revealed—by the Unification Church of the Reverend Sun Myung Moon; in short, the Moonies. Is it the case that our economic policy is no longer under the influence of monetarism but under that of Moonie monetarism? Have we, in six or seven years, moved from punk monetarism to Moonie monetarism?

Let us consider the Chancellor's difficulties. Many lonely, sad and embattled people labour under the delusion that their thoughts are being influenced by the Moonies next door. But, for the Chancellor at No. 11 Downing street, sadly, such fears may be thoroughly well grounded. I assure the right hon. Gentleman that he is not paranoid. They really are out to get him.

[Mr. Gordon Brown]

What does Sir Alan do? Much has emerged from documents from America. Leaving aside the question whether a truimphalist autobiography by Sir Alan Walters is yet in order, the Chancellor will be interested to know that he described himself in his recent article as

"a natural leader for the monetarist revolution in the United Kingdom."

The Chancellor may also be pleased to notice his description of the man who brought about

"immense changes in monetary and fiscal policy."

That was not the Chancellor, but Sir Alan himself. Not that he is ungenerous in his articles. Although much of the credit goes to himself, the rest goes to what Sir Alan describes as the real architect of Britain's economic renaissance—the Prime Minister.—[HON. MEMBERS: "Go on—smile."] I am sorry that the Chancellor finds none of that amusing, but Sir Alan says of his own role as an economic adviser:

"My role was defined by the Prime Minister with the words, 'You know what you can do best and you know what needs doing' but the Prime Minister and I agreed that I would be most effective at her elbow in No. 10."

That is a proximity that the Chancellor might find not only unlikely but quite dangerous.

Mr. Tebbit: The hon. Gentleman verges on the edge of boring the House by reading extracts from newspapers and articles which any of us could read. In his last 10 minutes, would he like to turn his attention to what we cannot read and do not know about, the Labour party's alternative policy—if there is one?

Mr. Brown: I do not think that the right hon. Gentleman was here when I outlined the main points of Labour's alternative policy. I can tell the right hon. Gentleman that it might be difficult for him to get hold of the article "A Life Philosophy" by Sir Alan Walters because the institute which has produced it tells us that on the instructions of No. 10 Downing street it is not to issue any more copies.

Mr. Tebbit: Is the hon. Gentleman allowed to issue any copies of Labour's policy or to tell us how it would impose credit controls?

Mr. Brown: Perhaps the right hon. Gentleman has not seen the Labour party policy review document. If he cares to pay £2.50 for a copy he will receive one.

The Chancellor knows that even if Sir Alan goes a bigger problem remains—the Prime Minister. Having signed the Madrid agreement on European monetary co-operation, she obviously spent subsequent months backtracking on it in the same way as she signed the Commonwealth conference agreement and immediately repudiated it. The Chancellor should be warned about what will happen if he goes to Europe for the next summit and reaches agreement on European monetary co-operation. Having successfully negotiated an agreement, he will no doubt find that barely has the ink dried when the Prime Minister will descend from her aircraft at London, call the press together and declare another triumph of diplomacy and another great success in international negotiations. She will say, "In my hands I have two pieces of paper, the official agreement and the official repudiation." Not a Minister will stand up and tell her that she is wrong.

The Government are prepared to make the consumer pay with higher prices, the pensioner with an inadequate pension, and whole communities with deteriorating public services. They are prepared to make 7 million mothers and 12 million children pay by freezing child benefit. I can think of no parallel this century. Top salaries have risen and dividends and executive perks are greater than ever, but the Government have done little to mitigate child poverty and the poverty of millions of people. They are destroying the pretence of ever being called the party of the family.

What about home owners? Two million have lost £80 per month as a result of the increase in the mortgage interest rate and 4 million are worse off by £50 a month. The teacher with the typical mortgage is worse off by about £80 a month and the engineer by about £100. What does the Conservative party say? Why is there no apology, word of regret or sympathy for people with such problems? I have here a copy of the Conservative party's research department document called, "Politics Today". It is about the economy and contains questions and answers. Needless to say there are more questions than are answered in the document.

The Government say that they are committed to extending home ownership, but the following question caught my eye. It says:

"Aren't its high interest rate policies crippling countless homeowners especially families and first buyers?"

After two paragraphs we get to the heart of the answer. It says:

"Yet though higher interest rates do increase costs for borrowers, including mortgagors, research evidence shows that there is no link between levels of interest rates and the number of people unable to cope with their mortgage payments."

There is "no link" but the numbers of people in arrears of two months or more have risen from 240,000 to nearly 400,000 this year. When the Governor of the Bank of England has said that there is a link, when the Building Societies Association has produced research showing that there is a link, the Conservative party tells worried home owners that there is no link between high interest rates and the arrears of many people. Can the arrears be blamed on poor housekeeping and bad budgeting? On what does the Conservative party blame the rising amount of arrears over the past year? That is a lie that even the Chancellor might have been unable to sustain in the heady atmosphere of a Blackpool audience in that conference hall.

These are the people who budgeted on the Government's claim that there was an economic miracle, who were told to believe that there was a transformation, and who were encouraged in the view that Britain's prospects and theirs were transformed. These are the people who are being dismissed by the Chancellor with the words, "Cut back on something else." There is no sympathy, no apology and no regret. People are told that arrears have nothing to do with high interest rates. Now they are being told by Ministers that it is nothing to do with them and there is nothing that they can do about it. Ministers deny all responsibility and will walk by on the other side. That is the prerogative of the Pharisee down the ages.

First, the Government abandoned the pensioners, then they abandoned the unemployed. Then then neglected the low paid, then they froze child benefit. Now they have betrayed industry, small businesses and home owners. Soon there will be no one left to betray. The Conservative

party has had 10 years. It has squandered the oil revenues, wasted the opportunities, mismanaged the economy and failed Britain in the 1980s. The 1990s belong to Labour.

9.31 pm

The Chief Secretary to the Treasury (Mr. Norman Lamont): I agree with the hon. Member for Dunfermline, East (Mr. Brown) on one point, and that is that the main issue in the debate is inflation, why it has picked up and what should be done about it. It was interesting that, when inflation should be the main problem in our minds, both he and the right hon. and learned Member for Monklands, East (Mr. Smith) spent only a relatively short time in their speeches dealing with it. We all know why—because they have no policies for inflation. They know that the record of the Labour party in government was catastrophic, and on the evidence of the speeches that we have heard today it has no policy for inflation now.

Why has inflation increased in the last year? The hon. Member for Dunfermline, East sought to place the blame on top rate tax cuts. According to the Labour party, most of the evils in the world stem from that. However, when we have had a budget surplus for two years running, it is stretching the imagination to suggest that tax cuts worth £3 billion could cause a surge in inflation in an economy with a gross domestic product of some £500 billion. That does not make sense; it does not add up.

The origins of our inflation must be deeper than that, and part of the explanation lies in the loosening of monetary policy in the wake of the stock market crash. We were facing a situation that had not been seen anywhere for over 50 years, and everybody, including the Labour party, was unanimous in believing that the appropriate thing to do was to lower interest rates. With hindsight, it is clear that the stock market crash had no lasting effect on demand, but that was not clear at the time. Furthermore, even with hindsight, we cannot be sure that there would not have been a severe impact on confidence if we had not reduced interest rates when we did, with the full support of the right hon. and learned Member for Monklands, East.

Our policy was also part of a co-ordinated international move. That is why there has been a rise in inflation in the United Kingdom and worldwide. If we take the seven major industrial countries as a whole, inflation is around its highest level for five years. That reflects the action that was taken here and elsewhere. It reflects also the acceleration in growth that we have been seeing throughout the world. Opposition Members may not like it, but the true comparison when measuring inflation here and elsewhere is achieved by removing mortgage interest payments That is done in other countries. From February 1988 to May 1989, inflation, excluding mortgage interest payments, rose in the United Kingdom by 2·5 per cent. In the same period, inflation in Germany rose by 2·2 per cent. In Japan, the rise was 2·2 per cent. and in Italy, where inflation both now and then was and is higher than in Britain, the rise was 1·9 per cent.

The reason why inflation affected Britain somewhat more than other countries is that we had been enjoying growth for seven years. We did so at a higher rate and for a longer period than other countries in the rest of Europe. Our economy was no doubt nearer to capacity and the inflationary pressures were therefore greater. We cannot expect Opposition Members to understand this. They never had to deal with the problems of an economy growing too fast. All that they ever had to deal with were the problems of a thoroughly stagnant economy.

Mr. Morgan: We all note with interest the Minister's attempt to award the Government innocence by association, by trying to draw in the fact that other countries have experienced an increase in inflation, especially OECD countries. In his attempt to produce innocence by association, can he name any half year, any year or any quarter of any year in which the British inflation rate under this Government has been near or below the OECD average?

Mr. Lamont: As my right hon. Friend the Chancellor of the Exchequer said, throughout the Government's term of office the inflation differential between Britain and the EEC has been a fraction of what it was when the Labour Government were in power.

Although inflation is the most pressing problem that we face, we heard no policy advocated by the Opposition to deal with it. That is remarkable. The hon. Member for Dunfermline, East seems to think that investing public money is somehow an anti-inflationary policy. That is the strangest anti-inflationary policy that the world has ever heard of, and one that will not impress the financial markets.

There are only three ways of dealing with inflation: direct controls on pay and prices, which the Opposition are against; monetary policy, the mere mention of which makes them shiver in their bones; and taxation, which we all know is their anti-inflationary policy. They are always itching, always wanting and always about to increase taxes.

The right hon. and learned Member for Monklands, East made a tremendous amount of the current account deficit. The deficit is not a reflection, as deficits were in the past, of an uncompetitive economy. It is much more a reflection of the excess demand and inflation which is the main and key problem. As demand slows down, the current account will improve. Inevitably it will take time for the slow-down in the high street to work through to stocks, lower production orders and imports. Likewise it will take time for exporters to divert orders from the easy and expanding home market, as conditions tighten, into the international market. Just as the boom last year diverted orders from abroad to the home market, as our economy slows down we shall see orders diverted overseas.

That the current account deficit is a product of excess demand is, with great respect to the point made by the hon. Member for Cardiff, West (Mr. Morgan), shown in the export figures. If our current account deficit were largely the result of a loss of competitiveness, we would not be seeing anything like the rise in exports that we are currently seeing and that we have been seeing since the Government tightened monetary policy at home.

In the three months to September, exports rose by more than 13 per cent. in value and by more than 8·5 per cent. in volume. That shows that British exports are competitive and that the current account deficit is largely a product of excess demand rather than lack of competitiveness.

My hon. Friend the Member for Amber Valley (Mr. Oppenheim) referred to the statistics for our share of world trade, which Labour Members have mentioned. For decades, our share of world trade has been falling. It stabilised in the 1980s right up to 1987 and deteriorated in

[Mr. Lamont]

1988 as we had excess demand in our economy. But this year the performance of our exports is good and all the signs are that our share of world trade will stabilise again.

I have talked about the problems that fast growth has created for us, but my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) was right to remind us that the very fast growth that we have had, the fact that we have been top of the growth league in the 1980s when we were bottom in the 1960s and the 1970s, has been an enormous advantage to the British people. It has meant that we have had more to invest in the public services that so concern the hon. Member for Dunfermline, East, and it has meant that we have had a dramatic rise in living standards.

The hon. Member for Dunfermline, East made a remarkable claim. He said that the Government have now abandoned the unemployed. Some statistics have just been published which show that in the past year unemployment has fallen faster than in any other major country. We hear a lot about international comparisons on inflation, but we do not hear comparisons on unemployment. We used to hear them a few years ago, but the United Kingdom unemployment rate is now almost two thirds of the EC average and, more importantly, youth unemployment has also fallen sharply. The OECD figures for the United Kingdom show that the United Kingdom unemployment rate for under 25-year-olds is only about half the EC average. Why do not Labour Members welcome that and face the facts?

Mr. Brian Wilson (Cunninghame, North): Since the Minister had the impertinence to mention youth unemployment, will he recognise that one fifth of the total fall in all unemployment in the past year has been achieved by the simple expedient of removing unemployed 16 and 17-year-olds from the register by depriving them of the right to claim benefit? That is the truth of the matter, and to claim those 16 and 17-year-olds as a trophy is obscene.

Mr. Lamont: The hon. Gentleman is talking nonsense. The fall in unemployment has been due to the expansion of our economy. We need only to look at a newspaper to see that there is a tightening market for young people and that many employers cannot get young people.

Labour Members also suggest that the acceleration in inflation and the deterioration in the current account mean that nothing has changed in the British economy; that we have simply moved to a situation where the old familiar constraints apply every time that we try to expand our economy; that nothing has changed in the supply side. It is travesty to say that nothing has changed. An article in *The Economist* two weeks ago pointed out that the sort of sudden surge in demand that we have had in the past two years would, in previous decades, have caused much higher inflation and that what we have seen in the past year has underlined the flexibility and the ability of British industry to respond to the increase in demand that we have had.

There has been a change on the supply side and the results of our policy speak for themselves. My right hon. Friend the Member for Chingford (Mr. Tebbit) referred to the dramatic and remarkable changes in the British motor industry, which was written off when the Labour party was in power. My right hon. Friend the Member for Chingford and my hon. Friend the Member for Croydon, South (Sir W. Clark) also referred to the remarkable growth in investment. Business investment is now at an all-time high as a proportion of gross domestic product. Is that not a change which the Labour party should welcome? Investment has also been growing twice as fast as consumption. When the Labour party was in government, investment was growing at one eighth of the rate of consumption. Is that not a significant change, and is that not a change that the Labour party should welcome if it is really prepared to face the facts?

British industrialists and British business men are taking the long view because they have confidence in this country and they have confidence that our growth will continue. It is nonsense to say that nothing has changed. Plenty has changed and our economy is much stronger than it was 10 years ago. That is well recognised outside this country, even if Opposition Members stubbornly refuse to acknowledge it.

The right hon. and learned Member for Monklands, East put forward the usual arguments today for credit controls. We are told that credit controls would be a painless alternative to increases in interest rates. It is disappointing that the right hon. and learned Gentleman does not know rather better than that. I have read in the newspapers that he and his hon. Friend the Member for Dunfermline, East have been dressed up in their pinstripes by Mr. Mandelson, sent round the central banks of Europe and wined and dined, but unfortunately the wining and dining in the central banks has been a bit too good. The right hon. and learned Member for Monklands, East does not really understand how monetary policy operates, either in Germany or in France. When the hon. Member for Dunfermline, East talks about reserve ratios and the German and French use of them, he should know that that is merely the way in which those countries create the money market shortages to put interest rates up. That is not at all surprising because if credit controls work and make credit scarce they put up interest rates, and that has been the effect.

We heard a new twist today from the hon. Member for Dunfermline, East, who said that he wanted a voluntary arrangement between the banks and the Government. He seemed shocked that my hon. Friends were no more impressed by this solemn and binding undertaking than they were by the solemn and binding undertakings entered into by previous Labour Governments. A voluntary agreement between the Government and the banks would, of course, have no chance of working in a world in which there were no exchange controls. As my right hon. Friend the Member for Chingford said, to have such an agreement would merely leave people exposed to the blandishments of offshore lenders, and we have quite a number of problems with offshore lenders as it is.

The right hon. and learned Member for Monklands, East seemed surprised that my hon. Friends thought that the banks were not likely to agree to his proposition. My hon. Friends are entirely realistic. In the competitive international world of the City today, it is sheer lunacy and fantasy to imagine that the City of London could remain competitive and expose itself to competition from offshore lenders in the way that the right hon. and learned Gentleman described.

Mr. Robert Hughes (Aberdeen, North): I am grateful to the Chief Secretary for giving way. As he has had an

emotional 10 minutes, I shall give him time to calm down and think carefully about the answer to my question. What is the Chief Secretary actually saying? Is he saying that if the balance of payments and trade position deteriorate, and if there is a run on the pound, all he and the Chancellor will do will be further to increase interest rates?

Mr. Lamont: The hon. Gentleman does not come to economic debates often. If he did, he would know that we have not only a tight monetary policy but the tightest fiscal policy of any country.

We have heard much from the Labour party about the plight of home owners. Of course, I accept that higher mortgage rates, although necessary to fight inflation, may cause difficulties for those who have recently taken out mortgages. The figures quoted by the hon. Member for Dunfermline, East and the right hon. and learned Member for Monklands, East on the plight of those with mortgages greatly exaggerated the problem. The hon. Member for Dunfermline, East might have had the grace to mention that the rise in disposable income over the past two years would have dwarfed the increase of £90 a month that he chose to put forward in his distorted example. Over the past two years, take-home pay for an average married couple has risen by over £150 a month. Of course there are problems, but they should be considered in that context.

Labour's conversion to home ownership would be convincing if we could believe in it, but the Labour party is the party that has fought the right to buy and the party under whose leadership councils daily obstruct tenants' efforts to exercise their rights. It is the Labour party that wants millions of permanent tenants to remain dependent on the Government.

We know from the comments of the hon. Member for Dagenham (Mr. Gould) on "The Walden Interview" on 15 October what ideas Labour is toying with for home owners. The hon. Gentleman talked about controls on the building societies and on lending in relation to people's incomes. To be fair to him, he made it clear that he would not apply those policies to new home owners, but he went on to say:

"Oh, this is very clear, the people who would be hit but only in prospect, I mean they would be . . . fully warned and we would be fully alert to the change that had occurred in the interest of the national economy . . . would be those who were trading up, those who over recent years and again I say, I've done it myself"—

that was decent of him—

"who buy, who move for one reason or another and find that because of asset inflation, the availability of this form of credit that it is possible to buy a more expensive house".

Now we know: if a person lives in a house he should make sure that he likes it, because it will be difficult to move under the policy put forward by the hon. Gentleman.

Labour Members have told us that the exchange rate is at the heart of economic policy. The right hon. and learned Member for Monklands, East spent a large part of today talking about Professor Walters. Without him, I do not know what the right hon. and learned Gentleman would manage to make speeches about. If Professor Walters did not exist, he would have to be invented. As the right hon. and learned Gentleman believes that the exchange rate policy is at the heart of economic policy, and as he believes that there is some ambiguity and lack of clarity in the Government's policy, I am sure that he must therefore be confident that the Labour party's policy on EMS is crystal clear.

What is the Labour party's policy? The hon. Member for Dunfermline, East has been on a tour of the central banks of Europe. He has had discussions with eminent central bankers. He has come back and told us that there is a possibility that Labour will join the EMS. Labour is eager to join the EMS, provided certain conditions are satisfied. The trouble is that those conditions are about as long as the Labour party's constitution and just about as interesting. Labour is prepared to join the EMS provided that, first, there is a strategy for balanced growth in the Community; secondly, there are more structural funds; thirdly, there are more regional funds; fourthly, there are more swaps; fifthly, there is an EEC-wide trade policy; and, sixthly, the deflationary bias of the system is removed. The Labour party's position is crystal clear, is it not?

The most interesting statement was that the Opposition want more swaps within the EMS. Normally it takes a Labour Government two years before they go to the IMF and line up their creditors. Because the right hon. and learned Member for Monklands, East is prudent and cautious, he is doing that well in advance.

Most puzzling of all, the Opposition propose the removal of the deflationary bias in the EMS. I thought that the whole purpose of the EMS was that one currency could be tied to another so that inflation rates converged towards those of the low inflation countries. That is the main point of the EMS, and that is what the right hon. and learned Member for Monklands, East wants to remove. He does not want to join the EMS. He wants to drive a coach and horses through it.

The right hon. and learned Member for Monklands, East spoke at great length about the views of Professor Walters on the EMS. However, he has not contrasted the different views among his fellow Opposition Members who are not part-time advisers, but members of the shadow Cabinet. I will contrast those views now. The right hon. and learned Member for Monklands, East said:

"We see advantages in the stability that membership of EMS could achieve for the currency in a very volatile world."

The hon. Member for Sedgefield (Mr. Blair) has said:

"We should treat with extreme caution claims about stability which membership would bring to our currency . . . I do not believe that there is compelling evidence that long-term stability had been brought to the exchange rate currencies in the EMS."—[*Official Report*, 29 January 1986; Vol. 90, c. 988-89.]

The hon. Member for Dagenham said:

"For sterling, EMS membership would actually mean a reduced ability to maintain a particular parity against the dollar. Nor is there any evidence that exchange rate stability of itself would necessarily be of great help to our economy. It is relatively easy to hedge against short-term volatility."

The right hon. and learned Member for Monklands, East has had the cheek to tell us that Government policy is disunited because a part-time academic adviser to the Government has expressed a view about the EMS. However, what does the right hon. and learned Gentleman say about the views expressed by his hon. Friend the Member for Dagenham?

The hon. Member for Dagenham was once an academic, but, as far as I know, he is not now a part-time adviser to the Labour party. He is a fully paid up member of the Labour party and a member of the shadow Cabinet. How can the right hon. and learned Member for Monklands, East maintain the fiction that the Labour party has a policy on the EMS which contrasts with the

[Mr. Lamont]

Government's policy or claim unity against disagreement? That is absolute nonsense and rubbish, and the right hon. and learned Gentleman knows it.

The hon. Member for Dagenham has expressed his total opposition to the EMS. He declined to answer questions when he appeared before the Treasury and Civil Service Select Committee. He said that it would be inappropriate for him to reply, in his words,

"given my general hostility to the prospect of full membership of EMS."

How can Opposition Members talk about Professor Walters? Before they do that again, they should sort out their own policies and attitudes.

We have heard no policies from the Labour party. It was like the Labour party conference—everyone was waiting for the big idea, but we did not get it. The big idea was a little idea. We did not really get any idea at all. All we have seen is the big vacuum. We were told to meet the challenge and to make the change. We know what we would be making the change from. We have certainly been given no indication to what we would be making the change.

It appears that the Labour party simply stands for what it thinks people will fall for. That is its policy. It reminds me of what used to be said about an unsuccessful Republican candidate for the American presidency—"At least with him you know you don't know where you stand." That is exactly how it is with the Labour party. We know what the big idea is. The big idea is one small step for the right hon. Member for Islwyn (Mr. Kinnock), but it would be one gigantic, catastrophic step for the British people and the British economy.

Opposition Members have today exposed all the divisions in their shadow Cabinet. We are grateful to the hon. Member for Dagenham. He may be an embarrassment to the Opposition, but he is of service to the country because he is the only one who lets us see anything more than the Mandelson puppet show. The Government have courage. They will bring down inflation, and they deserve the confidence of the House.

The Parliamentary Secretary to the Treasury (Mr. David Waddington) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 208, Noes 306.

Division No. 333] **[10 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin

Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Allen Adams.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl'ls)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Sir David
Molyneaux, Rt Hon James
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth

Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. Tony Durant.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments)*:—

The House divided: Ayes 302, Noes 205.

Division No. 334] **[10.15 pm**

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Sir David
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John

Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Alistair Goodlad and
Mr. Tony Durant.

NOES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McKelvey, William
McLeish, Henry
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Allen Adams.

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House commends Her Majesty's Government on its economic policies, which have led to faster growth of output, investment, and manufacturing productivity than in any other major European country in the 1980's; applauds the Government's determination to defeat inflation by maintaining tight monetary and fiscal policies; and welcomes the continued underlying strength of the supply side of the economy, evidenced by record levels of business investment and new business start-ups, and an unemployment rate that is well below the European Community average.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Children Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Dorrell.]*

Orders of the Day

Children Bill *[Lords]*

As amended (in the Standing Committee), further considered.

New Clause 32

EVIDENCE GIVEN BY, OR WITH RESPECT TO, CHILDREN

'.—(1) Subsection (2) applies where a child who is called as a witness in any civil proceedings does not, in the opinion of the court, understand the nature of an oath.

(2) The child's evidence may be heard by the court if, in its opinion—

(a) he understands that it is his duty to speak the truth; and

(b) he has sufficient understanding to justify his evidence being heard.

(3) The Lord Chancellor may by order make provision for the admissibility of evidence which would otherwise be inadmissible under any rule of law relating to hearsay.

(4) An order under subsection (3) may only be made with respect to—

(a) civil proceedings in general or such civil proceedings, or class of civil proceedings, as may be prescribed; and

(b) evidence in connection with the upbringing, maintenance or welfare of a child.

(5) An order under subsection (3)—

(a) may, in particular, provide for the admissibility of statements which are made orally or in a prescribed form or which are recorded by any prescribed method of recording;

(b) may make different provision for different purposes and in relation to different descriptions of court; and

(c) may make such amendments and repeals in any enactment relating to evidence (other than in this Act) as the Lord Chancellor considers necessary or expedient in consequence of the provision made by the order.

(6) Subsection (5)(b) is without prejudice to section 88(4).

(7) In this section—

"civil proceedings" and "court" have the same meaning as they have in the Civil Evidence Act 1968 by virtue of section 18 of that Act; and

"prescribed" means prescribed by an order under subsection (3).'.—*[The Solicitor-General.]*

Brought up, and read the First time.

10.30 pm

The Solicitor-General (Sir Nicholas Lyell): I beg to move, That the clause be read a Second time.

The new clause concerns the evidence to be given by children or which may be given or received in respect of children. Subsection (2) of the new clause will bring about a welcome reform in the law of evidence relating to civil proceedings. It will allow the unsworn evidence of a child of tender years to be received in evidence in such proceedings where, in the court's opinion, he does not understand the nature of the oath but is of sufficient understanding to justify the reception of his evidence and understands the duty to tell the truth. The provisions will bring the law in this respect into line with the position in criminal proceedings.

Subsections (3) onwards deal with a separate topic. Subsections (3) and (4) will give the Lord Chancellor power to make orders overriding rules relating to hearsay in civil proceedings in respect of evidence in connection with the upbringing, maintenance or welfare of a child. We consider it necessary to give the Lord Chancellor that power because until very recently it had been the practice of courts to moderate the strict rules of evidence in civil proceedings concerning children, especially with regard to admitting hearsay evidence of a child's statement.

However, the effect of the recent court of appeal decisions in the cases of Re. H and Re. K. is that this flexible approach is mistaken and that, except in wardship, hearsay evidence can be admitted only in accordance with the exceptions to the general rule which is recognised by law. Accordingly, as hearsay of children's statements used to be admitted in evidence, that decision will effectively remove a source of evidence that was available to courts or will result in children having to undergo more often the trauma of giving direct oral evidence. It may cause cases to drift into wardship, given the exception in that jurisdiction, to avoid the effect of the decision.

In order to remedy the situation, the power in subsection (3) will enable the Lord Chancellor to make orders overriding the rules relating to hearsay in any or all civil proceedings in respect of evidence in connection with the upbringing, maintenance or welfare of a child.

Government amendment No. 368 will ensure that subsections (3) to (7) of the new clause will come into effect on Royal Assent and the Lord Chancellor will exercise his power by making an appropriate order as soon as possible thereafter. Subsections (5) and (6) will provide the necessary flexibility. The Lord Chancellor's power will thus be exercisable to provide for the admissibility of statements made orally, in writing in any form prescribed by the order, or by means of any form of recording—for example, audio or video tape.

Further, the power will allow the overriding of evidential rules entirely or, in respect of certain types of evidence only—for example, children's statements—or in respect of certain types of case only. It will allow for different provisions to be made for different courts and tiers of courts.

The substance of the new clause will be welcomed by the House.

Mrs. Llin Golding (Newcastle-under-Lyme): I welcome most of the provisions in the new clause. However, I have serious misgivings about the inclusion of subsection (2)(a) which says:

"he understands that it is his duty to speak the truth".

Surely that is absurd. We should listen to children. This is a Bill for children and we are trying to give children additional rights. It is absurd to exclude them because they cannot understand the concept of duty to speak the truth. Surely we should not expect children to understand the concept behind the words "duty" and "truth". Many adults understand the concept of a duty to speak the truth but do not do so, yet we listen to them. We should allow children to give evidence in court if they appear capable of giving truthful evidence.

Subsection (2)(a) should be deleted. The only criterion that we need for listening to children is contained in subsection (2)(b) which says:

"he has sufficient understanding to justify his evidence being heard."

I hope that the Solicitor-General will reconsider this part of the new clause.

Mr. Roger Sims (Chislehurst): I welcome the new clause, inasmuch as it clarifies the law, and makes it what the practice was thought to be until a few months ago. I also welcome the other means by which evidence can be

given. As I understand the clause, that means that, in the fullness of time, the Government could decide that video evidence of an interview with a child taken soon after an offence had come to light could be admitted as evidence in court. My hon. and learned Friend will be aware that a number of us have been pressing for this for some time.

What progress is the Pigott committee making? When is it likely to report? When will we hear from the Government what their reaction to that report is likely to be? Some of us hope that the outcome will be that the Government will feel that, on principle, such video recordings of interviews should be allowed. For once, when the Government announce such a decision, instead of saying that they will make it possible under legislation as soon as possible, the legislation will already be in place and the Secretary of State will have powers to make the appropriated regulations. I would be grateful if my hon. and learned Friend would say whether that assumption is correct.

Mr. Peter Hardy (Wentworth): I support the case advanced by the hon. Member for Chislehurst (Mr. Sims). As the Solicitor-General knows, the hon. Gentleman plays a significant part in the central executive of the National Society for the Prevention of Cruelty to Children, and the Solicitor-General is aware of the view of the NSPCC, with which I am connected. I hope that he will give the hon. Gentleman a positive and acceptable response.

I agree with my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) about subsection 2(a). My hon. Friend was right to say that if one maintains subsection 2(b) in the new clause, the purpose embodied in subsection 2(a) would be inadequately served. I can see that a great deal of time and energy will be expended on defining the words "duty" and "truth" and in arguing whether a child can or cannot understand those concepts. It is unnecessary to have subsection 2(a) because the court would have to accept that the child had a sufficient understanding of the situation to be allowed to give evidence in any case. I appeal to the Solicitor-General to read that reasonable proposition, and to accept that subsection 2(a) should not stand part of the Bill.

The Solicitor-General: I understand the point that the hon. Member for Newcastle-under-Lyme (Mrs. Golding) made, and that the hon. Member for Wentworth (Mr. Hardy) reinforced. However, what they are seeking and what is embodied in the Bill match better than they give credit for. I have appeared in a number of cases concerning children when the question of understanding the oath had to be dealt with. That has now been done away with. In reality, the court looked at whether the child understood the meaning of speaking the truth, and this will open up more cases, which will be welcome to the House. If the child is to understand sufficient to justify his evidence being given, that, as the hon. Gentleman said, subsumes subsection 2(a). While it could be argued that the wording is tautologous, it cannot be argued that it is to be unclear.

I cannot at the moment give my hon. Friend the Member for Chislehurst (Mr. Sims) a definite answer about the timing of our response to the Pigott committee, but if I am in a position to do so, I will write to him and to the hon. Member for Wentworth.

Question put, That the clause be read a Second time:—

The House divided: Ayes 183, Noes 0.

Division No. 335] **[10.39 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baldry, Tony
Banks, Robert *(Harrogate)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Boscawen, Hon Robert
Boswell, Tim
Bowis, John
Brazier, Julian
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Curry, David
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heddle, John
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kirkwood, Archy
Knapman, Roger
Lester, Jim *(Broxtowe)*
Livsey, Richard
Lord, Michael
Lyell, Sir Nicholas
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Mans, Keith
Marlow, Tony
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mellor, David
Mitchell, Sir David
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Raison, Rt Hon Timothy
Redwood, John
Riddick, Graham
Roberts, Wyn *(Conwy)*
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shersby, Michael
Sims, Roger
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Stern, Michael

Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Heathcoat-Amory and Mr. Greg Knight.

NOES

Nil

Tellers for the Noes:
Mr. Michael Welsh and Mr. Dennis Skinner.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

Mr. James Paice (Cambridgeshire, South-East): On a point of order, Mr. Deputy Speaker. I served in Committee and listened to all the proceedings on Report. I was under the impression that the Bill had wide support across the House and that all parties wanted to see the Bill on the statute book. Is it in order for a tiny group of hon. Members, who have taken no part in the proceedings in Committee or on the Floor of the House, to delay the Bill for some Machiavellian purposes of their own, which are unknown to me?

Mr. Deputy Speaker (Sir Paul Dean): Order. There has been nothing out of order. We had better get on.

Mr. Michael Welsh (Doncaster, North): On a point of order, Mr. Deputy Speaker. I ask for your advice, Mr. Deputy Speaker. There are a number of issues involved in the next group of amendments. Hon. Members may desire to vote on each. Shall we have the prerogative to vote on each amendment so that those who desire to vote on a particular amendment will be allowed to do so?

Mr. Deputy Speaker: We shall have to look at each amendment as it comes. It is a hypothetical question at the moment.

New Clause 2

DAY CARE PLAN AND REVIEW

'—(1) Every local authority, together with the appropriate local education authority, shall prepare a plan which shall—

(a) ensure the development of day care and education facilities for all children under five who require them; and

(b) include provision for children aged between five and fourteen before and after school hours and during school holidays.

(2) Every local authority, together with the appropriate local education authority, shall review child care provision within its locality every three years. Such a review shall include

(a) the training needs of persons working with children

(b) the requirement for child-care provision in the area.

(3) In assessing the requirement for child care under 2(b) above, the authority shall have regard to the wishes of parents in its area.

(4) Every review prepared under subsection (2) above shall be published, and shall be submitted to the Secretary of State, who shall publish a response to the review within three months of the date on which he receives it.

(5) In the course any plan or undertaking any review under this section, the local authority shall consult—

(a) existing voluntary providers of nurseries and playgroups;

(b) existing childminders;

(c) the local Health Authority;

(d) enployers;

(e) relevant trade unions;'.—*[Ms. Armstrong.]*

Brought up, and read the First time.

Ms. Hilary Armstrong (Durham, North-West): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take new clause 3—*Code of Practice*—

'—(1) The Secretary of State, shall issue a code of practice to be used by local authorities when deciding whether to register an applicant for registration under section (Child minding and day care for young children: registration), which shall include standards which should be met in the provision of care.

(2) The Secretary of State shall not issue any code of practice under section (1) above unless—

(a) he has consulted appropriate voluntary and statutory organisations on its provisions; and

(b) a draft of it has been laid before and approved by a resolution of each House of Parliament.'.

New clause 4—*Childminding and day care for young children registration*—

'(1) A local authority may refuse to register an applicant for registration under this Act if the care to be provided by that person when looking after any child as a childminder, or persons who provide day care for children on premises within that area, is in the opinion of the authority, likely to be seriously inadequate having regards to the needs of the children concerned.

(2) In assessing the adequacy of care for the purpose of this section, regard shall be had to the Code of Practice set out in this Act.'.

Government new clause 25—*Orders pending appeals in cases about care or supervision orders.*

Government amendment No. 388.

Amendment No. 30, in page 61, line 32, at end insert—

'(e) require him to take out public liability insurance for his work as a childminder.

(f) require him to attend a local authority approved course of pre-registration training.'.

Government amendment No. 484.

Amendment No. 31, in page 62, line 39, leave out 'seriously'.

Government amendment No. 130.

Amendment No. 33, in page 64, line 23, leave out

'at least once every year'

and insert

'at least once every three months'.

Amendment No. 480, in page 64, line 23, leave out 'year' and insert 'six months'.

Amendment No. 27, in page 121, leave out lines 31 and 32.

Amendment No. 29, in page 123, leave out lines 35 to 43.

Amendment No. 361, in page 123, line 40, leave out 'and requiring him to pay to them such fee as may be prescribed'.

Amendment No. 360, in page 123, line 40, at end insert

'However the local authority may waive fees in such cases as it deems necessary and any prescribed fee shall not exceed £10 per annum'.

Ms. Armstrong: We now come to provisions in the Bill which, in some senses, do not have the consensus around

them about which we heard earlier. The Government are missing a major opportunity here, despite all the rhetoric that we have heard from Ministers in the past few months. The issue of registration and regulation of day care facilities is central to the protection of children and the Government have missed an incredible opportunity.

New clause 2 sets out a broad framework for the way in which we should like to see registration carried out. I say from the beginning that there are significant omissions from the new clause. One is that there is no mention of any idea of charging for registration—an aspect with which I shall deal later in my speech.

I am anxious that the Government and the House should recognise that the Opposition believe that the registration and regulation of day care is a public responsibility and should, therefore, be an aspect of public policy and public spending. New clause 2, if adopted, would be one of the most important clauses in this important Bill. It calls for a regular public local authority review and a response by the Secretary of State to that review which will involve all the people concerned with child care provision. The new clause demonstrates the importance that the Opposition see for the future of child care and leads us to debate the entire provision of child care in our society.

People inside and outside the House see child care as one of the essential political issues of the next few years. It is the most important issue to women between 20 and 35 and is at the top of their political agenda. We know from their representations that many of them are worried about the level of quality that may prevail without good regulation of child care. We also know that they have little confidence in the manner in which the Government have addressed the issue.

This clause more than any other demonstrates the need for a new Labour Government to introduce child care regulations. We shall propose new legislation because we believe that central Government have a responsibility to all the nation's children, not just to those children who come before a court or who come within the Government's definition of children in need.

Since the Committee stage, Opposition Members who were critical of the Government's inadequate approach to child care have been joined by some important allies. I hardly dare quote one of them as I do not often see that organ of the press as an ally. On Thursday, the *Daily Mail* said that it had carried out a survey which had found that Britain had the worst child care services in Europe. That is important evidence. I hope that the Government will take note of that newspaper's findings, as they keep telling us that many of their supporters read it. Until the publication of that article, I had believed that Britain had only the second worst child care services in Europe.

The Government must realise that the crisis in child care will not go away. With the measures in the Bill it will only get worse. The clause providing for a local authority review is inadequate in a number of ways. That is hardly surprising, as it was placed in the Bill late in the Committee stage. In subsequent contacts with local authorities, I have not been able to find anyone who was consulted about the nature of that additional duty before the Government's new clause was tabled. Consulting everyone involved in child care is a central role that the Government should undertake, but they have chosen to ignore the consensus about what is needed.

Two vital additions in new clause 2 raise the subject of the national crisis in child care provision and the Government's abdication of responsibility. First, subsection (2)(b) lays a duty on local authorities and local education authorities to review the requirements for child care in their areas. It is vital for a local authority to know and understand the needs in its area. Secondly, subsection (4) requires the Secretary of State to publish a response to all those reviews within three months. It is not surprising that the Government have no wish to have an analysis of the need for child care. I suspect that they are frightened of what they would find if they tried to assess the need properly.

It is not surprising that a Government who have shown no inclination to take any responsibility for child care make no mention of their obligations. Their attitudes to their responsibility for child care make no mention of their obligations. Their attitudes to their responsibility towards child care are best summed up in the words of the Home Office Minister who chairs the ministerial group on women's issues. He summed up his view of Government responsibility by saying:

> "I don't think that the State should step in to help the working mother unless her life has collapsed."

The Government will only help with child care when a mother's life has collapsed. The message for mothers is that when they are on their knees they can go to the Government for help and the Government will consider giving it. The leak about child benefit confirms the worries people have about the extent of the Government's real concern for the children of Britain.

11 pm

The Government's attitude towards helping women return to work comes at a time when the rest of Europe is gearing up their work forces for the single market in 1992. I assure the House that Governments in other European countries are interested in helping mothers to return to work before their lives collapse. The social dimension of the market in other European nations is causing Governments to recognise their responsibilities to child care.

The European Commissioner Madam Papandreou has commented on the woeful record of this country in providing child care. Like other national Governments, she recognises how our national economy will be undermined by the Government's failure to take on the responsibility outlined in the new clause.

The Bill begins with a clause that the Opposition wholeheartedly support, which declares that the welfare of the child shall be paramount. The Opposition strongly support that. We believe that the same duty laid on courts in clause 1 should be laid on the Secretary of State in this section of the Bill with regard to child care.

New clause 2 raises three important issues of detail which are missing from the existing clause 17. Our new clause lays the duty for carrying out the review jointly with the local authority and the local education authority. It also lays the duty to ascertain the needs of the locality on the two authorities. That may seem technical and minor. However, new clause 2 applies to Scotland.

In Scotland the authority with responsibility for half the children in Scotland has already co-ordinated child care under the local education authority. It would be nonsense if one of the very few authorities to have co-ordinated and integrated child care were to be in

[Ms. Armstrong]

difficulty. Many of the London authorities have made representations that under the reorganisation of education they want to place child care within the local education authority. We want to ensure that they can do that as they have recognised their responsibilities.

When the Select Committee on Social Services reported earlier this year, it recognised the importance of close co-operation. It stated:

> "From our visits we have concluded that where there is a will to work together significant progress can be made in co-ordination and we reiterate that there are no easy answers to improving co-ordination. We therefore suggest the current progress towards the establishment of joint sub-committees in local authorities."

Co-ordination and integration are central to the future opportunities of children in child care and it is important that the Bill offers the framework that enables and supports that rather than frustrating it.

Mr. Tony Marlow (Northampton, North): Will the hon. Lady give way?

Ms. Armstrong: No, I will not give way now.

The next issue concerns consultation with voluntary bodies. The Opposition have constantly stressed the importance of co-ordinating statutory, voluntary and private child care provision. This new clause is no exception. Given the importance of the voluntary sector, it is necessary for the primary legislation to specify the fact that consultations will take place and that there will be central involvement. The reality of child care is that, as parents desperately look for the best situation for their child, they must frequently put together a patchwork of provision. If anything happens, the patchwork comes apart, so co-ordination is essential.

Mr. Marlow: Will the hon. Lady give way?

Ms. Armstrong: I will give way to the expert on child care.

Mr. Marlow: I apologise to the hon. Lady if she has answered the question that I am about to ask, because I had to go outside to get this piece of paper. If she did not do so, could she do so now? This is a very exciting and interesting provision that the hon. Lady has put forward in new clause 2. Could she tell the House how much it is likely to cost and who would be paying for it?

Ms. Armstrong: The hon. Gentleman should read the Government new clauses, because there is a similar proposal from the Government. Hon. Members have not had a costing, nor have we heard how the measure will be paid for. I shall be interested to hear the relevant information from the Government. I am talking about the differences that my new clause raises.

Mr. Ian McCartney (Makerfield): My hon. Friend should ask the hon. Member for Northampton, North (Mr. Marlow) what value the Tory party places on child care and the prevention of abuse. That is the real issue. I should have thought that all hon. Members would be concerned not with cost but with the effects on children —that is, children first and costs second.

Ms. Armstrong: My hon. Friend makes an important point.

The next issue which is contained in our new clause and not in the Government's new clause is the importance of considering parents' wishes when drawing up plans. The omission of parents from the Government's plans for review is significant. They know what parents are saying about child care. Parents do not expect their lives to have to be in a state of collapse before the Government come to their aid. They believe that the provision of child care is right and that people in this country should at least have equal opportunity with their European cousins. Great numbers of people have been saying and will continue to say, as they did last weekend, that they expect and will look for a Labour Government who will actually take child care seriously. I can assure them that they will not be disappointed.

New clause 3 outlines the importance of a code of practice developed by the Secretary of State, and again demonstrates the importance of consulting bodies. On Friday, the Government announced the new child care accreditation scheme. They said that they were keen to encourage high standards of child care, but then said that they would hand the responsibility to a new body which they hope will be created and which we assume will be the nursery equivalent of the chamber of commerce. The Government also said that they wanted a new national body of private nursery providers to give information about availability in local areas and develop its own code of practice to which its members would subscribe. We have had plenty of experience of that. We discussed some of that experience last night when we discussed some of the vile practices that have been going on in some independent schools. The private market cannot and never has delivered high quality.

For the Government to abandon their responsibility and to transfer it to the private market is a tragedy for children and an indictment of the Government. The Government's approach is totally inadequate. We need a code of practice to be incorporated in the Bill, or at least a commitment from the Government, recognising their responsibility to develop a code of practice which would then be applicable across the board, in each authority.

This meek and mild new clause was tabled in the hope that the Government would take hold of the principle and work on it. It is not doctrinaire. It recognises that the Government have a public responsibility which they should not shirk.

New clause 4 underlines the importance of registration and a code of practice. Again, it simply seeks to ensure that we establish national guidelines by which local authorities can operate. I have been to local authority after local authority in England, Scotland and Wales, and each has said that it needs guidelines that it can adapt to its local situation, but which will give it power if challenged. They fear that many of the new private nurseries will wish to challenge their decisions and they want to know that they can go to court, with clarification as to the basic minimum standards they must demand. They want to know that they will be able to defend those standards in court. At the moment no local authority feels confident about going to court and saying, "We refuse to register this nursery because we do not feel that the staff are sufficiently well trained or qualified to care for children." It is a great indictment of the House that we have not given local authorities that commitment.

Amendment No. 30 gives the Government a clue as to how they could get near the basic minimum. We have said

that each child must have a carer who matches the minimum criteria. The criteria that we have identified in the amendment are insurance and training. We want to be sure that every child minder, play group and private nursery has insurance so that if a child is injured on its premises there will at least be some compensation. We feel that that provision will in itself ensure that those who care for children will be mindful of the health and safety needs of the child and will ensure that those needs are addressed.

The second issue, which is of great importance, is training. I have discussed this matter with an authority which is trying to establish the practice outlined in these provisions as part of its registration process. Pre-registration training should be a requisite for any person or group applying to be registered. Apart from anything else, where this has been tried, it has meant a self-cancelling-out process. When people who want to be child minders attend short courses—the Open University has developed some good course material—and go through what it means to be a child minder in terms of one's own family, one's responsibilities and one's relationships with the child's parents and the child minder support network, there tends to be a self-weeding-out process. When some people realise what the job really entails, they say, "This is not for me—my family and I cannot match those needs." Pre-registration training also means that local authorities can discover what motivates those who put themselves forward as potential child minders.

We cannot overestimate the importance of this matter. This part of the Bill will touch many more children than the rest of it because it deals with the many thousands of children whose parents want them to have child care opportunities before they go to school and, when they are of school age, after school and in school holidays.

11.15 pm

If we want to protect children, what is the point of developing a structure to protect them from abuse, or to help us to identify abuse and protect them? We want children to be in a protected and supportive environment from the beginning.

Amendment No. 31 removes the word "seriously" from the phrase "seriously inadequate" as the reason why a local authority can cancel registration. Local authorities are worried that "seriously inadequate" will be difficult to sustain. I do not believe that any hon. Member would be happy to leave his or her child or grandchild with someone who is inadequate, let alone seriously inadequate. The House ought not to be satisfied with such a definition.

Amendment No. 33 decreases the span between inspection from one year to three months. We believe that we ought to encourage best practice, not minimum standards. Many local authorities already inspect more regularly than once a year, and we want to ensure that that best practice is encouraged.

Charging is the issue which worries voluntary groups most. I am bewildered by the Government's attitude on the subject. I listened carefully in Committee and I have re-read the *Hansard* reports of our debates, but I am unable to detect why the Government have introduced this part of the Bill.

Last night, we discussed the contradiction between charging voluntary groups and child minders for registration but not, for reasons I understand, public and independent schools. The contradiction may be apparent to us in the House, but it will seem an enormous political blunder to the people who run voluntary play groups. More than that, it will demonstrate to them that the Government simply do not understand or care what happens to them and their attempt to provide a public service.

How can the Government talk seriously about charging child minders and pre-school play groups, for example, when they recognise the problems of trying to charge independent schools? Do the Government understand what they are suggesting? The Pre-School Playgroups Association has 14,000 registered groups, which have 600,000 children. Parents already contribute, through fund-raising and charges made for the running of such groups, the sum of £50 million a year. The association's groups receive the magnificent sum of £4 million per year in grants from local authorities and industry. Already, they have to raise money just to stand still. Those groups do not want to bear additional burdens—they want to be involved in training and to ensure that their employees receive a decent rate of pay. At the moment those working for the PPA receive, on average, 70p per hour. Far from being able to bear the additional costs, the PPA is looking for support. It fears that its existence is threatened by the amendments, especially in areas such as mine where parents' resources are already stretched to the limit.

The House should recognise and value the voluntary play groups and community nurseries as part of a group of services from which parents can choose the most appropriate care for their children. We should be supporting those groups and should consider them as part of the public services provided for our children. Those groups have fought for better regulations and support. They have pressed the Government to give them greater involvement and closer working with local authorities. They want to be part of the national structure, but they are now under threat of closure.

We are simply unable to understand why the Government are pushing the issue of charging. In Committee and in the House the Minister assured us that he was minded to fix the charge at a low rate, but that he needs time to consult groups and authorities about the level of charge. If the charge is to be so low that it will not threaten the existence of play groups or community nurseries and will not discourage child minders from registering, it will be lower than the cost of collecting it. Such is the nonsense with which we are now involved.

The Minister also assured me that the charge was not meant to raise revenue for improving services, so why impose it? I can think of no other reason than political dogma. I have searched *Hansard* and the Government press statements—there are plenty of those—and I have searched my head, but I cannot come up with any rationale apart from Government dogma.

During the summer many press statements were made about child care. The Minister of State at the Department of Education and Science has told us that we are about to see the biggest push for child care since the second world war. We have had the famous five-point plan from the ministerial group on women's issues which was to sort out all the child care problems, but where is the substance? Where is the Government commitment to provide anything? The Government have said that they expect the market to provide.

The rest of the Bill is designed to limit the market and private exploitation of children, but what we are discussing

[Ms. Armstrong]

will touch more children than the rest of the Bill. The Government, however, are stuck with the ministerial group saying that market forces should meet the needs of child care.

The market cannot protect children, we know that. It is our determination to demonstrate to the country and to the voluntary organisations that we recognise a central vote for Government in co-ordinating and regulating the quality of child care so that it is the best possible. We are determined that all children, not just those classified as in need, should have the best opportunity for quality child care. That is why we have said that it is the duty of local authorities to assess the need of all children in their area when they review the services for children.

The Government have a role and I beg them, for the future opportunities of children in Britain, to recognise that they are missing a chance to take that central and important role. The clauses, particularly when taken together with the statement about the new group on voluntary accreditation, will lead to confusion, with everyone paddling their own canoe, instead of co-ordination.

Let us recognise that it is the duty of the House to lay down guidelines which will enable local authorities to ensure that every child in their area has the best possible opportunity. That should be done in co-ordination with voluntary organisations and parents. It is our responsibility to ensure that.

Mr. A. J. Beith (Berwick-upon-Tweed): The issue of charging has caused a great deal of anxiety in the voluntary play group movement. It is my view and that of my party that we should seek to expand the grossly inadequate provision of day care and nursery education by working together with local education authority nursery provision, workplace nurseries and the voluntary play group movement. Charging is likely to present an obstacle to successfully achieving the registration and inspection system which, in itself, is desirable. Many play groups are already closely involved with their local education authorities in registration systems and some local authorities, including my own, seek to provide advice and support to play groups when possible.

In many areas introducing a charging system will drive parents towards back-street child minders instead of proper organised groups and will drive many good play groups out of business. That problem will be acute in urban and rural areas. My right hon. and hon. Friends and I have received representations from many different kinds of areas including urban and rural.

I quote from a letter from Bradford which states:

"Without doubt this new levy would result in the closure of many playgroups in Bradford, mainly those in the inner city areas where the state nursery provision is failing to cope with demands by parents."

That is certainly a serious threat in many inner-city areas.

I know and represent rural areas in which my wife used to work for a play group. I too have been associated with quite a few such groups. In many cases they are the only form of day care provision available to children in the area. They are not the preserve of a small coterie of middle class parents, but are the only provision available and are used by the poorest families in rural areas. Rural poverty is particularly acute because it is usually associated with high-cost transport to the facilities which are available in urban areas, or no transport at all.

Many play groups in the scattered rural areas are extremely worried by the threat of charging and are uncertain about what levels of charges might be introduced. They fear that they could run into hundreds of pounds. Will the Minister look again at this aspect and say more about it tonight? If he is unable to do so, he must not be surprised if a note of controversy, which has been absent from much of the Bill, arises at this stage.

The Minister has an ally in voluntary play groups if it is his ambition to expand day care and make use of voluntary help. However, he will prevent his major ally from doing its current job if new charges are imposed which discourage groups from being formed and parents from making use of them. Therefore, I urge the Minister to look again at the issue.

11.30 pm

Mr. Hardy: In Committee, Government amendments on the subject with which we are now concerned were tabled late, making it difficult for the voluntary organisations to react. Nor was the matter debated fully in the other place. For that reason it is appropriate for the House to discuss the issue in considerable detail now. It also provides hon. Members who were not fortunate enough to be members of the Committee with an opportunity to express observations on behalf of themselves and some voluntary organisations. For example, the NSPCC welcomes the opportunity that we have at this stage of the Bill to discuss certain issues at greater length.

About 11 years ago I initiated an Adjournment debate on the subject of child minding and on that occasion I made a number of recommendations, some of which are embodieds in the Bill, while others appear in various amendments. For example, while registration is necessary, that process is not assisted by the imposition of a charge, and I urge the Government to review that aspect of the measure.

I echo the remarks of the hon. Member for Berwick-upon-Tweed (Mr. Beith) about play groups. My hon. Friend the Member for Durham, North-West (Ms. Armstrong) said there were 14,000 such groups in Britain, and I have a few in my constituency. They do a good job. If, in addition to their existing responsibilities, they must raise money to pay a fee, the people running the groups will bitterly resent that imposition.

I hope that the Government will accept our amendments. The proposed cut-off age of eight is not reasonable. Children between eight and 14 merit consideration and there should be adequate provision and safeguards for children of that age. Some voluntary bodies will no doubt be prepared, given the approach of the Government, to accept a cut-off at the age of 12 rather than 14, but few outside the House would agree that care of this type should cease at age eight.

Some of the proposals in the Bill are of a historic nature and the Government have made some concessions. Indeed, this is the first major piece of legislation concerned with nurses and child minders since the Nurseries and Child-Minders Regulation Act 1948. Should future electoral fortunes turn out to be different from what my hon. Friends and I expect, the Bill may stand as the major

basis of law and practice for generations to come. That makes it even more important for the Government to take a more forward-looking view of the area we are discussing. If the measure is to be relevant for, say, the coming 20 or 30 years, more generosity should be shown by the Government to the issue of day care for young children.

Registration fees must not be imposed in such a way that unsavoury or inadequate practice might be encouraged. The argument that I adduced 11 years ago was relevant then and, unfortunately, remains relevant today. More progress should have been made in the intervening years. The Government now have an opportunity to make progress, particularly in view of the co-operation and bipartisan approach that, I understand was evident in Committee. I hope that the Minister will assure the House that, if there is to be a charge, it will be minimal—minimal as the Opposition might think of it, not as Tory Members might. In many of the poorest areas of Britain what might sound modest sums to Conservative Members can seem penal——

Mr. Michael Welsh: This point is vital in mining areas in which a great deal of unemployment has occurred in recent years. My oldest child goes to a play group; if there was a charge for it, the group would close. Where would we go from there? It exists now only because of the kindness of the Boy Scouts and the Catholic Church. If there were a charge, what would happen to the young people who are being prepared, during their formative years, for when they start going to school seriously?

Mr. Hardy: My hon. Friend is right. I have been compiling details of cases of low pay in my constituency. Only four days ago I encountered a case of an adult who is working full time, from 8 am to 5.30 pm with half an hour off for lunch, and being paid £39 a week gross. Another is being paid £43 a week gross. When that sort of wage is being paid and people are facing the stark horror of poverty, there is no scope for their children to attend groups for which there is even the "nominal" contribution that Conservative Members may want. I am extremely anxious that children from ordinary and poor homes shall not forfeit the opportunity and educational advantage that membership of and activity in these groups and schemes provide.

It is essential, if the Government want in any way to remain the one-nation party that their party once sought to be, that they re-examine these fees. If, in addition to their application to pre-school play groups, fees are to persuade child minders to operate unlawfully and improperly, the Government will do great deal to undermine the many good aspects of this Bill. To maintain bipartisan support and to command the respect of the voluntary bodies which have developed a considerable regard for this area of Government endeavour, the Minister must reveal a little more generosity than we have been led to expect from the Bill that emerged from the Committee.

I did not intend to make a long speech, but this matter is important enough for us to call on the Minister to offer a response that will relieve some of the anxieties that have grown up about this part of the Bill.

Mr. Andrew Rowe (Mid-Kent): I apologise for having missed a small part of the speech by the hon. Member for Durham, North-West (Ms. Armstrong), but I did hear most of it.

I have no doubt that child care will become one of the most important political issues of the next five or six years. It is central to equality of opportunity, to the aim of getting more women into and back to the work force, and to keeping them there if that is where they want to be. It has all sorts of connotations in relation to preparing children for education. It is a major subject and there is no doubt that the House will return to it. The Bill is not the instrument in which to set out a whole new policy for pre-school child care.

I was recently lobbied by play groups in my constituency and they expressed considerable anxiety about the effect of a registration fee. I have no doubt that my hon. and learned Friend the Minister has the best possible motives for introducing such a fee. I am not trying to put words in his mouth, but I am sure that he will think that there is great security to be derived from creating a contractual relationship between local authorities and groups and child minders so that there is a mutual obligation for groups to register and for local authorities to inspect the groups to see that standards are sufficiently high.

In my county play groups are inspected as often as three times a year and that is done without a fee. The one matter on which I find myself in agreement with the hon. Member for Durham, North-West is that if the fee is set low so that it is not a burden it may well prove to be too expensive to collect. I am uneasy about that matter.

I am certain that we cannot continue with pre-school play groups outside the voluntary organisations that are nationally recognised. We cannot have haphazard, casual groups being set up and accepting standards that none of us would accept as appropriate. I have no doubt that the Minister's proposals are intended to correct that, but I ask him to think carefully before he demands a registration fee.

Mr. John Home Robertson (East Lothian): The hon. Member for Mid-Kent (Mr. Rowe) was wringing his hands both figuratively and physically during his speech. I am not surprised because I am sure that he feels a little uneasy about what the Minister has proposed.

I am grateful to my hon. Friend the Member for Durham, North-West (Ms. Armstrong) for proposing the new clause and the group of amendments which refer to the valuable work carried out by pre-school play groups throughout the United Kingdom. I understand that the amendments apply to my country of Scotland as well as to the other nations of the United Kingdom.

As always, the hon. Member for Northampton, North (Mr. Marlow) helped to concentrate our minds when he intervened in the debate. He asked my hon. Friend the Member for Durham, North-West how much it would cost if the amendments were incorporated in the Bill. May I turn that question around and ask him how much it would cost the nation if it failed to make adequate provision for our youngsters? The children of the nation are its future and if we neglect them it will cost the whole nation dear.

Pre-school play groups do a valuable job. From time to time I meet the members of such groups in my constituency and, happily, they are well supported by Lothian regional council. It is Labour controlled and generously supports voluntary organisations in terms of finance and in the provision of premises. It is right for the authority to do that. Would it not be ridiculous if the

[Mr. John Home Robertson]

Scottish Office were to be required under this legislation to require local authorities to give grants to play groups and then to take money back in the form of fees? Such a provision does not make sense.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) highlighted the importance of such nursery provision in rural areas. While it should be the objective of any responsible Government—that rules out this bunch—to provide nursery education to the best possible standards of pre-school education, that will not be possible in the remote rural areas. Therefore, it must make sense to encourage the voluntary sector to carry on with its valuable work. I fail to see how that will be possible if we tax these people for the work that they are doing.

11.45 pm

I should declare an interest as my wife has, for a long time, been a member of the executive committee of the Scottish Pre-School Playgroups Association, so I get lobbied on this subject. She has often made the point that it is galling for mothers who have to make costly arrangements to attend the education and training sessions and the meetings of groups, deal with highly paid civil servants, have to do so in their own time, often with considerable travel expenses. Here we are considering the imposition of yet another burden on people who do such voluntary work, and there can be no justification for such an imposition on that voluntary sector.

The Minister may recall that the Prime Minister, on numerous occasions, has sung the praises of the voluntary sector. I suppose she is trying to kick over the traces in regard to the undertakings that she has given about nursery places for every child. She has spoken of the great job that the pre-school group movement is doing, but this provision will kick that movement in the teeth by imposing a tax on it. I hope that the Minister will think again.

Mr. Paice: I am in somewhat of a quandry in that I had expected the debate on charges to come on a later amendment, but as it has been raised now, perhaps the debate should be complete now.

One aspect of charging has not yet been mentioned. The role of the pre-school play groups is recognised and endorsed by both sides of the House. Concern for their welfare is not the sole domain of the Opposition, and I recognise their value, particularly in the rural areas described by the hon. Member for Berwick-upon-Tweed (Mr. Beith). They have a vital role to play and are often the only provision in such areas. I do not want them to be jeopardised by the implementation of anything that would be to their disadvantage. However, some play groups are run on a commercial basis. A number of organisations covered by the schedule to which these new clauses refer set out to make a profit from their operations. I should be surprised if the hon. Member for Durham, North-West (Ms. Armstrong) and her colleagues did not believe, as I do, that such organisations should pay a realistic fee for the necessary registration and inspection of their premises.

That is important, but it has to be set against the larger number of play school groups which are run on a charitable basis and on a shoe string, with voluntary help. We should not dismiss charging, as the Opposition suggest, but my hon. and learned Friend must devise a charging mechanism flexible enough to recognise that those organisations which set out to make a profit from their operations should pay a full cost recovery based fee but that all the others working on a charitable basis should pay a nominal fee, in the order of £5 per year. I appreciate that that is hardly worth collecting, but such a charge should not prejudice the excellent work that is being done. We must try to distinguish between the different operations that are undertaken. Accordingly, I could not support the proposal to abandon the idea of a fee. I hope that my hon. and learned Friend the Minister will recognise the need for a mechanism which is sufficiently flexible to cover the various forms of provision.

Mr. Max Madden (Bradford, West): The Government's proposal to levy a registration and inspection fee on pre-school play groups has sparked considerable controversy in Bradford. The hon. Member for Berwick-on-Tweed (Mr. Beith) told us that he had received representations from people in Bradford. During June and July I received petitions signed by more than 400 of my constituents who are involved with various play groups, including the Trinity Methodist church play group, Thornton play group, the Manningham Asian Women's Centre play group, the Horton Bank Top play group and the Millan Centre play group. In Bradford, there are 30,000 children under five years of age and there are no more than 500 public nursery places.

One of the petitions that I received stated:

"We should like to draw to your attention that this group is a charity, run by volunteers, to meet the needs of children under the age of five in our community. Play groups provide a vital educational service to the community, using volunteers, and we strongly oppose the suggestion that a financial penalty should be imposed on this service.

Despite constant, regular fund raising—jumble sales sponsored events, etc.—it is still necessary to charge a fee in order to pay the rent, provide equipment (paint, paper, glue, climbing frame, books etc) and pay expenses. The imposition of a registration fee could lead to the closure of our group with grave implications for the children of our community."

My hon. Friend the Member for Durham, North-West (Ms. Armstrong) said that she had searched high and low for an explanation from the Government of why they were pressing for the introduction of a registration and inspection fee for pre-school play groups.

Mr. Ian Bruce (Dorset, South): On a point of order, Mr. Deputy Speaker. I have searched the group of amendments that we are discussing and I cannot find any reference to charging or not charging. I ask you to advise me whether the issue comes within the group. I do not believe that voluntary play groups should be charged, but I seek your advice.

Mr. Bob Cryer (Bradford, South): Further to that point of order, Mr. Deputy Speaker. I can tell the hon. Member for Dorset, South (Mr. Bruce), who is signally ignorant about these matters, that amendment No. 27, and the two amendments which I have tabled, Nos. 361 and 360, deal specifically with charging. I have no doubt that in the early future I shall be given the opportunity to elaborate on these amendments.

Mr. Deputy Speaker: We have before us a wide group of amendments, but amendment No. 27 refers especially to the issue of charging. It is in order, therefore, to refer to charging.

Mr. Madden: I am speaking in support of amendments Nos. 27 and 29.

I was about to say, before I was interrupted by the hon. Member for Dorset, South (Mr. Bruce), who has only recently entered the Chamber—it is no wonder that he has no grip or understanding of these matters—that the Minister, who replied on 23 August to a letter which I sent him on 17 August, wrote:

"I know that there is a lot of anxiety about this change to the registration system. Local authorities are already faced with an enormous increase in requests for registration, particularly from the private sector. They need to be able to provide an efficient and reasonable quick registration service and I think they should be able to charge for this. It seems to me that anyone proposing to provide a service where there is a statutory registration requirement should look on a fee as part of the setting up and running cost. I believe that in time these fees will be seen in that way."

It is clear that the Minister and the Government are seeking to introduce the fees because they look around and see a burgeoning private sector which, as the hon. Member for Cambridgeshire, South-East (Mr. Paice) said earlier, are organisations charging fees and seeking to make a profit on a commercial basis.

I, along with the majority of those hon. Members who have spoken tonight, are worried about the voluntary organisations, in many cases charities, who provide an important service in working class areas for working class children whose parents find great difficulty in making ends meet. The introduction of a registration and inspection fee will, as the petitions to which I have referred show, force the closure of many groups in my constituency and will put others in considerable financial difficulty.

It is extraordinary that the Minister should come to the House proposing such a fee without having the foggiest idea of what its effect would be. On 20 July I asked the Minister:

"what research he has undertaken about the likely impact of registration and inspection fees being imposed on pre-school playgroups *(a)* in Bradford and *(b)* elsewhere."

His answer was brief. He said:

"None."

It is extraordinary that the Government should be proposing to introduce such fees without having any idea of, or without having undertaken any research into, what the effects would be.

I also asked the Minister:

"if he will take steps to provide grants for pre-school playgroups in areas where there is no public nursery provision."

Again, the Minister's answer was brief. He said:

"No. This is a matter for local decision."—[*Official Report*, 20 July 1989; Vol. 157, c. *297*.]

Rather than suggesting the introduction of a fee, which will inevitably cause the closure of many groups and create even more financial difficulties for many others, the Minister would have been well advised to provide extra money for local authorities so that they could fund existing pre-school play groups in areas such as mine, which are doing an excellent job. That would be far more welcome to the groups than the proposal that he has put before the House tonight.

A constituent of mine who has been involved in play groups for a long time has written to me saying:

"Most playgroups get no financial assistance, make no profit, run on a shoestring—do not pay their workers anything or if they do only £1-£2 per session and endeavour to keep costs for parents to a minimum—they are not middle class institutions and very often serve as the beginning of the road back to employment/training/further education for working class women. They are used not only by parents but by childminders grannies etc. in areas where no state facility whatsoever exist—how anyone (the government) can suggest that such groups pay a (yearly) registration fee makes my blood boil—they should be making grants to playgroups not the other way about."

We are told that we are now confronted by a listening Government. If the Minister has been listening to the contributions made in this short debate, he will be clearly of the view that there is no support for the introduction of fees for inspection or registration. Even those Conservative Members who have spoken have not supported the proposal. The sensible action for a listening Minister from a listening Government who wishes to respond to the genuine concerns and anxieties of the voluntary sector and charities doing vital educational work, preparing young children for their state education, would be to take the proposal away and say that he will seriously reconsider it. Let us all hope that he will throw it in the ministerial dustbin as soon as he possibly can. If he is not prepared to do that, I urge those Conservative Members who have expressed their deep reservations about the proposal to join us in the Lobby and vote down this silly and regressive proposition.

Mr. David Hinchliffe (Wakefield): I am pleased to see so many hon. Members present at this time of night to discuss an important issue. I am grateful for the support that those of us who have worked on the Bill have been given tonight by others who share our concern about day care and provision for children.

12 midnight

I have always been worried that the issue of day care has been regarded very much as a Cinderella service within social services. It is important to make the point that the new clause relates to Cinderella provisions which are the worst in the Bill. One or two of us vigorously opposed certain aspects of the Bill last night, but our worries then were as nothing compared with our worries about the provisions we are discussing now.

I have long been concerned about day care, and I have been worried by the fact that many local authorities have not given sufficiently serious thought to the importance of day care. I discussed with one of my colleagues a few minutes ago the position in Wakefield in 1983 when, as my hon. Friend the Member for Hemsworth (Mr. Buckley) who was on the council with me will recall, the then leader of the council, Mr. Jack Smart, came up with the proposal that we close the entire day nursery provision in Wakefield district to meet the Conservative Government's targets on spending. Many of us in the group felt strongly about that, so we took the issue to the High Court. Eventually Mr. Smart, who was given a knighthood by the Government for the work he was doing on behalf of the Tories at the time, was replaced, not before time, as the leader of the Labour group in Wakefield. I am pleased to say that in my own area we are now rebuilding the day care provision for vulnerable young people.

The Bill gives only scant consideration to a fundamentally important part of child care provision. I listened carefully to my hon. Friend the Member for Wentworth (Mr. Hardy) a few minutes ago when he talked about his worries on day care. It struck me at the time that I was not alive when the Act that currently regulates day care was passed by the House in 1948, which was shortly before I was born. My hon. Friend probably remembered the Bill going through the House and he may have taken part in the debate, if he was here at the time.

[Mr. David Hinchliffe]

The regulations that currently govern day care stem from the Nurseries and Child-Minders Regulation Act 1948 and they are wholly inappropriate to day care in 1989. When I worked in social services, I had to administer the regulations and put them into practice and I am worried because they are incredibly loose and insufficiently clear. One worrying factor is that it is obvious that they are interpreted in widely differing ways by different authorities, so the arrangements in the Act are not applied consistently throughout the country.

An area of great concern to me and, I suspect, to many others involved in social work is what is called the "fit person" clause, which is the definition of a person who is fit to offer services as a child minder or day carer, or to run a nursery. That provision leaves much to be desired in assisting those who have the task of registering people concerned with day care.

It is also important to make the point that the current regulations mean that the physical arrangements for the children involved are vague. The criteria on matters such as the suitability of the premises offered, the amount of play space and the ratio of staff to children are left, under the regulations, entirely in the hands of the relevant local authorities. People who move from one local authority probably find wholly different interpretations of the regulations in another.

It is not surprising that our present problems were not anticipated in 1948. The Act failed to lay down any form of national standards, resulting in patchy and viable provision among local authorities. Some split responsibility for nurseries, play groups and child minders between three departments. There is no coherent policy among local authorities. Recently I found that the designated officers involved in day care in Kent work in six separate areas, lacking any common approach. That is nonsense in a service that should justify a coherent approach and common standards.

The Opposition are attempting to tighten the legislation and provide for proper regulation of services. I am worried because, unless the Government have amended the Bill in a way that I have not picked up—I have studied the amendments carefully—there will be complete deregulation of the provision of care for children over eight. That conflicts with the rest of the Bill's provisions, which set clear standards for child care and which will ensure that we promote the welfare of children in different circumstances.

I should like to know the thinking behind this measure. I am worried about the Government's reasoning. I suspect that they want to remove the need for them to provide local authorities with more funding for registration and inspection. Undertaking registration and inspection costs local authorities money. Knowing the Government's philosophy, I suspect that they also want to free the market to make it easier for people to provide. I am not happy with that. We had a free market in the independent sector in education, to which my hon. Friend the Member for Durham, North-West (Ms. Armstrong) referred. It allowed the serious abuse of young children. To their credit, the Government have dealt with that problem, but why did it take so long for that serious issue to be tackled? I am worried about the Government following the free market approach to the welfare of children and easing the regulations to attract more people into the business.

I take seriously some of the comments made by people with detailed knowledge of day care. The National Childminding Association has done a great deal in pressing for national regulations. Sue Owen of the NCA said:

"They've tried to exempt as many things as possible because they're concerned at the resource implications."

She predicted that change would mean

"that we'll probably see armies of unregistered child minders, which we've been trying to prevent for years."

There are still many unregistered child minders. I suspect that the majority in certain cities are unregistered. Rather than tackling the issue, the Government are making things worse through the Bill's provisions. The chief executive of Gingerbread said that deregulation was "absolutely horrendous" and completely against the rest of the Bill's provisions.

My hon. Friend the Member for Durham, North-West referred to training. I am concerned that the Bill does not do anything to assist with the training of those who work with young children. My four-year-old son recently started at a nursery school. I see at first hand the care that the teachers provide. Their skill has come about not by accident but because they have been properly trained. We should accept the need to train people beyond the level that they willingly undertake in the excellent courses offered by the Open University. It is vital that we establish proper training, but the Bill does nothing to move us in that direction.

As has been said already, the Government are offering a bias in favour of the private sector and against the public sector. The Bill requires local authorities to provide only for children who are defined as in need. That is a very narrow definition which will cause no end of argument. It restricts authorities in what they can do. That is a bias against the public sector while the private sector can provide for children who may not be in need or require the limited service available in a particular area.

My hon. Friend the Member for Bradford, West (Mr. Madden) referred to the effect of the charging particularly on the voluntary schemes. The voluntary day care schemes offer a fundamentally important service which is often lacking in many local authorities. Those schemes will be hammered by the financial constraints being placed on local authorities which at the moment offer grant assistance. The Government are changing the regulations laid down by the Health Services and Public Health Act 1968. Organisations which previously received grant assistance on a year-by-year basis will be restricted to five years after which the core funding will end. That will directly affect the provision of many voluntary play groups in areas like mine.

Hon. Members have come here to argue in favour of charging. It is astonishing that hon. Members can consider costing issues like this while they disregard the welfare aspects with which Opposition Members have been concerned throughout the passage of the Bill. I am worried that the charges for registration and inspection will particularly affect the voluntary sector which, in many areas, is doing an excellent job. Charging could well mean the end of many local voluntary groups that operate on extremely tight budgets.

Reform is long overdue. In a sense it is 40 years overdue. We should have grasped the issue many years ago in the interests of thousands of children who have not had the deal that they should have received. The burial of the

Nurseries and Child-Minders Regulation Act 1948 and the regulations stemming from that Act should have coincided with bringing forward new regulations and a radical improvement in the present provisions. That opportunity, sadly, has been missed.

There have not been many scandals involving day care. When I consider the scandal about private schools which caused the Government to react in some parts of this Bill, I suspect that we will have to return to the House and claim that we should have done something in this Bill to prevent a similar scandal occuring in day care. I hope to God that such a scandal involving children being interfered with in day care does not occur, but I am worried about the possibility of that happening.

Mr. Cryer: A query was raised earlier about charging and the relevant amendments dealing with that issue. A cursory examination of the Amendment Paper will disclose that amendment No. 27 proposes to remove paragraph 1(3) of schedule 8, which states:

"An application under section 64 shall be accompanied by such fee as may be prescribed"—

that is, for the registration of child minding and day care for young children.

Amendments Nos 360 and 361 stand in my name and they provide an alternative for hon. Members to vote upon. The charging would be twofold: there would be a charge for registration and a charge for inspection. Schedule 8 7(1) states:

"where . . . they shall serve on that person a notice informing him that the inspection is to be carried out and requiring him to pay to them such fee as may be prescribed."

Amendments Nos 360 and 361 either leave out the requirement to pay

"such fee as may be prescribed"

or add at the end

"However the local authority may waive fees in such cases as it deems necessary and any prescribed fee shall not exceed £10 per annum."

My amendment would be helpful and would meet the point about having a nominal fee. I hope that, when the House divides on amendment No. 360, Conservative Members will join the Opposition in the Lobby and ensure that there is a nominal fee. The amendment would also enable local authorities such as several in my constituency that are in particular financial difficulties—that is, if the Minister argues, for example, that the fee is absolutely essential for the good conduct and running of pre-school groups—to help particular groups. The local authority has knowledge of what is going on in the relevant area and will be able to select groups on that basis.

12.15 am

I provide that discretion in my amendment, in spite of the knowledge that Bradford is under the temporary control of a group of as vicious and hard-hearted Tories as one is likely to come across. However, one should not necessarily legislate in the knowledge that there are such grim-faced tyrants in Bradford city hall. One should give discretion to Labour-controlled authorities, who would use it sensibly. In any case, Pickles and his cronies will not last very long in Bradford city hall, and we shall want to make use of this legislation, if my amendment is passed, to ensure that pre-school play group associations are given the help that hon. Members say they richly deserve.

I have about 18 letters and a petition containing nearly 100 names from Bierley community centre pre-school playgroup association. It is genuinely concerned about registration and inspection fees. It points out that it is a charity which offers a vital education service. It operates on an estate in my constituency of nearly 1,000 dwellings, so it is a large community by any standards. It is much opposed to any financial penalty. That is how it regards the charges, whatever the Minster might say about regulation and a service being provided. The association regards the charges as a financial penalty.

Mr. Dennis Skinner (Bolsover): It is in Bradford, South.

Mr. Cryer: It is in Bradford, South, as my hon. Friend points out.

Despite constant regular fund-raising, the association would find it extremely difficult to pay any additional fees because it must charge parents for its services in any event. We are talking about parents, many of whom do not enjoy an adequate income in the first place, who made the point that registration fees could lead to the closure of their group. No hon. Member would want that to happen.

I have also had letters from Ambler Thorn play group and from St. John's church in Great Horten, which organises the St. John's under-fives playgroup association. The Bradford branch of the pre-school playgroup association has also written to me to express support for my amendments. People who actually organise and run pre-school playgroup associations welcome the amendments. I hope that the Government do the same.

Woodside play group in my constituency has also expressed serious concern at the proposal for registration and inspection fees. It says that it needs regular fund-raising to survive. It has a whirl of jumble sales and socials to raise £20, £30, £40 or £50 at a time, and is struggling week in, week out to pay the fees that community centres must charge for heating, which is vital for such young children, and lighting, general caretaking and so on. The provision of facilities or premises does not come cheap, but, at the same time, large sums are not involved. I emphasise that even if the Minister were to charge a modest fee—apparently he is minded to fix the charge at a low rate—an extra £50 per year might well mean the end of some pre-school playgroup association.

It is all very well for the Minister to say that he is minded to fix the charge at a low rate—we do not question his determination to do that—but, as he knows only too well, Ministers do not stay in their jobs for ever. Indeed, there is constant chopping and changing of Ministers by this Conservative Government. I do not blame them because they are trying, in a desperate situation, to give a new gloss to their wilting Government and, in moving Ministers around, are attempting to give a better impression. However, the Minister of State cannot bind future Ministers. If he has power to prescribe fees, so have his successors. Although he may prescribe them at what he considers to be a low rate, his successor—a Right-wing extremist—might decide that market forces——

Mr. Hinchliffe: The Minister is a Right-wing extremist.

Mr. Mellor *indicated assent.*

Mr. Cryer: From what I can gather, the Minister has confessed to being a Right-wing extremist, but another even more Right-wing extremist may take his place and the fees may well soar. We know that the hon. Member for Northampton, North (Mr. Marlow) has ambition to move

[Mr. Cryer]

further down on to the Treasury Bench—it is gleaming out of his eyes—and we know the astronomical fees that he might charge.

Therefore, I am not satisfied by the assurance that a particular Minister will be reasonable because, although he or she may carry out that assurance, Ministers change and the next one would not be bound to prescribe only modest fees.

In the 1960s when my wife and I were involved in the formation of a pre-school play group association at Oakworth in Keighley, the premises were inspected by the local authority and, at the request of the local authority, the committee had to undergo a medical inspection. All that was carried out without charge by the Conservative-controlled local authority. In those days, before the Right-wing extremism of the present Government had spread its tentacles over the land, that authority would have been shaken at any suggestion that a service for the protection of children should be the subject of charging.

It is important that we note that this proposal comes from a Government who are supposed to recognise the value of the voluntary sector—

Mr. Skinner: And the family.

Mr. Cryer: Yes, as my hon. Friend says, of the family also. "The family" and "the voluntary sector" are phrases that the Government are prone to use, yet they are proposing to penalise the voluntary sector.

Earlier today we had defence questions and we learnt that about 21 Tornado aircraft have crashed. The Government expressed their mild platitudinous concern, but I remind them that that figure represents nearly £400 million-worth of aircraft, and that is quite apart from the several hundred thousands of pounds spent on training the pilots and aircrew. The Government seem prepared to lavish money on activities such as the provision of Tornados—indeed, the purchase of Tornados is the largest defence procurement in our history, totalling about £13 billion—yet when it comes to small children, taking their first few steps in the world, the Government propose to heap penal charges on the organisers—on volunteers. I recall that only last week we spent two days—obviously partly in prime time—on the defence estimates. Of course, they are important because they involve the expenditure of £21,000 million and yet only now, late at night, are we spending time on something vastly more important—our future generations. It strikes me that a better illustration of decent human priorities, with concern for our children coming first, would be for the Government, since they are so keen on market forces, to subject Trident to those market forces. They should give some small proportion of the money that they are lavishing on Trident to pre-school play groups.

It could all be left to market forces. The Government could have gone around collecting for Trident with charity boxes and seen how the market responded. If they could get the £10 billion from street collections, they could build it. That would be a splendid test of their philosophy. In the meantime, they could use some of the money they already have on provision for new generations. That would symbolise a determination to provide for a peaceful future, as opposed to one of an ever-growing threat of mass extermination.

My attention was caught by the disparity between those two priorities. When the Labour party conference passed a resolution suggesting that some of our present defence expenditure should be put into education and pre-school play groups, for example, what did we get from Conservative Members? Sneer after sneer that anyone should aspire to such a priority.

My proposals are modest. There should not be charging or, if there is, it should be at the discretion of the local authority not to charge if it thinks that there is a particular need. If a pre-school play group in my constituency is unable to keep going, its organisers will not be able to afford to go to Whitehall to see the Minister to ask for assistance; they will go to the local authority. It therefore makes good sense to provide local authorities with discretion so that they can say, "We shall inspect the premises but waive the fee because we know that you are in financial difficulty. We have looked at your accounts. That is the right and sensible thing to do."

The House has an opportunity to remove registration inspection fees. It can say, "We recognise the importance of pre-school play groups and believe that voluntary work in the community should be recognised. We shall not penalise these people and send them out on even more fund-raising events to the point where they spend more time on raising money than they do on developing facilities and caring for children."

Pre-school play groups fulfil an important need in rural and urban areas such as mine, where nursery facilities are less than adequate. We would be foolish and misguided if we imposed a charge on such organisations. I very much hope that the House will reject charges. I hope that it will recognise that local authorities have to make some provision. That is what they are there for, but that function should be recognised through the rate support grant. The cost of providing such facilities should not be borne by the people who do the hard work of providing them.

I hope that the Minister will accept our amendments. His assurance about low charges is not likely to carry much weight with me. I chair the Joint Committee on Statutory Instruments and, every 12 months, we have the round of 150 or 200 statutory instruments raising charges, sometimes by as much as 100 or 150 per cent. When that happens, we ask whether it is an unusual use of powers. In every case, when we raise the matter with the Department concerned, we have to accept that the power for the Minister to prescribe fees exists in legislation. So we retire defeated as what the Minister has done does not constitute an unusual use of powers.

I recognise the good intent of Ministers in some cases, who say that they will keep fees low. That assurance is not adequate as they have the power to prescribe fees. We are dealing with primary legislation and once that legislation is out of our hands we are left with a cumbersome and inadequate method by which to try to redress the damage.

If the Minister prescribes fees that we do not like they will be subject to the negative procedure. Someone must then put down a prayer to annul the instrument. The debate on that may or may not be held as there is no guarantee that a prayer put down to annul an instrument will be debated. There is no Standing Order—itself a minor disgrace—requiring that a prayer which is tabled should be debated and a decision taken. The only thing that we can cling on to is that if an instrument is produced by the Minister which the House does not like, we may

have a debate and, possibly, a vote. The chances are, however, that it will not get that far. That debate would be, in any case, limited to an hour and a half. That means that a few minutes would be available for about eight hon. Members, followed by the Front-Bench spokesmen, and that would be it.

I am unhappy about giving Ministers powers through negative procedure instruments and therefore I am not much taken with any assurances that the Minister may give.

Mr. Jeremy Corbyn (Islington, North): My hon. Friend has described the Government's abuse of statutory instruments. Does he recall that the budget for the Inner London education authority, which included its pre-school provision, of almost £1 billion was decided on a vote after a debate lasting less than an hour and a half during which a minority of hon. Members representing London were able to participate?

Mr. Cryer: My hon. Friend has illustrated the point that I was making.

The Government make good use of the statutory instrument procedure. Conservative Members should recall that this is the Government who were going to take legislation off our backs. The number of statutory instruments, rules, regulations and orders produced by the Government is rising each year they are in office. They make use of the statutory instrument procedure and therefore it would be far better to get the primary legislation correct to ensure that we decide in straight forward cases. I accept that, in some instances, there may be technicalities and that Ministers must take into account so many variables that it is difficult for hon. Members to reach a decision.

In this case, however, the issue is clear. The voluntary organisations are making provision for young children and providing a magnificent service. They have limited financial means at their disposal, but it is proposed that charges should be imposed at the Minister's discretion. The House should say that it accepts the argument, but that there should not be charges and that it will not give the Minister the power to prescribe the fees as it does not want such fees prescribed, especially in view of the uncertain nature of the prescription.

In view of the argument deployed overwhelmingly from the Labour Benches, I hope that the Minister will accept it and will withdraw the relevant sections.

Mr. Keith Vaz (Leicester, East): In Committee I had to declare—I do so again to the House—that I am not a parent. During exchanges in the frivolous time that we spent in Committee the hon. Lady the Member for Billericay (Mrs. Gorman) made me an offer that I could refuse. Shortly afterwards she was dispatched to Beijing to prevent our relationship flourishing.

I support the new clause that has been moved by my hon. Friend the Member for Durham, North-West (Ms. Armstrong)—*[Interruption.]* Perhaps the hon. Lady is in Beijing. The issues she has raised are of great importance to the Bill's progress. When I introduced a ten-minute Bill on 13 July 1988 I recall that I was contacted, shortly before the Bill was to be read the First time, by two parliamentary private secretaries for two different Ministers because there was then, and there remains, confusion among Government Departments about who is responsible for dealing with these matters. I felt then, and feel now having listened to contributions from my hon. Friends, that there is a clear need to clarify this aspect of the law. New clause 2 is, therefore, an attempt by Opposition Members to ensure that there is a clear plan and strategy about the way in which we approach these matters.

The inconsistencies and differences between Government Departments are mirrored at local authority level. Hon. Members have rightly said that there are differences between the way in which different local authorities appear to support the idea of child care. Those inconsistencies cause great hardship and distress to those who wish to be part of that system.

My Bill, which unfortunately did not become law, sought to put these changes into effect. I gave a long history going back to 1936 and cited the report of the board of education on nursery schools and classes as our authority for ensuring that all children under the age of five should have the right to education. I said then, and repeat now, that the Opposition believe that education begins at birth. The legislation and the intentions that followed the board of education's report endorsed that view.

I also mentioned the Education Act 1944, which originally placed the discretion on local authorities to provide such education, the 1965 Plowden report, which strongly supported the idea of nursery education and the 1972 White Paper on education, which was introduced by the Prime Minister in her previous incarnation. In those days, 48 to one was regarded as a defeat. The White Paper stated that the

"aim is that within the next 10 years nursery education should become available without charge . . ."

The Prime Minister's words never became law.

I mentioned the Treasury Committee's White Paper called "Better Schools" and the Select Committee's report, which endorsed the views of so many hon. Members that the right to nursery education should be supported.

The plan, which is essential to new clause 2, recognises the changing role of women in our society. I remind hon. Members of Mr. Malcolm Wicks' report, "Families and the State", which was published at the end of last year. It states:

"Certainly it remains the case today that the lives of many families, particularly mothers, are dogged by the sheer difficulty of finding, and retaining child care."

Mr. Wicks added that, although 47 per cent. of children aged three and four were receiving pre-school provision in 1985, there was evidence of inadequacy in the quantity and quality of it. In 1931, only 13 per cent. of married women aged between 25 and 34 were working, but by 1986 64 per cent. of married women were economically active. Those are appropriate words—"economically active"—with which to announce the return to her place of the hon. Member for Billericay, who I hope will take part in the debate and support my hon. Friends and me. On the other hand, I may be wrong and find that she will disappoint us.

The importance of recognising the changing role of women is essential to the new clause. It is an essential part of the way in which the Government have approached other aspects of the Bill that we should have planning and appropriate training. Yesterday, the Solicitor-General, when moving amendment No. 37, spoke of the need for planning and timetabling in respect of courts dealing with child care matters. We say that if it is good enough for the courts to timetable, it is good enough for local authorities, in those circumstances, to plan.

[Mr. Keith Vaz]

My hon. Friends have referred to the position in their constituencies and have appealed for more resources. I endorse their comments. Before introducing my Bill last year, I spent a considerable time speaking to people who ran mothers and toddlers groups, who were involved with pre-school education societies and who were active in promoting provision for the under-fives.

As I visited neighbourhood centres in my constituency —at, for example, Netherhall, Northfields and Coleman —I met women who were active in the campaign. They pointed out that they could not play their full role in society unless provision was made for their children. I watched with anxiety the ways in which they tried to raise money for their causes and felt then, as I feel now, that central Government should make the money available.

Were the hon. Member for Northampton, North (Mr. Marlow) in his place, he would probably ask, "What about the cost?" He always asks that question. It is important for us to show that Parliament is prepared to invest in the nation's children, recognising that the mark of a civilised society is the way in which it treats its most vulnerable members, its children.

That is why we on the Committee spent many hours deliberating various aspects of this historic Bill. Mothers and others in my constituency are forced to rely on jumble sales and raffles to raise funds for what we recognise—as was recognised in 1936—to be an extremely important measure. As my hon. Friend the Member for Bradford, South (Mr. Cryer) said, they are forced to spend their time on fund-raising exercises when it would be better spent on activities concerned with the children.

They must go from one local authority to another, from charitable trusts to other bodies, trying to raise funds. I congratulate my authority, Leicester city council, and its chair of recreation, Derek Fryett, and its director of recreation, Alun Llewellyn, on picking up the tab for many of the activities which should be paid for by Leicestershire county council.

So often groups and individuals have gone to the county council to seek financial support. The county council, like so many other local authorities, has faced enormous difficulties because of the Government's restrictions on local government expenditure, but it has been mean about this issue, to such an extent that only 23 per cent. of the under-fives in Leicestershire receive education of this sort. Often these individuals and groups have had to go to Leicester city council, which I am happy to say is Labour-controlled, and ask its recreation department to supply the grants necessary to ensure that their organisations are successful. That is a pathetic way for central Government to treat such an important matter.

I agree wholeheartedly with my hon. Friend the Member for Durham, North-West about the need for a multi-agency approach and for other organisations to be consulted. The Minister of State was described yesterday as Mr. Nice—or was it Mr. Nasty?—and I am sure that he will consider my hon. Friend's points. These organisations must be consulted because they are working at the grass roots.

12.45 am

I should have liked the Bill to contain considerably more than it does. I would have liked much more about the need to treat child care as part of a wider package to encourage women's equal access to jobs. I should have liked provisions to allow all pregnant women the right to maternity leave, and to introduce maternity and family leave in all areas of work. I would like increased opportunities for part-time work—for job sharing and so on. I want credits for child care allowances for employers, and the abolition of the iniquitous employers' tax on work-based nurseries—an issue that has been the subject of many parliamentary questions to the Chancellor and the Chief Secretary to the Treasury. I should have liked tax relief on child care in the Bill.

Opposition Members would have liked all these measures in the Bill, but, alas, they have not been included. The debate on the new clause gives us the chance to put our case in good faith to a Minister who has shown in recent negotiations that he is prepared to listen and to meet the objections of those with experience. Here is an opportunity for him to show that he is prepared to put his faith in children and to recognise that child care facilities and opportunities should be available for all. This is a unique chance to put the law right. I urge the Minister to seize it and enfranchise the children of our country.

Mr. Corbyn: Like my hon. Friends the Members for Leicester, East (Mr. Vaz) and for Wakefield (Mr. Hinchliffe), I am sponsored in the House by the National Union of Public Employees. We have a particular interest in the debate as our members provide a large proportion of the pre-school facilities in this country.

I find it strange that we are here at nearly one o'clock in the morning discussing the care of children. In this place there are no facilities for that and the hours of work here are not conducive to looking after children.

The new clause adds up to a charter which would revolutionise the treatment of children and the opportunities for parents—especially women—to go to work and take up fulfilling careers. My constituency is probably one of the most densely populated in the country. It has the least amount of open space and it has some very bad housing, as bad as in almost any part of London. There is much overcrowding. Many children live in high-rise flats or in overcrowded flats in converted Victorian houses with no garden space and there is limited and inadequate provision of pre-school facilities. The chances of those children being able to develop their personalities, abilities, interests and excitement to the same extent as children growing up in a wealthier, more suburban environment with greater access to open space are limited. The House should be concerned about that.

The lack of pre-school facilities discriminates against the children of working-class parents and against the parents themselves and denies such people many of the opportunities for achievement that are available to others. The new clause brings to our attention the way in which children would be able to develop much better and shows how this country should treat its children.

The provision of pre-school facilities in Britain is very uneven. However, that unevenness is not based on wealth or on areas or counties but largely on the political complexion of local authorities. Labour local authorities, such as the one in the area that I represent, do everything that they can to provide pre-school facilities. They provide children's day centres, day centres, nurseries, play groups and training for child minders.

What is the response of central Government to the provision of such facilities? Since 1980 there has been an

unremitting press and political attack on our local authority with allegations of gross overspending. It has been suggested that we should cut expenditure on pre-school facilities. Councils which refused to do that were rate capped. Local authorities in areas such as mine have been penalised for attempting to provide some of the facilities that my hon. Friend the Member for Durham, North-West (Ms. Armstrong) suggested when she moved the new clause. I hope that the House recognises the importance of that.

We are also debating the range of child care facilities that should be on offer. The Labour party strongly believes that there should be statutory provision of pre-school facilities for parents who want to use them. It is a matter not of forcing people to use such facilities but of ensuring that a choice is available so that parents may have their children looked after safely in an educational environment which will ensure their development or may look after them themselves. They should not be forced, as are many people in my constituency, to live in grossly overcrowded flats with limited access to pre-school facilities because that is detrimental to the development of children. It is a serious issue.

I am always amazed at how badly Britain provides for pre-school-age children. We compare badly with every other country in Europe, east or west, and with many countries elsewhere which have taken seriously the question of pre-school provision. When overseas visitors visit the House or my constituency they often ask about pre-school facilities. I tell them that in my constituency the facilities are good compared with the national average but that they are still inadequate, as the local authority would be the first to recognise.

We are also debating registration and regulation. The provision of pre-school facilities should be subject to tight regulation. The facilities should be safe and should not be overcrowded. Staff should know what they are doing and be properly trained and the children should be properly looked after.

If the Government pursue their line of charging any voluntary organisation, whether it is a playgroup, a child minder or anyone else, for those facilities and for registration, that will be an incentive not to register and to dodge the register. If there is an incentive to do that, and to make as much money as possible, many people will do that. These provisions will encourage child minders not to register, and to take on more children. Those who will suffer will be the child minders and, of course, the children.

I recognise that the vast majority of child minders are good, do a good job, work extremely hard and are dedicated and loving to the children for whom they care. However, it is important for the security and benefit of those who mind children that there should be proper registration and regulation. The Government appear to believe totally in the free market economy. If that were taken to its logical conclusion, anyone could take on the care of children of pre-school age for whatever amount of money they could get. Those who will suffer will be the poorest children in the poorest areas. They will be the most exploited.

We have an appalling mess and mish-mash of pre-school facilities. In the west end of London, there are private nurseries for the children of business people which charge between £150 and £200 per week—up to £10,000 per year. That is way beyond the ability of many people to pay. At the other end of the scale there is a lack of local authority provision at a cost which anyone can bear. Such provision should be free. As a result of that lack, there are only the private nurseries, and many people cannot afford them, so both children and parents suffer.

I hope that the House will recognise that the 1948 regulations, advanced though they were for 1948, are inadequate and that the proposals in new clauses 2, 3 and 4 are very much in line with Labour party policy. They set out a system under which children could be properly cared for and given proper opportunities for development, and their parents could be given real opportunities for working with the security of knowing that their children will be properly looked after. All that comes under the charter in the new clauses.

The lack of adequate pre-school facilities for children is damaging to children, but also to parents. Usually, women have to stay at home to look after the children where there is no public provision. Many of those women lose their career prospects as a result, and few facilities are available for education at a later stage for women who have had to stay at home to look after children, so they lose out on fulfilment. Often the children lose out, too, because of the difficulty of the housing conditions in which such families live.

We are proposing a radical change to the lives of those people. If we allow this crazy free market philosophy to envelope everything and to take over the provision of pre-school facilities, the losers will be the children of the poor, the parents who are not wealthy. The gainers will be those who can afford to send their children to expensive private schools and those who can make money out of them.

Education should be universally available and free at all ages—not just at the school starting age but well before that, when the crucial stages of child development take place. It is a scandal that the House is debating this at this time of the night. The subject is too important to be debated at this time, and in this atmosphere. I hope that the Government will recognise the importance of this and support our new clauses.

1 am

The Minister for Health (Mr. David Mellor): I shall begin by referring to the three Government amendments that are part of the group of new clauses and amendments that are before us. Amendments Nos. 388 and 484 provide a power to make regulations about the requirements that local authorities have to attach to the registration of a person providing day care and prescribe requirements which authorities must not attach. Amendment No. 130 is a drafting amendment which is intended to correct a mistake in clause 67(2)(c)(ii) in relation to persons providing day care.

I shall deal with the substantive matters that we have been discussing and the range of new clauses which have been proposed by the hon. Member for Durham, North-West (Ms. Armstrong). The hon. Member for Leicester, East (Mr. Vaz) and others have been kind enough to observe that where it was possible to make changes in Committee and at other stages of the Bill's consideration to ensure that there was a substantial—indeed, overwhelming—measure of cross-party support for the Bill, I endeavoured to do so. The Amendment Paper is littered with amendments that pick up agreements to reconsider as a result of the Bill's examination in

[Mr. David Mellor]

Committee. The hon. Lady and her hon. Friends will know that the issue that has been the subject of this debate, which we discussed fully in Committee, reveals a philosophical difference between the two sides of the House which I fear that it will not be possible to bridge tonight. I shall, however, say a few words about the new clauses 2, 3 and 4, beginning with clause 2.

Government policy is based on the philosophy that parents are responsible for bringing up their children. If they need or want help with this task, they should make the necessary arrangements and meet the cost where they are able to do so. We believe that it is up to parents to decide, in the light of their own circumstances, whether both should work, for instance, while their children are young. We consider that the state should not be involved in that decision and that the welfare of the child must be of paramount consideration in reaching such a decision. We believe, however, that assistance should be given to children who are in need, and that is the thread that runs through the Bill.

Unfortunately, new clause 2 goes further than the duty that is provided for in clause 17, and avowedly so. The hon. Member for Durham, North-West makes that point. The new clause would require every local authority to plan for the development of day care and education facilities for all children under the age of five who require such facilities, and "requirement" appears to mean, in effect, all those who ask for these facilities.

Ms. Armstrong: Yes.

Mr. Mellor: The hon. Lady confirms that. There is an honest disagreement between us. The new clause goes too far and I fear that I am not able to move further in that direction tonight.

New clause 3 provides a statutory code of practice to which local authorities would have to have regard when deciding whether to register an intending child minder or day-care provider under part X. A code of practice would set down standards to be met by child minders and others providing day care for young children.

I do not think that there is much difference between us in this instance. We recognise that local authorities are likely to find guidance helpful in exercising their registration function efficiently and effectively. We shall be issuing guidance in the form of a departmental circular to local authorities on this and many other provisions in the Bill. In preparing the guidance we shall consult widely with statutory and voluntary bodies. We shall have regard to matters that are raised in this debate.

I hope that in the light of what I have said the hon. Member for Durham, North-West will not feel it necessary to push new clause 3 to a Division. If the clause were to form part of the Bill, a formal code of practice would be invoked for one item alone. We have accepted that for other parts of the Bill it is appropriate that there should be guidance under regulations. I hope that the hon. Lady will not consider—I can see no basis for it—that there is a need to establish a special way of dealing with guidance under this part of the Bill when, arguably, some even more significant areas are subject to guidance under regulations in the normal way.

Let me deal now with new clause 4. Good quality day care is crucial. Clause 69 asks for an annual inspection. That is a duty on local authorities and they have the power to enter the premises in question at any reasonable time and, if appropriate on the evidence then gathered, to cancel registration.

It is only after an institution has been established that it is possible to determine whether it is working appropriately. To give a local authority the powers in new clause 4 at the time of registration would place an invidious burden on local authorities because it would be difficult for them to make an objective judgment about whether the care to be given to an individual child was likely to be seriously inadequate until the institution was running. However, if the person concerned was not regarded as a fit person there is power to exclude such a person under the Bill.

The real meat of this is that, provided the institution is being run by a fit person, there cannot be a fair opportunity to judge standards before an organisation is up and running. Therefore, I regret that I am unable to accept any of the new clauses or amendments that have been proposed in the group.

An important issue in the debate has concerned pre-school play groups registrations and fees. My hon Friend the Member for Cambridgeshire, South-East (Mr. Paice) made an important point when he said that an increasing number of commercial organisations are providing child-minding or play group facilities. Many of them are of a high standard and I am glad that they are there. But there is no reason why they should not pay a proper fee for the cost of the registration arrangements under the Bill. After all, the Opposition rightly point out that when we place burdens on local authorities there is a cost attached. There is no reason why those who are registered should not pay a reasonable fee, not one that would involve the making of any profit, but one that would cover the costs involved.

Let me dispose of one serious point that ran throughout the debate. It would be wrong to place any unfair burden on voluntary organisations, such as the Pre-school Playgroups Association, running play group facilities on a shoestring, as I recognise they do. I want to make two points clear. First, if, in order to levy a registration charge on the commercial or semi-commercial organisations, it is necessary to make a charge on Pre-school Playgroups Association play groups, that charge will be purely nominal. I give an undertaking that it would not be more than £10 per annum. There is also power under clause 88(4) for regulations to be made to provide exceptions from the requirement to charge at all. As part of the consultations that will take place, I should like to consider whether it would be possible to ring-fence that category of play groups in order to remove any obligation to make any charge. At worst, there will be a maximum charge of £10; at best, it may be possible, after consultation under the regulations, to find a way to create a ring fence.

I hope that that will meet any legitimate concern about this. Whatever else may divide us in this group of amendments I hope that there will be no more suggestions that we shall put Pre-school Playgroups Association play groups out of business by making any unfair charge.

In conclusion, I hope that the House will not mind me making one other remark. It was a matter of sadness to me that there was an unnecessary Division on new clause 32, the first new clause to be debated tonight. I regret that. The Division was forced by the hon. Member for Doncaster, North (Mr. Welsh)—for whom I have the highest personal

regard—who had not previously played a part in the proceedings on the Bill. I hope that at this late stage such Divisions will not become a trend. We went through 16 sittings in Committee and had only seven Divisions.

I appreciate that there is a genuine division of opinion on new clause 2 and I fully accept that the Opposition will want to divide on that. However, I hope that, in view of my undertakings on charging in relation to pre-school play groups and other matters, it will not be necessary to force a Division. The proceedings on the Bill have been a happy experience for all of us and I wholly exempt the Opposition Front Bench from any suggestion that there is an attempt to go back on any arrangements into which we entered. It has been a happy experience to take the Bill through with give and take and with a genuine alliance with Opposition views, as those who served in Committee know, which have been incorporated in the Bill as far as possible.

I hope that the Bill will not now be hijacked by hon. Members who have other intentions, and who may force unnecessary Divisions and prevent progress on a Bill that is important to the welfare of children. I hope that it will be possible to do what we have always intended to do, which is to continue to debate the Bill fairly and properly, having Divisions only when they reveal real differences of principle between the Opposition and the Government, so that we can make a fair attempt to complete progress on the Bill this evening. I hope, therefore, that common sense will prevail, as it has done otherwise throughout the Bill.

Ms. Armstrong: The Minister was right in his remarks about the new clauses. His understanding of our motives in tabling new clause 2 is exactly right. We think that there is a public responsibility for the care and protection of all children under the age of five and for children involved in child care up to the age of 14. We shall come later to the debate about the age level. I know that hon. Members of all parties are worried because the Minister has set the level at eight. We make it clear in the new clause that our age limit would be 14. We think that the local authority has a duty to review and regulate the child care opportunities and nursery education opportunities for all children.

When the Prime Minister was Secretary of State for Education, she made a commitment that nursery education would be available for all children who wanted it. We want to ensure that it is available for all children who want it and that it is included in the review of day care and education, so we shall divide the House on new clause 2. I hope that the House will see the Division on new clause 2 as symbolising the Opposition's concern about the manner in which the Government have dealt with the provisions that we have been discussing. We make it clear by omission that charges would be no part of our plans and I shall return to that in a moment.

New clause 3 concerns the area that local authorities have made clear in their representations that they feel is necessary. As a result of their experiences with the existing legislation, they believe that there should be a statutory code of practice. The essential element of new clause 3 is that it would ensure that, whatever the code of practice, it would come to the House and would be subject to a resolution of the House. We must monitor the code of practice, especially as we know that there will be expansion in the private sector. It is necessary that we have a view on that and that we are able to regulate and to know what is happening.

On new clause 4, we have had numerous representations from local authority associations and the voluntary sector because they do not feel that the Bill deals adequately with the question of who is a fit person. New clause 4 makes minimal additions to the definition. I am not able to accept the Minister's assurances.

1.15 am

We have clearly and consistently said throughout the Bill's passage that registration is a public responsibility. Therefore, the issues are not charges on the market mechanism. I do not believe that people are motivated by the cash nexus. This may be the difference between the two sides of the House.

It is as important to have public responsibility for regulating the private sector as to have it for regulating the voluntary sector. The National Childminding Association, for example, has told the Minister that it would be worried if differential charges were introduced. It believes that some hard-pressed local authorities would feel that they had to take account of the views of the people from whom they got their income first. Some authorities already have great waiting lists for registration of child minders. Part of our aim was to ensure that those lists were reduced. Some authorities have argued strongly with the Government that differential charges would bring problems into the processes of registration and inspection.

The Government have failed to address this issue. In any case, if independent schools are not to be charged, how does one justify charging even private nurseries? I have yet to meet representatives of any such nurseries who claim to deliver quality care with trained workers and can make a profit. I have visited a private nursery which employs only five qualified workers. Its minimum charge, operating on a non-profit basis, is £105 per week. Anyone who is making a profit can be doing so only at the expense of quality, and we want to ensure that that does not happen.

Registration is a public issue which affects all of us. No matter where a child is placed—in the public, the private or the voluntary domain—I want to be able to say to the parent, "The regulations are such that we are confident about the quality of the service on offer in this establishment."

I am sorry that I cannot respond to the Minister's entreaties——

Mr. Nicholas Soames (Crawley): Blandishments.

Ms. Armstrong: —and I will not accept his blandishments.

Question put, That the clause be read a Second time:—

The House divided: Ayes 49, Noes 126.

Division No. 336] **[1.18 am**

AYES

Armstrong, Hilary	Cousins, Jim
Barnes, Harry *(Derbyshire NE)*	Cryer, Bob
Battle, John	Cummings, John
Beckett, Margaret	Cunliffe, Lawrence
Beith, A. J.	Dixon, Don
Bell, Stuart	Fearn, Ronald
Bennett, A. F. *(D'nt'n & R'dish)*	Flynn, Paul
Bruce, Malcolm *(Gordon)*	Foster, Derek
Buckley, George J.	Gordon, Mildred
Campbell, Menzies *(Fife NE)*	Hardy, Peter
Clarke, Tom *(Monklands W)*	Hinchliffe, David
Clay, Bob	Home Robertson, John
Clelland, David	Hughes, John *(Coventry NE)*
Cohen, Harry	Illsley, Eric
Corbyn, Jeremy	Jones, Ieuan *(Ynys Môn)*

Kirkwood, Archy
Leadbitter, Ted
Lofthouse, Geoffrey
McCartney, Ian
Madden, Max
Meale, Alan
Michie, Bill (Sheffield Heeley)
Pike, Peter L.
Powell, Ray (Ogmore)
Skinner, Dennis
Taylor, Mrs Ann (Dewsbury)
Thompson, Jack (Wansbeck)
Turner, Dennis
Vaz, Keith
Wall, Pat
Wareing, Robert N.
Welsh, Andrew (Angus E)
Welsh, Michael (Doncaster N)
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Frank Haynes, and
Mrs. Llin Golding.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques (Gravesham)
Ashby, David
Baker, Nicholas (Dorset N)
Baldry, Tony
Batiste, Spencer
Bennett, Nicholas (Pembroke)
Blackburn, Dr John G.
Boswell, Tim
Brazier, Julian
Burns, Simon
Burt, Alistair
Butler, Chris
Carlisle, John, (Luton N)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Colvin, Michael
Coombs, Simon (Swindon)
Cran, James
Currie, Mrs Edwina
Curry, David
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forsyth, Michael (Stirling)
Forth, Eric
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, John (Ryedale)
Gregory, Conal
Griffiths, Peter (Portsmouth N)
Ground, Patrick
Hague, William
Hamilton, Neil (Tatton)
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heddle, John
Howarth, G. (Cannock & B'wd)
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. (Harrow W)
Hunt, Sir John (Ravensbourne)
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym (Cardiff N)
Knapman, Roger
Lyell, Sir Nicholas
Mellor, David
Morris, M (N'hampton S)
Morrison, Sir Charles
Moss, Malcolm
Neubert, Michael
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David (Waveney)
Riddick, Graham
Roberts, Wyn (Conwy)
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Shaw, David (Dover)
Shaw, Sir Michael (Scarb')
Shersby, Michael
Sims, Roger
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim (Dorset W)
Stern, Michael
Stevens, Lewis
Stewart, Andy (Sherwood)
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M (Solihull)
Thompson, D. (Calder Valley)
Thompson, Patrick (Norwich N)
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. (B'heath)
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. David Heathcoat-Amory and
Mr. Greg Knight.

Question accordingly negatived.

1.30 am

Mr. Mellor: I beg to move, That further consideration of the Bill be now adjourned.

Mr. Tom Clarke (Monklands, West): It is important that I put on record and reaffirm the view of the official Opposition on this Bill. The Opposition have attempted to co-operate with the progress of the Bill—*[Interruption.]* I shall not attempt to respond to the ill-informed interventions of Conservative Back Benchers, whose views I am sure are not reflected on the Government Front Bench. The fact is—I am delighted and not surprised that the Minister has agreed with this—that the Front Benches have endeavoured to co-operate to ensure that the Bill reaches the statute book. That remains our position. I hope, of course, that time will be found in which to continue the Bill's remaining stages. I repeat that our position is that we shall not seek to oppose the Bill. We want to see it on the statute book.

That said, however—I say this especially in the presence of the Leader of the House, the Deputy Prime Minister, who is, of course, a reasonable man—when other reasonable hon. Members representing mining areas feel it necessary to demonstrate, as they have done, because they genuinely feel that they have a grievance about Associated British Ports——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman should resume his seat. We cannot discuss those matters now.

Mr. Clarke: I conclude by saying that I am sure that an honourable man, such as the Leader of the House, will take on board the sincere and genuine views that have been expressed.

Mr. Sims: Although I am encouraged by what we have just heard, I find myself, as a Back Bencher who has been closely involved with the Bill, somewhat perplexed by the turn of events this evening. I have been given to understand that there was a clear understanding in all parts of the House that we would seek to complete the Bill's passage this evening. As it was, our proceedings were delayed by accommodating the Opposition in the special debate on the economy for which they asked.

All hon. Members should recognise that many organisations outside the House are following the Bill's passage closely and are concerned that it should come to a successful conclusion. They will be extremely worried when they hear that we have apparently adjourned proceedings when we all know that the amount of parliamentary time available for completing such legislation is extremely limited. If we are to adjourn proceedings on the Bill this evening, I hope that time can be found as soon as possible so that, on a proper normal parliamentary basis, the Bill can be brought to its conclusion.

Mr. McCartney: Although I am a Back-Bench Member who was not directly involved in the Bill's Committee stage, I was involved in details relating to it for much of its Committee stage and spent all yesterday—and all our three and a half hours this evening—participating positively in the debate. Indeed, I agreed to submit in writing to the Minister my detailed positive suggestions on the amendments that we discussed yesterday in our

personal time. My hon. Friends and I therefore greatly resent the accusation made by some Conservative Members that some Opposition Back-bench Members have attempted to disrupt the business this evening. We have had less than three hours of debate on legislation which, if the debate had started in the afternoon, would have continued for at least six and a half hours.

Of their own volition, the Government have tabled more than 400 amendments but at this hour have chosen not to deal with important provisions on grandparents' rights, which were due to be considered next. I hope, therefore, that the Government will allow appropriate time for Back Benchers to participate positively in fashioning the Bill before it becomes an Act.

Mr. Cryer: The Bill has run into difficulties simply because the Government have overloaded the timetable. They have produced the most mammoth Bills on record, dealing with issues such as water privatisation, in such a way that it has been difficult for the House to deal with them. The Clerks have been inundated with work and now, in the spill-over period, we are considering a Bill which, by and large, has a fair measure of cross-party support, as was demonstrated tonight by the wealth of detailed knowledge that hon. Members have exhibited. The debate on the clauses that we have considered tonight demonstrates that our debates have not been excessive.

If anyone is to be blamed, it is the Government—not for this Bill, but for occupying so much parliamentary time. Everyone knows that they have presented massive Bills, some of which are highly controversial, such as that on water privatisation, which is not wanted outside. They have been so incompetent that they have often had to come back with two or three money resolutions because they have not been able to draft the first one sufficiently comprehensively to deal with the legislation. That is a measure of their incompetence, and it is entirely their responsibility.

Mr. Mellor: A number of hon. Members have spent a great deal of time on a measure vital for the welfare of children, which is not party-political. I am distressed that, after arrangements were entered into which should have enabled the Bill to complete its passage through the House tonight, that is no longer possible.

I entirely acquit the hon. Member for Monklands, West (Mr. Clarke) of any blame. I believe that he sincerely wanted, as I did, to finish consideration of the Bill tonight but, as he said in all candour and honesty, a group of hon. Members who are aggrieved about other matters have chosen to use this debate as a vehicle to express their dissatisfaction on other matters. In effect, they have tried to hold the rest of the House and the Bill to ransom by pressing a wholly unnecessary Division.

Mr. Eric Illsley (Barnsley, Central): On a point of order, Mr. Deputy Speaker. It is worth recording the fact that not one member of the miners parliamentary group has attempted to speak in the debate on the Children Bill tonight. One, or perhaps two at most, hon. Members who are members of that group have been present throughout the debate. We did not force a Division. [HON. MEMBERS: "Yes, you did."] Not one member of the group has spoken. It is wholly inappropriate——

Mr. Deputy Speaker: Order. The hon. Gentleman will realise that he has raised a highly dubious matter. He has made his point. The Minister was very unwise to open up this type of discussion as the Chair must inevitably allow hon. Members an opportunity to defend themselves if they have been charged. It is unwise to pursue this argument.

Mr. Mellor: I am obliged merely to state the facts. A Division on clause 32 was forced by the hon. Member for Doncaster, North (Mr. Welsh) but no hon. Member entered the Division Lobby. It is an open secret around the Palace of Westminster that that tactic was to be pursued on this entirely innocent Bill because of grievances about a private Bill which is to be considered next week.

Mr. Deputy Speaker: Order. I have told the hon. Member for Monklands, West (Mr. Clarke) that this is a matter on which we should not open a discussion. The Minister is inviting a much wider debate than is appropriate on matters which are totally unrelated to the issue before the House.

Mr. Mellor: Of course I accept your guidance, Mr. Deputy Speaker, so I shall say only this. It is a matter of deep regret that this Bill should not be able to make progress because of matters quite beyond the control of those who care about it and because some have been determined not to permit progress in the normal way. I regret that.

Mr. Stuart Bell (Middlesbrough): I do not want to incur your ire, Mr. Deputy Speaker, but we who have been involved with the Bill for several months have worked in close co-operation in the interests of children.

I have a little phrase here which runs, children have been the great unsung losers in the change in social attitudes and morality. Children have always lost out. I have a short quotation:

> "These crowds and crowds of little children are strangely absent from the the written record."

We have spent much time on the Bill. We are writing children into the record. We are doing something to help children.

My hon. Friends and I agreed to be here and were prepared to stay here until the Bill had completed its proceedings tonight through to Third Reading. We are still willing, regardless of any outside events, to stay here to complete the remaining stages of the Bill.

I urge two courses of action upon the Minister. First, that we stay here tonight and continue until the Bill is finished. If we are unable to do so, however, for reasons that are without our control we should have a clear commitment from the Government that the Bill will come back immediately so that we can complete its remaining stages.

We are all aware of the pressure of time on the other place as well as on the House and the risks that are incumbent upon the proceedings tonight and that, therefore, the Bill may not complete all its stages by the time the House prorogues.

I urge the Minister and his Front-Bench colleagues to reflect seriously, before we put the motion to a vote, that we may, because it is the wish of the House, stay here until we complete the Bill.

Mr. Paice: I agree with what my hon. Friend the Member for Chislehurst (Mr. Sims) said. The hon. Member for Middlesbrough (Mr. Bell) also made some

[Mr. Paice]

pertinent points about the importance of the Bill for all children and about the amicable way in which all the debates have taken place.

Earlier the hon. Member for Makerfield (Mr. McCartney) suggested that it was the Government's fault that we had not made sufficient progress because they had tabled so many amendments. If he had followed the entire proceedings of the Committee, he would know that the Government approached the Bill in an open manner. They were prepared to listen to the debate and to introduce amendments following the results of those Committee debates. A substantial number of amendments have already been passed without any dissent from the Opposition. The hon. Member for Monklands, West (Mr. Clarke) has been outstanding in his support of many of the amendments tabled by the Government as part of their bipartisan policy.

Sadly, the hon. Member for Monklands, West blew the gaffe, given the manner in which you intervened, Mr. Deputy Speaker, as to the true cause of our dilemma tonight. I am sure that many hon. Members would happily sit here with me for the rest of the night if we believed that we would make progress on the Bill. Rumours throughout the House, however, as well as the comments of the hon. Member for Monklands, West have led us to believe that that is not possible. I am afraid that the hon. Member for Barnsley, Central (Mr. Illsley) was missing when his hon. Friend the Member for Doncaster, North (Mr. Welsh) intervened at great length in the speech of his hon. Friend the Member for Wentworth (Mr. Hardy). The hon. Member for Barnsley, Central therefore missed the speech of a Member representing mining interests.

We now understand clearly why it is necessary to adjourn the debate tonight. It has nothing to do with the Bill, or with what has happended in the past; it is to do what is likely to happen. That delay is a matter of regret, but we cannot do anything else but adjourn the debate. It would be tragic if the Bill were guillotined at this late stage.

The only answer is for the Opposition to ensure that their colleagues do not impede the sensible debate on the Bill and that we proceed with the amendments in a manner befitting the future of our children.

1.45 am

Mr. Peter L. Pike (Burnley): I had no intention of speaking in this debate until the Minister made his second speech. His comments were outrageous.

I have not taken part in any of the proceedings on the Bill, but I have stayed here, deliberately, to vote for certain proposals debated tonight—first, new clause 2. I also intended to vote on the next group of amendments relating to the rights of grandparents, about which my hon. Friend the Member for Ogmore (Mr. Powell) has campaigned strongly for many years.

It was wrong for the Minister to speak as he did as it was the Government who chose to adjourn further consideration. If they want to make progress, these issues could be concluded tonight and the Bill could get its Third Reading. It is outrageous. The Minister referred to a Bill which he believed some Opposition Members might try to influence next week. The Government could withdraw a nonsensical Bill which is down for debate next Monday, the Football Spectators Bill. They could return in the next Session of Parliament with a more sensible proposal to deal with the football problems.

I regret the trend of Government Members who seem, like the Prime Minister, to believe that the only people who know what is right for this country are the Prime Minister and Government Members. They want to stifle democracy and debate. We have a right to debate and divide on issues in the House, and I regret that the Government have chosen to try to stop discussion of this issue tonight.

Mr. Frank Haynes (Ashfield): I do not know why Tory Members are getting themselves in a tizzy. They put themselves up as candidates to fight an election and it is the Government who have given us the problem we face tonight.

I resent some of the remarks being made by Government Members, particularly the hon. Member for Watford (Mr. Garel-Jones), the Government's Deputy Chief Whip, who suggested that Scargill had something to do with this. I can tell the Deputy Chief Whip and the Chief Whip, who has a big grin on his face, that Scargill has not contacted me about the Bill.

I have a particular interest in new clause 10 and I and my hon. Friend the Member for Ogmore (Mr. Powell) have prepared ourselves for today's debate. I, like my hon. Friend, am a grandad. I know that you, Mr. Deputy Speaker, are amused but this is a serious matter.

Mr. Deputy Speaker: Order. I have hardly said anything or moved a muscle.

Mr. Haynes: With respect, Mr. Deputy Speaker, there was a little grin on your face when I talked about being a grandad.

Mr. Deputy Speaker: The hon. Gentleman did not refer to the fact that I am a grandad, too.

Mr. Haynes: I do not know anything about that, but I am proud to be a grandfather and I wanted to participate with my hon. Friend the Member for Ogmore on the grandparent clause. We are being denied that opportunity. What sort of guarantee will we have that this Bill will come before the House again? The Government have so much business to get through in the overspill period that they will be in difficulty. They will have to drop something, otherwise we shall have to go through the night to finish the business.

The Government have caused the problem because of the number of amendments they have tabled. I am prepared to go through the night if necessary because I am interested in the Bill. Conservative Members have suggested that they, too, are interested in it. This sort of thing has happened many, many times in years gone by. Some hon. Members had nappies on when it was taking place. Many of them are only young lads and they do not understand the procedure of the House. We are an Opposition. Are Conservative Members trying to tell me that if they were the Opposition they would not do what we are doing tonight, and have done on other nights? Who do they think they are kidding, especially the hon. Member for Crawley (Mr. Soames) who indicated that he wanted to speak just now. I have not seen him here on nights of this sort. He has been tucked up in bed in Crawley while we have been doing the work. When we have had this sort of difficulty I have seen regularly the same faces among the Conservative Benches, and they are there now. However,

on previous occasions, some right hon. and hon. Members have been tucked up in bed. I listened to the right hon. Member for Chingford (Mr. Tebbit) earlier on. He will be tucked up in bed now. He was not pleased about today's debate and if he were here now he probably would not be pleased about what was happening.

Conservative Members are not really interested in the Bill—*[Interruption.]* Not in the way in which my hon. Friends are interested in it. We want to continue debating it so that it can reach the statute book because we agree with some of it. We want an opportunity to speak on, for example, new clause 10.

Mr. Nicholas Bennett (Pembroke): The hon. Member for Ashfield (Mr. Haynes) said that my hon. Friends and I would be doing the same as Labour Members are doing now if we were on the Opposition Benches. I assure him that we would not be obstructing a Bill which is designed to prevent child abuse simply to promote a different measure that is not the subject of discussion tonight. The Government would be in order in introducing a timetable motion to get this important Bill through as soon as possible.

We have been told that a private Bill is to be debated next week and it seems that several Opposition Members know that. You will be aware, Mr. Deputy Speaker, that that Bill has not been brought to the attention of the House and that business for next week has not yet been published. May I ask you to inquire how those Members have prior knowledge of that Bill?

Mr. Deputy Speaker: That does not arise on the motion that is before the House. Hon. Members speculate about such matters. I assure the House that the Chairman of Ways and Means is well aware of the concern about the Bill which should not be discussed now.

Mr. Vaz: Having been a member of the Standing Committee, I am concerned at the way in which the Bill is likely to end its parliamentary stages—in what appears to be a mess from the point of view of the business of the House. The situation in which we now find ourselves was predictable.

When we met the Minister of State and his officials last Wednesday in the Cathedral room of the Department of Health, we were told that we would not be getting the two full days that we had been promised to discuss this important measure. I agree with the hon. Members who have pointed out that a record number of amendments have been tabled. I am glad of that because it shows that the Minister was true to his word and was prepared to heed the reasonable arguments that were adduced in Committee.

At that stage, several Members, including the hon Members for Batley and Spen (Mrs. Peacock) and for Mid-Kent (Mr. Rowe), were as concerned as my hon. Friends lest the amount of time allocated would not be sufficient. It has been said time and again that the Bill is of crucial importance in that it has taken 100 years to reach the position when we can radically reform the law of child care.

We are prepared to go on debating it through the night —*[Interruption.]* The deputy Chief Whip, the hon. Member for Watford (Mr. Garel-Jones), seems to be indicating dissent at that. Because hon. Members who were members of the Standing Committee spent many hours debating these issues, we are prepared to go on discussing the Bill through the night to reach a conclusion on it. Many organisations in the voluntary sector are looking to us to reach that conclusion.

If the Minister is not minded to proceed with it tonight, the Leader of the House, who is in his place, must give an assurance that he will provide a full day in which to discuss the important issues involved. It is not sufficient to begin the resumed debate at 10 o'clock at night and continue into the early hours without reaching a conclusion.

Let us have a full day in which to discuss the Bill. Let us not discuss simply the amendments that have been tabled by the hon. Member for Ogmore (Mr. Powell) and others concerning grandparents' rights. After all, in clause 91 we shall be considering the abolition of the ancient jurisdiction of wardship that has been part of our legal system since the 15th century. Adequate time must be provided to discuss such issues. Will the Leader of the House give us that assurance? If he will, I am sure that some Opposition Members will support the motion.

Mrs. Elizabeth Peacock (Batley and Spen): Many of us who sat for many hours on the Committee considering the Bill are worried that we have degenerated into this shambles. When we met the Minister of State last week, we were disappointed to find that we were not to have two full days of debate on the Bill. It is quite wrong for Opposition Members to try to make capital out of that, because it was their debate on the economy today which prevented the start of the business earlier.

After the long hours of consensus discussion on the Bill, steps should now be taken to ensure that time is provided for the Bill to finish its passage through the House and to go to the other place in time to arrive on the statute book. We would be failing in our duty to all the children who need this Bill if that did not happen. We should now try to resolve the problem and avoid this shambles.

Question put:—

The House divided: Ayes 110, Noes 20.

Division No. 337] **[1.55 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Blackburn, Dr John G.
Boswell, Tim
Brazier, Julian
Burns, Simon
Burt, Alistair
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chope, Christopher
Coombs, Simon *(Swindon)*
Currie, Mrs Edwina
Curry, David
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Fallon, Michael
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael

Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Knapman, Roger
Lyell, Sir Nicholas
Mellor, David
Morrison, Sir Charles
Moss, Malcolm
Neubert, Michael
Norris, Steve
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Riddick, Graham
Roberts, Wyn *(Conwy)*
Rowe, Andrew
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shersby, Michael
Sims, Roger
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Greg Knight.

NOES

Clay, Bob
Clelland, David
Cohen, Harry
Corbyn, Jeremy
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dixon, Don
Fearn, Ronald
Hughes, John *(Coventry NE)*
Madden, Max
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Skinner, Dennis
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Ian McCartney and
Mr. Harry Barnes.

Question accordingly agreed to.

Bill (as amended in the Standing Committee), to be further considered this day.

PETITION

Tuition Fees and Loans

2.5 am

Mrs. Llin Golding (Newcastle-under-Lyme): I am pleased to present a petition signed by some 820 university students and others in my constituency on a subject that concerns them, and me, greatly. It ends by saying:

Wherefore your Petitioners Pray that your Honourable House do reject any proposals to introduce the payment by students of tuition fees or student loans.

To lie upon the Table.

Zoonoses Order

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

2.6 am

Mrs. Teresa Gorman (Billericay): I shall address myself to the Zoonoses order of March 1989, which gave the Government draconian powers to slaughter chickens particularly, with inadequate compensation for farmers whose flocks were slaughtered. Despite the fact that domestic chickens are still being slaughtered under the order, foreign chickens and their eggs are allowed in without testing. The order is based on what I hope to show is tenuous scientific evidence that eggs are responsible for food poisoning. I am a biologist by training and have been in the profession for more than 20 years, so my interest in the subject, and in the attitude to eggs, comes from a scientific background.

The Zoonoses order applies to vertebrate animals allegedly carrying diseases which can be transmitted to man. Man is usually excluded from the slaughter order, which is surprising as this is largely a people problem rather than a chicken or an egg problem. The majority of alleged salmonella food poisoning cases relate to people and the way in which they handle food rather than to the fact that there is salmonella present in chickens. That is a long-established fact. Everyone has known about that. Salmonella is endemic in chickens as it is in other animals, including people. There are about 2,000 different species of salmonella, which are quite common in many places. We are largely concerned here with salmonella enteritidis and typhimurium, the two forms held to be responsible for outbreaks of salmonella food poisoning.

Since March 1989, almost 750,000 chickens have been slaughtered—most of them from the flocks of small farmers. As a result of this policy, small farmers' flocks are being decimated, their income has been destroyed, and the compensation that they are receiving is grossly inadequate. If there were reason to believe that the policy of slaughter was having an effect on the number of food poisoning cases reported and alleged to be associated with salmonella, there might be some sense in it. Despite the slaughter, however, which is on a large scale, despite the fact that we have all been educated to cook eggs much more carefully—the results of national surveys show that precautions are being taken—and despite the fact that the Government have introduced quite draconian measures, the number of food poisoning cases being reported is much the same as it was before. We might reasonably ask, therefore, whether the policy is having the desired effect and whether the diagnosis on which it is based—that eggs are responsible for outbreaks of food poisoning—is correct.

The domestic production and consumption of eggs has decreased considerably—sales of British eggs are down by about 12 per cent.—but total sales are down by only about 5 per cent. That is because foreign eggs are being imported and sold in Britain. Those eggs come from flocks which are not subjected to the type of tests to which we are submitting our domestic flocks. As a result, it is cynical for the Ministry to allege, as it does, that it is concerned that the problem of salmonella and eggs is being dealt with properly.

The Ministry has stated that salmonella organisms are widespread and that their complete elimination from the

environment cannot be expected. Yet we continue to adopt a policy which suggests that if we slaughter chickens in which there is some trace of salmonella we shall reduce the outbreak of food poisoning. I am sure that the Minister knows, however, that in Sweden a draconian policy of slaughter has been implemented and that chicken flocks are largely free of salmonella, yet salmonella food poisoning is still commonplace in the population. It is brought in from abroad and transmitted from person to person through the food chain. The logic of that is that if we were seriously to go about eliminating salmonella, we would slaughter people as well as chickens. That would be ridiculous, but that flows from the so-called logic which seems to underlie the exercise.

About three quarters of a million chickens have been slaughtered, most of them from small farmers' flocks because outbreaks of food poisoning are often allegedly traced to small farms. A small farm will have a relatively small flock, and it is often easy to say that such a flock must be responsible for the outbreak. Farmers who deal with large and disparate flocks are often immune in the sense that it is not possible specifically to trace an outbreak of food poisoning to a particular flock. Furthermore, the larger egg producers and distributors have access to, and are involved in importing, foreign eggs to make up a shortfall. By and large, the problem is related to small farms.

If a farmer's flock is identified as possibly having traces of salmonella, the flock is virtually isolated. The farmer is not allowed to bring in an independent expert to test the flock to confirm the evidence that the Ministry alleges that it has found. As many species of salmonella are transient —they can be said to be the equivalent of flu—as they come and go and last only for short periods, it is doubly unjust that flocks are slaughtered when by the time the slaughter order is invoked they may already be clear of salmonella in the natural way of things. That is why the Daventry sisters felt strongly that they were not allowed to have their flock tested to ascertain whether salmonella, as alleged, was present. Even the Ministry's assessment of the flock suggested only tenuously, having slaughtered about 50 chickens, minced their guts, tested them in batches of five and failed to trace in one batch, that salmonella was present. On that evidence, the whole flock was slaughtered.

Compensation is inadequate. It is sometimes 60 per cent. of the value of the chickens, but it does not take into account the cost of replacing a flock or the loss of business, to say nothing of the farmer's reputation.

As a result, as the nuns' story illustrates, small farmers will receive about £2,000 in compensation, but to replace the flock and start all over again may cost 10 times that amount—£20,000 or even £30,000. The order is grossly unjust and, as I have already pointed out, there is no evidence to suggest that that ruthless policy is effective.

Perhaps we should look at the evidence produced in the past to suggest that eggs are responsible for the problem. Is the egg really the guilty party?

As I have said before in the House, eggs are a complex system of mechanisms specifically designed by nature, or by evolution, to prevent bacteria developing inside. There is a relative lack of oxygen within the egg, but salmonella requires oxygen to develop in numbers which can become a health hazard for human beings.

There are a number of substances within an egg to restrain the growth of bacteria. The albumen of an egg contains enzymes which are bacteriocides and cannot in the normal way tolerate the growth of bacteria. The egg underneath the shell is contained in a semi-permeable membrane which, again, is designed by nature to prevent the free passage of substances such as oxygen.

The only permeable part of an egg that would allow bacteria in from outside is the shell itself. But once bacteria get through the shell there are plenty of obstacles designed by nature. Furthermore, unless the egg is fertilised and the embryo begins to develop, there is no other mechanism for gaining oxygen from the outside world.

I know that my hon. Friend the Minister does not believe me. The biologists advising the Minister are extremely poor in their scientific knowledge. In a letter to my hon. Friend the Member for Ludlow (Mr. Gill) on this subject, my hon. Friend the Minister said:

> "As to the point raised by Teresa Gorman an egg is not anaerobic. Its shell is perforated by millions of pores which allow the embryo to breathe and to achieve moisture balance. That is why eggs are susceptible to salmonella."

He seems to be trying to suggest that, because there are minute pores in an egg shell, salmonella can enter through the shell, multiply and become dangerous. If that were the case, a rotten egg would not smell of hydrogen sulphide when broken open, as it does. That is produced by anaerobic respiration. An egg is an anaerobic capsule. There is no free oxygen, so even if salmonella were present inside the egg it would not have the oxygen that it requires to reproduce.

Therefore, there is no good evidence to suggest that eggs have the capacity to produce large quantities of salmonella. Yet it is on that flimsy biological evidence that an industry is being condemned, flocks are being slaughtered with inadequate compensation and people's livelihoods are being jeopardised. Where the Ministry of Agriculture, Fisheries and Food has sought to show that salmonella bacteria can grow within an egg, it has artifically inoculated the egg and thus disrupted the complex natural anti-bacterial system which is part and parcel of the structure of an egg. Those experiments in no way imitate the true conditions that exist in nature.

Radical measures have been adopted on very poor evidence. I ask the Minister today to go back to basics and to re-examine the evidence before we have literally destroyed our domestic egg-producing industry while at the same time, and quite illogically, allowing eggs into this country from flocks that are not so tested.

In the Select Committee debate on this, the Government's Chief Medical Officer gave good advice which would be a sensible holding method. He advised that people should not eat raw eggs until we had decided whether raw eggs were dangerous, that eggs should be cooked, and that people who were susceptible to disease, such as the elderly or pregnant women, should be more careful about what they ate. That was all good advice. Yet the Ministry went on to develop a slaughter policy which is expensive, cruel and quite unnecessary because there is no evidence of a reduction in alleged food poisoning by salmonella as a result.

I am asking the Minister in the interests of common sense to go back to the beginning, to carry out some real scientific investigation of eggs and to discover whether they can biologically be contaminated with salmonella at such a level as to threaten human health, which is what the debate is all about. With the greatest respect to my hon. Friend, I suggest that the biological knowledge that his Ministry officials are giving him in their briefings is

[Mrs. Teresa Gorman]

extremely suspect. If it is not suspect and he really believes that eggs can be dangerous in that way, why has he not banned foreign imports?

The implication of the Minister's policy, carried to its logical conclusion, is that eggs will become a luxury item in this country, that they will be an expensive food to produce and that people will have to move on to other foodstuffs, while small farmers have to move into other forms of food production.

We had been eating eggs and chickens for centuries before this scare became part of our national folklore. I believe that the scare was a media hype to which the Government over-reacted. I ask my hon. Friend the Minister to reconsider the evidence and, most particularly and in the short term, to think seriously about what he is doing to our domestic poultry industry by the enactment of the Zoonoses order.

2.22 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): I find it one of the ironic facts of political life that a few months ago we were being ferociously attacked because we had not taken enough action, whereas now we are being ferociously attacked because we have taken too much action. The action we are taking is correct. We shall continue to take it and continue to have public health as the foremost of our priorities at the Ministry of Agriculture, Fisheries and Food.

The Zoonoses order came into effect in March 1989. It gave us power to slaughter poultry infected with salmonella and to pay compensation. So far—and I am sure that the House will be interested in the statistics—64 flocks have been slaughtered because we found either salmonella enteritidis or salmonella typhimurium. Getting those two words out at 2.30 am is no mean achievement for an historian, as opposed to a biologist. We have found it in those flocks and about 700,000 birds have been slaughtered. We have paid about £530,000 in compensation. We intend to extend compulsory slaughter soon to the breeding flocks, layers and broilers, to take the battle against infection higher up the chain, especially into grandparent and layer breeders.

The Zoonoses order complements other legislation that requires the testing of flocks and the control of feed. The extension of testing to hatcheries and the requirement to register the flocks comes into force tomorrow. I took the precaution of writing "tomorrow" in the expectation that this would be a late debate, and I fear that I may have the same problem tomorrow when I deal with Scottish haddock in an Adjournment debate.

We have brought the typical costs for the testing for a small flock down from about £110 plus value added tax to £24 plus VAT. We have been attentive to the problems of the small producers. We have recognised the difficulty that they have faced, but we have done our best to ensure that the necessary burden that we impose is not intolerable to them. Nothing would destroy the industry more than any reputation that it gained—merited or not—that it was producing a product that the consumer did not think was safe.

There are 2,000-plus types of salmonella. We require slaughter only when an invasive salmonella—enteritidis and typhimurium—is found. These can penetrate the egg in two principal ways, and here, I am afraid, we have a dispute about the biology of the process: by contamination through the eggshell by faeces, and by transovarian infection, which causes the hen to lay infected eggs. We are confident that our evidence for that is solid. When this is found, the whole of the unit—whether it is a hen house or a whole flock—must go. It is simply not feasible to test every bird and to remove those infected.

We take the most meticulous steps to verify and identify the infection. It is worth remembering that the owner is already required to do his or her own testing. In the first instance, an investigation is conducted by the local centre of the Ministry of Agriculture, Fisheries and Food to isolate the salmonella organism. That isolate is forwarded to the central veterinary laboratory at Weybridge for a second opinion and confirmation of the serial type. Then the public health laboratory at Colindale in north London is required to identify the exact type of salmonella by phage typing of enteritidis and typhimurium. In other words, there is a tri-level confirmation on top of the owner's own checks.

My hon. Friend mentioned the recent case in Daventry. I am delighted to see here my hon. Friends the Members for Daventry (Mr. Boswell), for Fylde (Mr. Jack), for Ludlow (Mr. Gill) and for Cambridgeshire, South-East (Mr. Paice). That constitutes quite a large audience for an Adjournment debate. I compliment my hon. Friend the Member for Daventry on the extremely constructive and helpful way in which he dealt with a case that occurred in his constituency. It was clearly a difficult case, as it was conducted in the glare of publicity.

I am sure that my hon. Friend knows the sequence of events. Two families were taken ill after eating a baked Alaska. The doctor was called in. The environmental health officer for Nuneaton traced the eggs which were used back to the nunnery. The Ministry laboratories in Cambridge identified the salmonella. That was confirmed by the central veterinary laboratory. The public health laboratory identified salmonella typhimurium phage type 49a. It was the exact type that was found in the humans and in the chickens through the chain of the baked Alaska, down to the last decimal point.

It is also worth spelling out how we test. In this case, 59 birds were taken. This was done according to a scale that shows the number of birds to be taken. A figure is not just dreamed up as officials arrive. The material is grouped into batches constituting batches from five birds. They are tested for three things: infection in the gut, infection in the reproductive tract, and infection in the lung and liver. This method—I defer to the statistical superiority of my hon. Friend the Member for Billericay (Mrs. Gorman) in these matters—gives a 95 per cent. probability of picking up one infected bird if the level of infection in the flock is about 5 per cent. In this case, we found the infection in the intestines.

Even if—this is a vital point—there had been no outbreak of food poisoning and if the nuns had tested the flock, as they were required by law to do, it is likely that they would have found an infection. When an infection is found, we are obliged in the interests of public health to deal with that flock, whether at that point the link can be traced back irrevocably to a food poisoning case or not. I must emphasise that our behaviour in this case towards the nuns, whose concern and passion we understood, was characterised by restraint, courtesy, consideration and, if I

may say so in the case of my right hon. Friend the Minister of Agriculture, Fisheries and Food, a certain religious empathy.

I want to place it on the record that the nuns' flock had not been tested as the law required. During the height of the dispute, frozen shelled-eggs from an infected house had been sold. No harm was caused and we regarded the mistake as genuine and, fortunately, the consignment was intercepted and its products destroyed.

My hon. Friend the Member for Billericay asked about compensation. I recognise that that is a difficult issue. We are bound by the Animal Health Act 1981 to pay the market value for birds at the time of slaughter. That clearly depends on the age of the flock and its laying cycle and it is subject to arbitration. At the time that that occurred in the case of the nuns' flock, the flock had been put into forced moult to generate a second laying cycle. We are examining the question of compensation for older flocks.

My hon. Friend asked me to comment on two specific points. First, she asked why we require birds which lay eggs that are deemed to be infected—she would dispute whether they were actually infected—to be slaughtered when we do not require the chickens which might have salmonella to be slaughtered. The answer is that the Government have targeted eggs as the main health risk because they are eaten raw and part-cooked while it is generally accepted and understood that thorough cooking kills salmonella in chickens. As I have said, we are planning to extend slaughter policy to broiler breeding flocks in a phased fashion to ensure that there is no major market disruption.

My hon. Friend also asked about imports. The situation is not so apocalyptical as she suggested. Imports are not flooding in and we still supply 97 per cent. of our own market for eggs. My latest figures indicate that 500,000 boxes of eggs have been imported against 420,000 over the same period last year. We have doubled the export of our eggs over the same period, from 420,000 to 850,000 boxes. It is also worth noting that we cannot draw a direct arithmetical line between our action and the impact on public health. However, we have had a long hot summer when there was a genuine anticipation that there would be a significant increase in the incidence of illnesses of this kind. There was no big increase, and the number of cases is running at roughly last year's level. Of course there is a problem with imports. We cannot hold the imports while we conduct the tests because the tests take too long to carry out. Under Community regulations, we cannot ban imports and I must state that, at the height of our crisis, none of our Community partners banned the import of eggs from the United Kingdom. A significant number of eggs were exported from the United Kingdom to the continent at that time.

If there is a problem with imports, we take up the issue immediately with the member state from where the production originated, and we are seeking European Community controls up to the standard of the controls that we have now imposed in the United Kingdom.

At a time when we are going in to bat in the Community, to maintain the high status that we enjoy in animal health in the context of the 1992 negotiations, it is absolutely essential that we show that we are willing to take the measures required to maintain that status in the United Kingdom, otherwise it will be increasingly difficult to argue with our negotiators on the continent that we have a special case and that we should not go to a Community system which we fear would not have the rigour of the systems that we would want for the United Kingdom.

Of course testing 60 eggs per consignment is not as effective as testing the birds themselves. However, we are doing as much as we can to control the level of infection in imports. We are pursuing that with the greatest vigour in the European Community, and those health issues figured on the agenda of the Luxembourg Council—not eggs in this case, but veterinary checks in general—from where I returned today to reply to this debate.

I do not believe that the Ministry of Agriculture, Fisheries and Food is required to start from the drawing board again. We are constantly looking to ensure that our actions are effective and appropriate. We will never turn our backs on evidence presented to us which suggests a better way. We will constantly ensure that we are acting in the best interests of public health.

I must make it absolutely clear that our prime interest lies in public health. There must be no exceptions, qualifications or evasions when it comes to public health. That is our fundamental obligation. We will honour that obligation in the Ministry of Agriculture, Fisheries and Food, and I am confident that that is an obligation in the pursuance of which we will have the full backing of the House.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes to Three o'clock.

House of Commons

Wednesday 25 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

MIDLAND METRO BILL

Lords amendments agreed to.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Cyprus

1. **Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the present position on the United Nations-sponsored intercommunal talks on Cyprus.

The Minister of State, Foreign and Commonwealth Office (Mr. Francis Maude): The intercommunal talks are stalled at the moment. The United Nations Secretary-General recently met the leaders of the two communities and will shortly present to them his views on how the talks can resume. We hope that this happens soon. We shall continue to give Mr. Perez de Cuellar our full support.

Mr. Cox: While I note that reply, is the Minister aware that President Vassiliou's efforts in seeking to unite the island of Cyprus have sadly come to nothing? As this country is one of the guarantor powers, does the Minister consider that the Government should now start to take a far more involved role and seek to bring together the Governments of Greece and Turkey to work out a settlement that will unite the island of Cyprus once again? How long does he really believe that the United Nations can be expected to carry on alone in this crucial issue?

Mr. Maude: We take our responsibilities in respect of Cyprus extremely seriously, as the hon. Gentleman suggests that we should and as our contribution to the United Nations peacekeeping force indicates. As the hon. Gentleman will recognise, there can be no solution unless the leaders of the two communities reach agreement with each other. To do that, there must be talks. As I have said, we must give full support to the United Nations Secretary-General in his good offices mission to enable that to happen. We very much hope that it will be successful.

Mr. Michael Marshall: My hon. Friend will be aware that the next Inter-Parliamentary Union conference is to take place in Cyprus. Will he take this opportunity to assure the House that he will encourage our diplomatic representatives to facilitate the process of dialogue with all communities in Cyprus, including the freedom of movement which will be necessary in that process?

Mr. Maude: I say again that we shall do all that we sensibly can to encourage the process of dialogue to renew and to encourage the leaders of both communities to come to those talks in a spirit of good will, determined to reach an agreed settlement.

Mr. John D. Taylor: As Turkish Cypriots fully support the United Nations objective of a bizonal independent and sovereign Cyprus, will the Government confirm that they will act even-handedly to both the Turkish Cypriots and the Greek Cypriots? Does the Minister agree that intercommunal talks would be better facilitated if there were less provocation by the Greek Cypriots? For example, I refer to the pending visit to Bulgaria by the President of Greek Cyprus—a most tactless move—and the recent display of armaments on 1 October, including missiles and armed helicopters in southern Cyprus.

Mr. Maude: It is no secret that we think that it would be better if the President of Cyprus did not visit Bulgaria. It is important that the talks are renewed and that both sides go to them with good will, determined that the talks succeed. Our approach has been scrupulously even-handed and will continue to be so.

Mr. Cyril D. Townsend: Should not the Commonwealth be very strongly congratulated on its always outstanding statements on Cyprus? Will my hon. Friend continue to set his face like flint, as did his predecessors, against any form of recognition of the unilateral declaration of independence in the north of Cyprus?

Mr. Maude: I am grateful to my hon. Friend for his compliments, which I accept on behalf of my right hon. Friend the Foreign Secretary who conducted the negotiations at the Heads of Government meeting. On recognition of the north of Cyprus, it remains our view that the declaration of independence was an illegal act.

Mr. Anderson: Does the Minister recall the passage in the Commonwealth communiqué which says that dialogue in the UN-sponsored talks—the intercommunal talks—is the only means by which progress can be made to a peaceful solution? Will he confirm that that at least was one area about which the Prime Minister did not dissent or write a separate document? Will he urge the Turks to use whatever leverage they have with the Turkish Cypriots to end any stalemate, urge them to come to the table on the basis of the United Nations talks and impose no preconditions?

Mr. Maude: The hon. Gentleman's first point is so silly that it does not merit a reply. With regard to his second point, I repeat that we will do what we can to encourage the leaders of both communities to come to the talks in a spirit of good will.

Mr. Gale: Can my hon. Friend confirm that the Government are still totally opposed to the presence of the Turkish army of occupation in northern Cyprus? Will he further confirm that there is no question of Turkey joining the European Community while that army is there?

Mr. Maude: Certainly those are matters which will have to be discussed. It is essential that the Greek Cypriots and the Turkish Cypriots have confidence in any settlement

that is eventually agreed. That is a precondition for any settlement and the matters to which my hon. Friend has referred will have to be discussed and decided upon.

EC Social Charter

2. **Mr. Wallace:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government towards those clauses of the European Community's draft social charter which would ensure the participation of the work force in decision-making within companies.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. John Major): We are fully committed to the principle of employee involvement, but we believe that it would be misguided to harmonise practice throughout Europe. It is for businesses to develop the arrangements that best suit their own circumstances and those of their staff.

Mr. Wallace: May I take this opportunity to congratulate, and possibly sympathise with the right hon. Gentleman, on his first appearance at the Dispatch Box in his new office? Does he agree that there is a public mood that in 1992 with the single market, there will be much more than just a business man's Europe and that employees should be able to participate in some of the objectives including having a better say in the industries in which they work? Can the right hon. Gentleman confirm reports that the French Government are proposing a revised draft of the European social charter in some way to trade off employee rights against closer European monetary integration? What is the Government's response to that? Does he accept that both objectives should be pursued with much greater vigour than the Government have shown hitherto?

Mr. Major: I am grateful to the hon. Gentleman for his congratulations. That was most kind of him. With regard to the social charter, of course the Government accept that there is a social dimension to the Community. Our concern is that the social charter is the wrong way to achieve the objectives that many people want. With regard to the French attitudes, we all wait to see what President Mitterrand has to say in Strasbourg later today.

Sir Anthony Meyer: Since many clauses in the social charter are modelled on British practices or, if amended, could be made acceptable to British practice, would it not be better for my right hon. Friend to exercise his talent for reconciliation to achieve some agreement rather than appear to reject the whole concept out of hand?

Mr. Major: At the moment our concern is that the Commission draft is a confused mixture of general principles and detailed intrusive regulation. We believe that that would have the practical effect of restricting the freedom of workers and employers to negotiate the most suitable arrangements for themselves and their staff. The employers and employees should negotiate those matters and there should be no imposition from above.

Mr. Benn: Is the Government's position not now clearly established, as it was in Kuala Lumpur, in that they sign an agreement and repudiate it later? The Prime Minister agrees to 1992, but repudiates its implications later. Is that not an example of complete consistency by the Prime Minister and the Foreign Secretary?

Mr. Major: No such agreement signed in Kuala Lumpur was repudiated. The right hon. Member for Chesterfield (Mr. Benn) will be aware of the many Cabinet decisions to which he subscribed which he apparently subsequently denounced in his memoirs.

Mr. Arbuthnot: Can my right hon. Friend confirm that our record on social policy is really rather good compared with that of some of our competitors? Does he also agree that in the circumstances the last thing that we need is a social charter imposed by other countries?

Mr. Major: I can certainly confirm that. The essence of any social policy is to create employment. We have created far more jobs in the United Kingdom over recent years than any of our European partners. That creation of jobs should be the centre of any social dimension.

Mr. Kaufman: May I congratulate the right hon. Gentleman on his appointment and wish him a happy and constructive spell at the Foreign and Commonwealth Office? I assure him that he can rely on security of job tenure at the Foreign Office, unless, of couse, he hears Mr. Charles—*[Interruption.]*

Mr. Speaker: Order. The question is about the EEC.

Mr. Kaufman: It is indeed, and I was offering my congratulations to the right hon. Gentleman and saying that I hope that his job tenure will be acceptable to him and to Mr. Charles Powell.

Since the right hon. Gentleman has responded to the hon. Member for Orkney and Shetland (Mr. Wallace) by drawing attention to the question of harmonisation, why is it that the Prime Minister traipses from international conference to international conference seeking to wreck harmonisation? She did so at the EC summit—*[Interruption.]*

Mr. Speaker: Order.

Mr. Kaufman: She did so at the EC summit from a position of total isolation by opposing the social charter, at the NATO summit from a position of total isolation by opposing negotiations on short-range nuclear weapons and at the Commonwealth summit from a position of total isolation by repudiating the agreement that the right hon. Gentleman had negotiated.

Mr. Speaker: Order. I ask for brief questions.

Mr. Kaufman: My question follows directly on the subject of harmonisation. The Prime Minister repudiated an agreement that the right hon. Gentleman had negotiated to fulfil her role as the enthusiastic accomplice of apartheid in South Africa.

Will the right hon. Gentleman—*[Interruption.]*

Mr. Speaker: Order. I am reluctant to say this to the right hon. Member for Manchester, Gorton (Mr. Kaufman), but such questions take a long time and that is unfair to the House.

Mr. Kaufman: Will the right hon. Gentleman stand up against Mr. Powell on such issues in the same way as the

Chancellor is standing up against Sir Alan Walters? Is he going to be a Foreign Secretary or is he going to be the man who sweeps up after the Lord Mayor's procession?

Mr. Major: First, I am grateful to the right hon. Gentleman for his congratulations. I shall make up my own mind about my responsibilities as Foreign Secretary, as I was appointed to do.

If I might bring the right hon. Gentleman back to the social charter, in terms of bringing harmony he may recall the Madrid agreement of Heads of Government that said that tackling unemployment was the top priority and that there should be a clear respect for subsidiarity. If anyone failed to bring harmony it was the Commission, which wholly ignored the instructions of Heads of Government.

Several Hon. Members *rose*——

Mr. Speaker: Order. We are making extremely slow progress. We have dealt with only two questions in about 20 minutes. I ask for brief questions as we shall then receive brief answers.

Mr. Andrew MacKay: Unlike the right hon. Member for Manchester, Gorton (Mr. Kaufman), may I ask a question about the social charter? Is my right hon. Friend aware that most of my colleagues believe that the social charter has no relevance to the single market? We believe that this sovereign Parliament should decide such matters, not the EC.

Mr. Major: I entirely share my hon. Friend's view and that is, of course, what the principle of subsidiarity means.

Hong Kong

3. **Mr. Morley:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit Hong Kong; and if he will make a statement.

Mr. Major: I hope to visit Hong Kong early in the new year. Precise dates have not yet been determined.

Mr. Morley: Is the Foreign Secretary somewhat relieved that after the Commonwealth conference's unanimous agreement to a statement on the position in Hong Kong, no member of the Commonwealth repudiated the statement one hour after making it? As the Foreign Secretary moves more towards the idea of compulsory repatriation, and there is much talk of economic migrants as against refugees, how does the right hon. Gentleman intend to determine between economic migrants and genuine refugees in the case of Hong Kong?

Mr. Major: First, on a point of information, the hon. Gentleman may care to know that no communiqué was repudiated—*[Interruption.]*—by the Government. The communiqué was accepted in its entirety and without demur. However, there were four areas in the communiqué on which I expressly declined to agree with my Commonwealth colleagues and the subsequent press statement set out the British position on those areas. In the case of Hong Kong, the international community has accepted for some time that all those screened out as non-refugees should, in due course, be returned to Vietnam. Ultimately, that is the only possible solution.

Sir Peter Blaker: May I congratulate my right hon. Friend not only on his appointment, but on securing the statement in the communiqué by the Commonwealth Heads of Government to which he has just referred, relating to the return to Vietnam of those boat people who are determined not to be genuine refugees? How far have my right hon. Friend's talks about monitoring such returns proceeded with the Government of Vietnam?

Mr. Major: Those talks are continuing. I hope that they will be concluded before too long, but, as yet, they are not wholly finished. We are concerned to ensure that when Vietnamese refugees and non-refugees return to Vietnam they are treated properly and fairly and we shall seek to ensure that monitoring arrangements are made to safeguard them.

Mr. Heffer: On a point of order, Mr. Speaker.

Mr. Speaker: Does the point of order arise out of the question?

Mr. Heffer: This is a very important matter, Mr. Speaker. Hon. Members cannot properly hear what is being said. I do not know whether it has anything to do with the new television cameras, but we cannot hear the questions being put to the Minister, or the replies. Hon. Members sitting over here certainly cannot hear. Will you look into this matter, so that we can at least hear what is being said?

Mr. Speaker: Perhaps I should ask hon. Members to speak up. I had some difficulty in hearing the last question —*[Interruption.]* Order. I shall have the microphones looked into.

Mr. Foulkes: I do not think that my hon. Friend's complaint will apply to me. Will the Secretary of State consider giving some assistance to the Government of Vietnam to help with the refugee settlement programme? Will he also do what he can to ensure proper safeguards and monitoring for the return of refugees? Does he understand that although Opposition Members support encouragement and persuasion to return for those not accepted as refugees, we shall strongly oppose forced repatriation? Will he now rule out force as part of his orderly return programme?

Mr. Major: I shall take the hon. Gentleman's final point first. It is becoming increasingly clear that voluntary repatriation cannot provide the comprehensive solution that is necessary. We are seeking to counsel and persuade the Vietnamese boat people to return to Vietnam. We are receiving the full support of the United Nations High Commissioner for Refugees in doing so. I invite the hon. Gentleman to recognise that the problem in Hong Kong is now acute. It is getting worse and cannot be borne much longer. It will soon be necessary to tackle the thorny question of involuntary repatriation. I shall do that as and when it is necessary. I shall most certainly be seeking safeguards for those people who return, because I regard that as a most important matter.

Mr. Lester: Will my right hon. Friend agree, before he approves any agreement with the Vietnamese Government, to consider the concerns of many colleagues in the House about the prospect of 33,000 Vietnamese non-refugees being forcibly returned to Vietnam? Will he also undertake to consider our views that any aid should be directed to their resettlement—difficult enough in many communities in Vietnam—and that the United Nations or the European Community should examine much more

carefully the rehabilitation of the whole of Vietnam's infrastructure and development, now that it has changed its policy to one of development and a market economy? Unless we do that, many of us will be deeply worried about reluctant or compulsory repatriation, given that people will be returned to the abject poverty from which they have come.

Mr. Major: Vietnam stands a better chance of getting what it wants from the international community if and when it fulfils its international obligations—that point must be understood. The key element is an unequivocal and public commitment by Vietnam to taking back all non-refugees in safety and dignity, and we shall seek that.

I understand my hon. Friend's concerns; I wish there were an easy alternative, but neither he nor anyone else has yet found one. The whole international community made it perfectly clear at Geneva and elsewhere that it was not prepared to take non-refugees. It is therefore not reasonable to accept that they will have to stay in Hong Kong for ever and I cannot, will not and do not accept that —*[Interruption.]*

Mr. Speaker: Order. May I say to those who are asking questions from a sedentary position that that does not help us to hear?

Afghanistan

4. **Mr. Wareing:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy towards Afghanistan.

Mr. Major: We have consistently supported efforts to replace the present regime in Kabul with a truly representative Government acceptable to the majority of Afghans. That is the necessary preliminary to any lasting settlement and to the voluntary return of Afghan refugees.

Mr. Wareing: It is now nearly six months since the Soviet Union did the right thing and withdrew its troops from Afghanistan. It is perfectly clear that the Government in Kabul is far from being doomed as we were told that it would be, but we do know that the feudal terrorists are pouring rockets into Kabul onto hospitals and buses, and innocent people are being killed. Will the Foreign Secretary assure us that he will use all his energies to ensure that neither the United States nor Pakistan gives succour or arms to these terrorists?

Mr. Major: In view of what the hon. Gentleman has just said, he may be both surprised and shocked to know that in the six months since Russian troops left, 4,000 supply flights from Russia have gone to Najibullah.

Mr. Ron Brown: Does the Minister accept and understand why the regime has not been defeated? It is because the workers, peasants and above all the revolutionary women who support the Government have made it clear that they back enlightened change and reforms. It is about time that this Government understood those things and that one cannot defeat a revolution with popular backing. Despite all the dirty tricks, the regime in Afghanistan will prevail.

Mr. Major: I fear that I cannot agree with the hon. Gentleman. So enlightened is the regime to which he refers that 5 million people have fled from it.

Consular Officials (Spain)

5. **Mr. Baldry:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals consular officials in Spain helped this summer.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Sainsbury): Between 1 June and 30 September 1989, British consular posts in Spain received 41,818 visitors and 49,538 telephone inquiries.

Mr. Baldry: I warmly welcome my hon. Friend to his new position. Does he recognise that the whole House wants to thank consuls, and particularly our honorary consuls in Spain, for the work that they undertake on behalf of British nationals? Given that at least 500,000 British nationals are now permanently resident in Spain, is my hon. Friend confident that the present consular set-up is adequate to deal with their legitimate needs—for example, to deal with their pension and other benefit inquiries?

Mr. Sainsbury: I thank my hon. Friend, both for his welcome to me and for what he said about the excellent work done by our consular network in Spain. We have a particularly extensive network of consuls—12 consulates and six honorary consuls—and we keep both the size and the location of that network under review in the light of demands on its services and the resources available to us.

Mr. Dalyell: Is the Minister aware that the all-party heritage committee received great kindness and efficiency from our consul in Seville? Will the Minister give a mind to the problems likely to arise in July when it is a sweltering 110 deg and there is a huge influx of people for Expo? Has that been considered?

Mr. Sainsbury: I am glad to hear from the hon. Member that the all-party committee was well received by our consul in Seville. I note what he said about the problems that could arise during Expo—we are considering them —in the light of the temperature and the demands on resources in that area.

Bulgaria

6. **Mr. Stern:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Bulgarian Government in connection with their policy of Bulgarianisation of the Turkish minority.

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): We have always used every opportunity to urge the Bulgarian Government to improve their treatment of their Turkish minority. Most recently, I raised this with the Bulgarian ambassador on 20 September.

Mr. Stern: Will my hon. Friend use the influence of the Government and the regard with which our right hon. Friend the Prime Minister is held in both countries to take forward the process of diplomacy between Bulgaria and Turkey so that they start to talk and stop bouncing people backwards and forwards across the frontier?

Mr. Waldegrave: We shall certainly do that and, with our European Community partners, we hope that there

will be a meeting in Kuwait between the Foreign Ministers of the two countries to discuss this issue. I believe that that would be sensible.

Mr. Litherland: Before any representation is made, will the Minister refer to the resolution emanating from the report of, and the in-depth debate that took place in, the Council of Europe in Strasbourg in September, when blame was laid on both countries for the human tragedy and make every effort to bring about a dialogue between the two countries?

Mr. Waldegrave: I am well aware of that report, and I think that the hon. Member's advice is wise.

Mr. Nicholas Winterton: The Bulgarians are treating their Turkish minority population with great brutality. Can my hon. Friend tell the House what replies he got during his recent visit and discussions with the Bulgarian ambassador?

Mr. Waldegrave: The result was not satisfactory. There has long been a policy of Bulgarianisation—making use of the language impossible, and so on. There are some signs that aspects of that are being abandoned. If so, that is welcome, but the huge scale of the movements across the border when it was open show how much pressure those Turkish people have been under.

Mr. Douglas Forsyth

7. **Sir Geoffrey Johnson Smith:** To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department will make further representations to the Egyptian Government regarding the failure of the Egyptian authorities to return to Mr. Douglas Forsyth control and possession of his villa in Egypt.

Mr. Sainsbury: No. Mr. Forsyth's father accepted compensation from funds provided by Egypt under the 1959 agreement for the presence of a sitting tenant when the villa was handed back.

Sir Geoffrey Johnson Smith: My hon. Friend will understand that that is a very disappointing reply. Is he aware that the compensation paid to the Forsyth family was in respect of capital depreciation and that there is not a scrap of evidence to support the Foreign Office's contention that that was in any way compensation for loss of the control and possession of their villa, to which they are entitled under the Anglo-Egyptian agreement of 1959? As this family has been virtually defrauded by the attitude of the Foreign Office, will the Minister agree to meet me and the family so that we may see justice done and discuss this very legal point?

Mr. Sainsbury: I congratulate my hon. Friend on the energy and diligence with which he has pursued this case over a long period. He knows that the facts go back a long way. I am unhappy to have to say that our interpretations of the legal position do not agree. The advice I have received does not confirm his view that Mr. Forsyth's father did not receive compensation for the loss of vacant possession of his villa. I shall be happy to see my hon. Friend to discuss the matter further.

Mr. Skinner: Has the Anglo-Egyptian house compensation system been drawn to the attention of the Chancellor of the Exchequer, who got kicked out of his house by the Prime Minister, acting like Lady Porter? What sort of a points system is the Government running when they kick out a man with a family and kids and put in a bloke who has no family?

Mr. Speaker: Order. I do not think that it is in Egypt, is it?

Mr. Sainsbury: The hon. Gentleman raises his point of view with his usual ingenuity and delicacy. However, I fear that I cannot find any particular connection with the villa in Egypt and Mr. Forsyth.

Lebanon

8. **Mr. Bowis:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to promote a cessation of the conflict in the Lebanon.

Mr. Waldegrave: With our European partners we continue to support fully the Arab League committee of three Heads of State in their efforts to bring peace to Lebanon. We welcome the agreement reached at Ta'if by the Lebanese parliamentary deputies.

Mr. Bowis: Does my hon. Friend agree that there will never be peace in the Lebanon while the Syrian occupation troops are there? Does he further agree that there is considerable disquiet that the Arab League agreement, welcome as the efforts have been to reach it, appears to legitimise the position of Syrian troops in the Lebanon? Does he also agree that the Government and people of Britain will never compromise with a regime that has been shown by Amnesty International to be guilty of atrocities and which has been shown by other investigations to be guilty of air terrorism?

Mr. Waldegrave: Our views about some of the activities of the Syrian Government are well known to the House. We believe that it is right and necessary for the sovereignty of Lebanon for all foreign troops, including the troops of the state of Israel, to leave that country. We also strongly believe that in the tragic situation of that country the agreement gives the best hope of restoring proper sovereignty.

Mr. Galloway: The Minister could acknowledge rather more than he has in his answer the extent to which the fly in the ointment, or rather the dangerous angry hornet in the ointment in the Lebanon, is Syria. The Minister welcomes the Ta'if agreement, but surely an agreement that gives the Syrians two years to withdraw from Beirut and an unlimited time to withdraw from the Lebanon as a whole is rather less than perfect.

Mr. Waldegrave: I do not think that it is my job to say whether, ideally, a better agreement could have been written. We think that we have here the beginning of a process that could lead to peace in the Lebanon. We see nothing better on offer. There is certainly no hope of the Syrians being driven by force out of the Lebanon. I agree with the hon. Gentleman that if we are right and the agreement could lead to peace, it will only be if the Syrians withdraw—and the sooner the better.

Mr. Brazier: Does my hon. Friend agree that the record of the Syrians in Lebanon as shown by Amnesty International is one of almost unparalleled brutality? Their record in air terrorism extends from Hindawi to

Lockerbie, yet we are endorsing an agreement reached at Ta'if that would leave the Syrian Army controlling almost every polling station in three quarters of Lebanon to elect a Government who are then supposed to discuss with the Syrians the possibility of their withdrawal.

Mr. Waldegrave: My hon. Friend seems to be endorsing some other solution. We do not see any hope for the Lebanon other than that brought about by the work of the Algerians, the Saudis, the Moroccans and the Arab world as a whole. That is the only hope at present and it is incumbent on all those such as my hon. Friend who wish Lebanon well to do their best to support the agreement.

Ms. Short: While I am sure that all reasonable people agree with the Government that we must back the Arab League's efforts, does the Minister agree that there will not be proper long-term peace in Lebanon without a settlement between the Israelis and the Palestinians? Is it not over time for the British and American Governments to put more pressure on Israel to have proper negotiations with the Palestinians for a settlement there that will assist the achievement of peace in Lebanon?

Mr. Waldegrave: I agree with the hon. Lady that the poison in the whole region is the lack of a settlement of the fundamental problem between the Palestinians and the Israelis. None the less, the restoration of peace and a sovereign Lebanon would do a great deal to help bring about peace in that region as well. My right hon. Friend the Foreign Secretary recently met the Foreign Minister of Israel and once again made our views clear.

Council of Ministers

9. **Mr. Yeo:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last attended the European Council of Ministers; and what subjects were discussed.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the meeting of the Foreign Affairs Council on 3 October. Issues discussed included the television broadcasting directive, assistance to Poland and Hungary, trade relations with the United States and Japan and renegotiation of the Lomé convention.

Mr. Yeo: Does my hon. Friend agree that enthusiastic British support for rapid progress towards a free market for goods and services inside the Community should be accompanied by robust resistance in the Council of Ministers to some of the bureaucratic lunacies emerging from the Commission?

Mr. Maude: We shall resist bureaucratic lunacies from whatever source they emanate. We look extremely carefully at every Commission proposal to ensure that it is properly framed within the competence of the Communities and under the proper legal base. My hon. Friend is right to draw attention to our enthusiastic support for the completion of the single market, and to our pleasure that this is now broadly following a liberal approach of the sort that we can strongly support.

Sir Russell Johnston: Following the Government's enlightened decision not to sell the Hawk trainer aircraft to Iraq, have they taken the opportunity to follow this issue up in the European Council, with a view to trying to ensure that the Iraqis do not get the Alpha jet as a substitute?

Mr. Maude: I cannot tell the hon. Gentleman that that matter has been pursued in the Foreign Affairs Council, but certainly my right hon. Friend and I will want to reflect on what he said to see whether that is appropriate.

Mr. Gow: How much satisfaction is given to my hon. Friend by the prospect of one of Her Majesty's Ministers being summoned before the Court of the European Community to answer allegations about the condition of our drinking water?

Mr. Maude: We have every confidence that the quality and standard of our drinking water are exceptionally good. We strongly regret the action that the European Commission has taken. The Commission accepts that we are doing everything that we can to bring water up to the required standard. No one has suggested, not even the Commission, that any time scale more rapid than that which we propose is possible, and its action in taking infraction proceedings against us, as it has done against many other member states, is irrelevant and harmful.

Mr. Robertson: I welcome the Minister to the Dispatch Box on his first appearance as the Minister with responsibility for Europe. His predecessor, the right hon. Member for Wallasey (Mrs. Chalker), was ditched because she showed a slight glimmer of independence of mind. It seems clear from his career that he is in no such danger. Let me bring him back to the subject of the social charter. Why is it, according to today's newspapers, that when even all the other Right-wing champions of the social charter seem willing to accommodate the foot-dragging views of the British Government, we will still not agree to the charter? What sort of Community does the Minister envisage when we stand alone so consistently and regularly against proposals that all our partners believe are essential for the correct working of the single European market?

Mr. Maude: The hon. Member must not be too fulsome in his compliments. I can tell him what sort of social charter we would find acceptable. It would be a charter that accepted the principle that the Heads of Government enunciated at the Madrid Council with respect to the principle of subsidiarity, which leaves as much as possible to the national practices and voluntary traditions in other countries. The present draft of the social charter does not do that. That is a matter of considerable regret, and we hope that there can be further changes that will make it acceptable.

Mr. Aitken: Can my hon. Friend explain why he did not resist signing the television directive, which surely has nothing whatever to do with the creation of a single market? It was condemned by the United States Government representative, Carla Hills, as being one of the worst examples of protectionism and anti-Americanism and fortress Europeanism, and it makes it mandatory for television companies throughout Europe to carry 50 per cent. of European content. This has nothing to do with the single market.

Mr. Maude: I can remember discussing this matter with my hon. Friend on another occasion when I was in my previous role. This is an important measure which does have something to do with the single market, because it

prevents national Governments from erecting barriers to transfrontier broadcasting. It is quite an important single market measure. My hon. Friend may not have read it as carefully as others have. The formulation in the directive makes it clear that it is not possible for countries, the European Commission or national Governments to insist in all circumstances that over 50 per cent. of the programming is of European content. The United States Government made representations at a late stage in the discussions and the formulation that was arrived at was much more liberal than that which was proposed originally, to the extent that considerable embarrassment was caused to the French Government.

Spanish Prime Minister

10. **Mr. Norman Hogg:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Spanish Prime Minister, Felipe Gonzalez, and if the social charter was discussed on that occasion.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has not yet met the Spanish Prime Minister.

Mr. Hogg: Is the Minister aware of the briefing given by Commissioner Papandreou in London last week, when she emphasised the flexibility of the social charter and spoke of the plurality of cultures that it contains? Will the Minister give an undertaking that the Government will learn something about consensus and will seek by 1992 to produce a commitment to Europe that at least will provide equality for all the people rather than just for some?

Mr. Maude: I am aware of the briefing that Commissioner Papandreou gave in London last week. The problem is that it is difficult to recognise the social charter, as it is drafted, from the words that the commissioner used.

Mr. Teddy Taylor: Does my hon. Friend agree that he and the Spanish Foreign Secretary should publish explanatory notes for British and Spanish trade unionists and others so that they can be aware that when the directives go through workers who believe that they are not getting union recognition rights, such as those at GCHQ and elsewhere, will be able to go to the European Court instead of this Parliament or their employers, and those who believe that they are not being paid satisfactory wages can go to the European Court instead of this Parliament or their employers? Why do not the Government publish a paper that explains what it is all about so that the British people can know before the directives go through?

Mr. Maude: We have been at some pains to set out our concerns about the draft social charter as it is now framed. Our concerns include those to which my hon. Friend has referred. The more widely these issues are understood, the better it will be.

Mr. Robert Hughes: Will the Minister take the earliest opportunity to express to Mr. Felipe Gonzalez the great outrage in Britain at Spain's refusal to return 30 children in defiance of court orders awarding custody, and despite the fact that Spain is a signatory to both the international convention and the Hague convention on custody? Will the hon. Gentleman ask the Spanish Government immediately to enact domestic legislation that will give effect to the treaties that they have signed?

Mr. Maude: The hon. Gentleman has raised an important and serious matter which I would wish to examine closely.

Mr. Cash: When my hon. Friend met the Spanish Prime Minister, did the issue of minimum wages within the European Community arise? Did he address the issue in terms of the effect that it would have on jobs and investment in the United Kingdom and elsewhere in the European Community? Did he make it clear that the consequence of having a national minimum wage would be to create havoc for employment prospects here and elsewhere in the Community?

Mr. Maude: The burden of my original answer was that my right hon. Friend had not yet met the Spanish Prime Minister. The points that my hon. Friend makes are very much those with which we seek to argue the case against a prescriptive social charter. I was interested to read in today's newspapers that the UNICE, the Europeanwide body of employers, reflects many of the same concerns, especially the disadvantageous effect that a minimum wage provision would have on the poorer parts of the Community.

International Court of Justice

11. **Mr. Sillars:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether there are any proposals aimed at extending the jurisdiction of the International Court of Justice.

Mr. Sainsbury: The non-aligned movement and the Soviet Union have both recently come forward with formal proposals in the United Nations General Assembly for fuller use of the International Court of Justice. The United Kingdom which is one of the minority of United Nations members that accept the compulsory jurisdiction of the court, is carefully considering those ideas.

Mr. Sillars: Would the British Government support a proposition to extend the jurisdiction of the court so that Fourth world nations such as the Kurds, who have been subject to the most appalling tragedies, could take their state to that court?

Mr. Sainsbury: The hon. Gentleman raises an interesting idea, but one which appears clearly to be outside the terms of reference of the International Court of Justice, which is concerned with disputes between member states. I suspect that there would be no little difficulty in defining which or what organisations or bodies should come under the hon. Gentleman's "Fourth world" definition, and who would be responsible for deciding which should qualify.

Sir John Stokes: Is my hon. Friend aware that the International Court of Justice is entirely unlike the English courts of justice, which have given this country justice for many centuries? Is he further aware that judges at the International Court of Justice are political appointees, who are not always especially distinguished? Would we not do far better to stay with the English courts?

Mr. Sainsbury: I am sure that there is no stronger defender of our courts than my hon. Friend. However, the point and purpose of the International Court of Justice is to resolve disputes between states. I suspect that even those who are the greatest admirers of the British system of justice would be reluctant to refer such disputes to our domestic courts.

Mrs. Clwyd: Do the ideas put forward by the United Kingdom include the bringing to justice of war criminals such as Pol Pot, who is responsible for the genocide of up to 1 million people?

Mr. Sainsbury: I must repeat that the International Court of Justice is concerned with disputes between states, not matters involving individuals.

Mr. Kilfedder: Will the Government favourably consider an extension of the jurisdiction of the International Court of Justice as part of, perhaps, a constitutional settlement in Northern Ireland?

Mr. Sainsbury: As I said earlier, as the court is responsible for considering disputes between states, I cannot perceive an immediate application of its power or role in the position suggested by the hon. Gentleman.

Central America

12. **Mr. McKelvey:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last visited central America; and if he will make a statement.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has not yet had an opportunity to visit central America. I visited Belize on 5 to 7 October. I hope to visit other countries in the region in due course.

Mr. McKelvey: I hope that the Minister has an opportunity to visit Nicaragua. However, in the event that he might not get there, can he say how much financial assistance the Government are prepared to give to the Nicaraguan Government to ensure free and fair elections next year? Will he consider giving some financial assistance for the training of the officers who have to run the elections? Were not those two of the areas that the British observer noted as having a distinct lack of resources?

Mr. Sainsbury: I am glad to note the hon. Gentleman's concern that there should be free and fair elections in Nicaragua. I hope that that view is shared throughout the House. I hope that the elections will allow equal rights to both the Government and Opposition and a fair opportunity for both of access to the media. These matters are primarily for the Nicaraguan Government, but we have made clear to them our concern that there should be free and fair elections.

Mr. Jacques Arnold: When considering the forthcoming elections in Nicaragua, will my hon. Friend exercise extreme caution in the light of the limitations on free speech in that country, its record on giving fair broadcasting time to the various contenders in elections and its disgraceful record on political prisoners?

Mr. Sainsbury: My hon. Friend voices some of the widely held concerns about the election outlook for Nicaragua. We are sending an official observer—the highly respected Dr. David Browning—and we shall await with considerable interest his views on the conduct of the elections.

Mr. Watson: Will the Minister report on the outcome of the Prime Minister's meeting with President Cristiani of El Salvador in London last month? Will he tell us whether the Prime Minister condemned the increasing violation of human rights in that country where it is estimated that 296 people have either disappeared or been assassinated in the first three months of the ARENA Government? If, as I suspect, the Prime Minister did not voice that condemnation then, will the Minister now do so on behalf of the Prime Minister and her Government?

Mr. Sainsbury: I have made clear to their Foreign Secretary our anxiety about human rights. We condemn abuses of human rights wherever they occur. I hope that the whole House will join me in deploring the particularly reprehensible recent example when the 23-year-old daughter of the commander of the armed forces' centre of studies was shot in her car going to university. That is a breach of human rights which deserves universal condemnation.

Middle East

13. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the search for peace in the Palestinian/Israeli dispute.

14. **Mr. Archer:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the middle east peace process.

Mr. Waldegrave: We fully support Egyptian efforts to seek clarification of Mr. Shamir's useful elections proposal and to promote talks in Cairo between the Israeli Government and Palestinians from inside and outside the occupied territories. We look to Israel to respond positively.

Mr. Townsend: Is it my hon. Friend's view that if the Palestinian people were granted the right of self-determination, which they certainly should be under the United Nations charter, they would inevitably voice support for an independent Palestinian state? Has not the time come for the British Government to commit themselves to working towards the creation of such a state in the middle east?

Mr. Waldegrave: We are working towards self-determination. It will then be entirely up to the Palestinians what they choose. The chairman of the PLO has said that they would then seek some form of federation —confederation is probably a better word—with Jordan. Self-determination is the first issue.

Mr. Archer: Is there not a disturbing credibility gap between the protestations of Mr. Arafat that he has renounced terrorism and seeks peace, and the pronouncements of some of his close associates, including Abu Iyad, that the Palestinian strife must escalate in intensity? How are we to reassure the Israelis, at least until Mr. Arafat has publicly repudiated those sentiments?

Mr. Waldegrave: I do not know what more the PNC can do to put on record that it now wishes to negotiate a

way to peace. It is worth noticing that Mr. Arafat is threatened with death by Mr. George Habash and others who oppose that policy. We have said many times in the House that if Israel does not respond within a reasonable time, there are bound to be people in the broad movement of the Palestinians who return to violence.

Sir Dennis Walters: Bearing in mind that the Israeli Government have contemptuously dismissed every peace plan proposal put forward and that the United States Administration seem to be moving very slowly in the direction of putting some pressure on the Israeli Government, will my hon. Friend consider the possibility of a limited European initiative aimed at least at protecting the inhabitants of the West Bank and Gaza who continue to be terrorised by the Israeli occupying forces?

Mr. Waldegrave: Britain and the European Community have increased help for the Palestinians in the occupied territories, and it is right that we should do so. I deplore the increasing economic pressure on Palestinians. It seems wholly self-defeating in terms of finding moderate leaders with whom to negotiate.

Mr. Kaufman: I welcome what the Minister said about the Egyptian 10-point plan. Is the Minister aware that the day before yesterday I had the opportunity in Cairo of discussing it with President Mubarak who made it clear that he framed the plan with the maximum effort to make it palatable to the Israelis? Indeed, General Rabin has made it clear that the Israeli Labour party agrees with the plan, and Israeli Labour Ministers tabled it in the Israeli Cabinet, where it was rejected. Is the Minister further aware that on Monday I had an opportunity to speak to Mr. Arafat, who made it clear that he was ready to go along with the Egyptian plan and take part with a mixed delegation in discussions with the Israelis?

Will the Minister use the particular pressure that the Government can exert on the United States Administration—who are themselves playing a constructive part—so that when Mr. Shamir visits Washington next month it can be made clear to him that he and his party are the sole remaining obstacles to a sensible dialogue to settle the Israeli-Palestinian and middle eastern disputes?

Mr. Waldegrave: I welcome what the right hon. Gentleman has said. I share his understanding and belief that the American and Egyptian Governments—I pay tribute to the skilful diplomacy of the latter in recent months—are trying to build effective and practical bridges over which both sides can advance. If that is to lead anywhere, however, a response from Israel is essential. I do not think that it can possibly be fair for Israel to demand, as its objective, that it be allowed to pick the delegation of Palestinians that would then negotiate in the face-to-face talks that we all hope will begin soon.

Mr. Devlin: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I will take it after the statement.

Social Security Benefits (Uprating)

3.30 pm

The Secretary of State for Social Security (Mr. Tony Newton): With permission, Mr. Speaker, I wish to make a statement about the uprating of social security benefits. The statutory instrument necessary to bring my proposals into effect will be laid before both Houses and debated. Uprating will take place for most benefits in the week beginning 9 April next year, the first full week in the tax year. The provisions will apply to both Great Britain and Northern Ireland.

Let me turn first to the main national insurance benefits. As the House knows, the increase in the retail prices index for the year to September 1989—which is the most up-to-date indicator available at the time when the uprating process has to start—is 7·6 per cent.

Our commitment to raise the basic pension in line with that figure will again be fully carried out. It will therefore rise by £3·30 a week for a single person—from £43·60 to £46·90—and by £5·30 a week for a couple—from £69·80 to £75·10. The same percentage increase will be applied to other national insurance benefits—including widows' pensions—to public service pensions, to industrial injuries benefits and to the war pensions scheme—although, in the last case, with some exceptions, in which I propose larger increases to which I will come later in my statement. Unemployment benefit will go up from £34·70 to £37·35 for a single person and from £56·10 to £60·40 for a couple, and sickness benefit from £33·20 to £35·70 for a single person and from £53·75 to £57·80 for a couple.

As for statutory sick pay paid through employers, the welcome growth in occupational sick pay schemes, which now cover more than nine people at work out of every 10, means that the rates that we set often bear little relation to what individuals actually receive in total sick pay. I intend a limited restructuring of the scheme to make it somewhat simpler to run—while concentrating additional resources more on the lowest-paid employees, who are generally less likely to be covered by occupational schemes—and at the same time make a saving of between £70 million and £80 million for the national insurance fund. The dividing line between the higher and lower rates, at present £84, will be set at the point where employers' contributions rise from 7 to 9 per cent., currently £115. The lower rate of SSP will be increased by rather more than the rate of inflation, by £3 to £39·25, and the higher rate by 40p to £52·50. As the standard rate of statutory maternity pay is the same as the lower statutory sick pay rate, that also has the advantage of bringing about a modest real increased entitlement for about 230,000 women.

Next, let me deal with the main long-term sickness and disability benefits. Invalidity benefit will, as usual, go up in line with retirement pension. The associated invalidity allowances will rise by 7·6 per cent., except for a marginally greater increase in the highest rate to take it to £10. Severe disablement allowance and invalid care allowance will both rise from £26·20 to £28·20; mobility allowance, now helping more than half a million people compared with only 100,000 10 years ago, from £24·40 to £26·25; and attendance allowance, now helping more than three quarters of a million compared with only about a quarter of million 10 years ago, from £23·30 to £25·05 at the lower rate and £34·90 to £37·55 at the higher rate.

I turn now to the income-related benefits—income support, housing benefit, community charge benefit and family credit. The index applied here is the retail prices index less housing costs: the use of that index simply reflects the fact that, for those in receipt of such benefits, housing costs are taken into account in their housing benefit itself, or through help with mortgage interest. The increase in that index in the year to September 1989 is 5·2 per cent. The main rates of income-related benefits will be uprated accordingly. The rate for a single person over 25 will go to £36·70, the rate for a single person aged 18 to 24 to £28·80, and the rate for a couple, where one or both are over 18, to twice that, at £57·60. That figure will also be the threshold for calculating family credit. Again, with some exceptions where I propose somewhat larger increases, the premiums will be increased, for example taking the extra payment for pensioners to £11·80 for over-60s, £14·40 for the over-75s, and £17·05 for the over-80s.

The general uprating I have so far described will add more than £2·5 billion to the Department's programme. Separately, we have already implemented two measures this month, to abolish the pensioners' earnings rule and to increase benefits for disabled and older pensioners on income support and housing benefit, which together will cost nearly £600 million next year. In the remainder of this statement, I will detail proposals which will increase expenditure on residential care and nursing homes costing about £100 million and additional measures amounting to around another £200 million in a full year. Those measures will help three groups whose priority is, I believe, recognised in all parts of the House—the less well-off pensioners; low-income families with children, including many lone parents; and the long-term sick and disabled, together with those who care so devotedly for them.

Before describing those measures—and there are some 20 of them—I should make it clear that, against the background of additional expenditure on that scale for the three priority groups, I am not able to propose an increase in child benefit as well. In coming to that conclusion, I have taken account of the fact that an increase in child benefit of itself does nothing for the least well-off—indeed it helps only those who do not receive income support and family credit. I have also taken account of the fact that the take-home pay for those on average male earnings has already increased in the past year by some £16 a week, and will have been further increased by up to £3 a week for the great majority of families as a result of this month's reduction in national insurance contributions—indeed, more where both partners are working. The introduction of independent taxation next April will bring further improvements for many. In these cirumstances, I think it right to concentrate extra help from social security on others.

In that context, I take first the less well-off families receiving family credit or income support. They will of course receive, through the uprating of income-related benefits, the same amount as they would have gained from any general child benefit increase, at a cost of around £100 million. In addition to that, and to some increases for disabled children and their families to which I shall come shortly, I am making five other improvements.

The family premium in income support will be increased from £6·50 to £7·35, which is 50p a week more than a straightforward uprating would have entailed. This will of course carry through into extra entitlement to housing benefit and community charge benefit also.

The adult credit in family credit will be increased from £33·60 to £36·35, which is £1 a week more than would otherwise have occurred, and the child credits will be increased so as to compensate fully for the decision not to uprate child benefit.

The lone parent premium in housing benefit and community charge benefit will be increased by 12·8 per cent. from £8·60 to £9·70. The amount that lone parents can earn without affecting their housing benefit entitlement will be increased from £15 a week to £25 a week. Those two changes will help 95,000 lone parents.

The maternity payment, which is given to those on income support or family credit who have a baby, will be increased by £15 to £100. The total cost of additional measures for the least well-off families is about £70 million in a full year, over and above the £100 million which gives them the full equivalent of a child benefit increase. They will help 1·5 million families, and will in particular give greater encouragement to lone parents who wish to work. They should also reinforce our efforts to increase the number of people who take advantage of family credit. In that regard, I am glad to be able to tell the House that family credit coverage rose by more than 40,000 to over 320,000 between March and July this year, which means that it is providing nearly twice as much help to over 50 per cent. more families than the old family income supplement. We plan a further campaign in the next few months to make it still more effective.

Next, I come to the less well-off pensioners, for whom I propose five beneficial changes. The most important relates to income support for those in residential care or nursing homes, about which much concern was expressed in the House during last week's debate on community care. I intend to increase payments for this purpose, at a cost of more than £100 million, to give increases in the income support limits of £10 a week for virtually every category of home, providing more help for 200,000 elderly and disabled people.

I shall also deal with an anomaly in the amount allowed for the personal expenses of those who are in hospital for a long time, which has the effect of leaving uncovered certain expenses that they continue to incur at home. To help them, the relevant allowance will be increased from 20 to 25 per cent. of the retirement pension—from £8·70 to £11·75 a week.

For elderly couples on income support, the capital rule that governs access to the social fund will be doubled from £500 to £1,000 to help to overcome the anxiety that many of them feel about money set aside for a funeral. For war widows, I shall increase the age allowances from £6·10 to £7 for those aged 65 to 69, from £12·20 to £13·50 for those aged 70 to 79 and from £15·30 to £20 for those who are 80 or over. In each case, that is substantially more than a straightforward uprating, and for the over-80s it is over £3·50 a week more. I shall also, as was indicated earlier this year, raise from £5 to £10 the amount of war pension or war widows pension that is disregarded in calculating entitlement to income-related benefits.

The full-year cost of those measures, of which the bulk is on residential and nursing care, is £115 million, and they will help 400,000 people. That is over and above the extra £200 million which this month's premium increases will next year be giving to 2·5 million elderly people.

Last, but not least, I come to the needs of long-term sick and disabled people and of those many relatives and others who do so much to help with their care. As a result of the series of important surveys which we commissioned four years ago from the Office of Population Censuses and Surveys, we now know much more about disabled people and their circumstances. In the light of that, I intend to bring forward, within the next few months, and I hope before the turn of the year, proposals to improve the balance and structure of social security provision for them.

Such changes will necessarily take some time to develop and carry through. Meanwhile, however, there are pressing needs which should not wait, and I intend to make, at the next uprating, or as soon as practicable if the House agrees the necessary legislation, 10 immediate improvements which, for the convenience of the House, I will simply list.

First, the disability premium for adults in income-related benefits will be increased by £1·70 for a single person and £2·60 for a couple. That is £1 and £1·60 more respectively than a straightforward uprating, giving extra help to about 400,000 people.

Secondly, the disability premium for families on income-related benefits with disabled children will be aligned with the adult rate. That will more than double it from £6·50 to £15·40, giving extra help to 20,000 families.

Thirdly, a carers' premium will be introduced into income support for those receiving invalid care allowance, initially at a rate of £10 a week. That will help 30,000 carers.

Fourthly, as has already been announced, attendance allowance will be made available to the terminally ill without the normal six months waiting period. That is expected to help more than 50,000 people by up to £37·55 a week.

Fifthly, we shall now also scrap the rule that prevents payment of attendance allowance for children under two. That will give up to £37·55 a week extra to 3,000 families with severely disabled babies.

Sixthly, in consequence of these extensions of attendance allowance, invalid care allowance at £28·20 a week will also become available to many carers who would not otherwise qualify.

Seventhly, mobility allowance will be extended to the deaf-blind. That will give £26·25 a week more to about 3,000 people.

Eighthly, the amount that those receiving invalid care allowance can earn without affecting their ICA will be increased by 66 per cent., from £12 to £20 a week.

Ninthly, the amount that people on invalidity benefit or severe disablement allowance can earn without affecting those benefits, provided the work is medically certified as beneficial, will go up by 23 per cent. from £28·50 a week to £35 a week and they will be able to keep their benefit when they go on an employment rehabilitation course instead of the existing rehabilitation allowance which may be lower by £20 or more.

Tenthly, the independent living fund, which has proved so successful in assisting many exceptionally severely disabled people with their very special needs, for which the original provision for this year was £5 million, is being doubled immediately to over £10 million, and will be more than doubled again next year to more than £20 million.

The total full-year cost of these measures, over and above the normal uprating of disability benefits generally, will be about £100 million a year. They will improve the incomes of more than 500,000 seriously ill or disabled people and carers, in some cases by very substantial amounts. To give the House just one example, a family

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with a very severely disabled baby, where one of the parents is staying at home as carer, will get more than £65 a week extra. A full schedule of the new benefit rates is in the Vote Office.

Next year, for the first time, social security spending will be over £1 billion each and every week. The new measures that I have described confirm the capacity of our reformed benefit system to focus more quickly and effectively on those with a special claim to our help. They will reinforce our policies for care in the community, and they underline our commitment to ensure that our country's greater prosperity is widely shared.

Following are the details:

Schedule of main proposed Social Security benefit rates from April 1990

Weekly rates unless otherwise shown	*Old rates 1989*	*New rates 1990*
Attendance allowance		
higher rate	34·90	37·55
lower rate	23·30	25·05
Child benefit—each child	7·25	7·25
Child's special allowance	8·95	9·65
Community charge benefit		
Personal allowances		
single		
18 to 24	27·40	28·80
20 or over	34·90	36·70
lone parent—18 or over	34·90	36·70
couple—one or both over 18	54·80	57·60
dependent children		
under 11	11·75	12·35
11 to 15	17·35	18·25
16 to 17	20·80	21·90
18	27·40	28·80
Premiums		
family	6·50	7·35
lone parent	8·60	9·70
pensioner		
single	11·20	11·80
couple	17·05	17·95
pensioner (enhanced)		
single	13·70	14·40
couple	20·55	21·60
pensioner (higher)		
single	16·20	17·05
couple	23·00	24·25
disability		
single	13·70	15·40
couple	19·50	22·10
severe disability		
single	26·20	28·20
couple (one qualifies)	26·20	28·20
couple (both qualify)	52·40	56·40
disabled child	6·50	15·40
carers (from October 1990)		10·00
Allowance for personal expenses for claimants in hospital	8·70	11·75
Capital		
upper limit	8,000·00	8,000·00
amount disregarded	3,000·00	3,000·00
child's limit	3,000·00	3,000·00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Earnings disregards		
where disability premium awarded	15·00	15·00
various specified employments	15·00	15·00
lone parent—in receipt of IS	15·00	15·00
lone parent—not in receipt of IS (from October 1990)	15·00	25·00
where the claimant has a partner	10·00	10·00
single claimant	5·00	5·00
Other income disregards		
war disablement pension and war widows pension	5·00	10·00
voluntary and charitable payments	5·00	5·00
student's covenanted income	5·00	5·00
Expenses for subtenants		
furnished or unfurnished	[illegible]	4·00
where heating is included, additional	7·00	7·35
Dependency increases		
Adult Dependency increases		
For spouse or person looking after children, with:—		
retirement pension on own insurance invalidity pension, unemployability supplement and, if beneficiary over pension age, unemployment benefit	26·20	28·20
non-contributory retirement pension, invalid care allowance and severe disablement allowance	15·65	16·65
sickness benefit if beneficiary over pension age	25·10	27·00
unemployment benefit	21·40	23·05
maternity allowance/sickness benefit	20·55	22·10
Child Dependency increases		
For each child with:—		
retirement pension, widows benefit, invalidity benefit, invalid care allowance, severe disablement allowance, higher rate industrial death benefit, unemployability supplement and sickness/ unemployment benefit if beneficiary over pension age	8·95	9·65
Earnings rules		
Invalid care allowance	12·00	20·00
Unemployment benefit (daily rate)	2·00	2·00
Therapeutic earnings limit	28·50	35·00
Industrial injuries unemployability supplement permitted earnings level (annual amount)	1,482·00	1,820·00
War pensioners' unemployability supplement permitted earnings level (annual amount)	1,482·00	1,820·00
Adult dependency increases with sickness benefit where claimant is		
(a) under pension age	20·55	22·10
(b) over pension age	25·10	27·00
maternity allowance	20·55	22·10
unemployment benefit where claimant is		
(a) under pension age	21·40	23·05

Weekly rates unless otherwise shown	*Old rates 1989*	*New rates 1990*
(b) over pension age	26·20	28·20
retirement pension, invalidity pension, severe disablement allowance, unemployability supplement where dependant		
(a) is living with claimant	34·70	37·35
(b) still qualifies for the tapered earnings rule	45·09	45·09
retirement pension, invalidity pension and unemployability supplement where dependant not living with claimant	26·20	28·20
severe disablement allowance where dependant not living with claimant	15·65	16·85
invalid care allowance	15·65	16·85
Child dependency increases		
level at which CDIs payable with long-term benefits are affected by earnings of claimant's spouse or partner		
for first child	95·00	100·00
for each subsequent child	12·00	13·00
Family credit		
Adult credit	33·60	36·5
Child credit		
under 11	7·30	8·25
11 to 15	12·90	14·15
16 to 17	16·35	17·80
18	23·30	25·10
Applicable amount (ie taper threshold)	54·80	57·60
Capital		
upper limit	6,000·00	6,000·00
amount disregarded	3,000·00	3,000·00
child's limit	3,000·00	3,000·00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Disregards		
war disablement pension and war widows pension	5·00	10·00
voluntary and charitable payments	5·00	5·00
student's covenanted income	5·00	5·00
Expenses for subtenants		
furnished or unfurnished	4·00	4·00
where heating is included, additional	7·00	7·35
Guardian's allowance—each child	8·95	9·65
Hospital downrating		
20 per cent. rate	8·70	9·40
40 per cent. rate	17·40	18·80
Housing benefit		
Personal allowances		
single		
16 to 24	27·40	28·80
25 or over	34·90	36·70
lone parent		
under 18	27·40	28·80
18 or over	34·90	36·70
couple		
both under 18	41·60	43·80
one or both over 18	54·80	57·60
dependent children		
under 11	11·75	12·35
11 to 15	17·35	18·25
16 to 17	20·80	21·90
18	27·40	28·80
Premiums		
family	6·50	7·35
lone parent	6·60	9·70
pensioner		
single	11·20	11·80
couple	17·05	17·95
pensioner (enhanced)		
single	13·70	14·40
couple	20·55	21·60
pensioner (higher)		
single	16·20	17·05
couple	23·00	24·25
disability		
single	13·70	15·40
couple	19·50	22·10
severe disability		
single	26·20	28·20
couple (one qualifies)	26·20	28·20
couple (both qualify)	52·40	56·40
disabled child	6·50	15·40
carers (from October 1990)		10·00
Allowance for personal expenses for claimants in hospital	8·70	11·75
Non-dependant deductions		
rent rebates and allowances aged 18 or over and in remunerative work	9·15	10·85
others, aged 18 or over, or on Income Support and over 25	3·85	4·55
low earnings threshold	52·10	56·05
Service charges for fuel		
heating	7·00	7·35
hot water	0·85	0·90
lighting	0·55	0·60
cooking	0·85	0·90
all fuel	9·25	9·75
Amount ineligible for meals		
three or more meals a day		
single claimant	12·50	13·15
each person in family aged 16 or over	12·50	13·15
each child under 16	6·25	6·60
less than three meals a day		
single claimant	8·30	8·75
each person in family aged 16 or over	8·30	8·75
each child under 16	4·15	4·35
breakfast only—claimant and each member of family	1·50	1·60
Capital		
upper limit	8,000·00	8,000·00
amount disregarded	3,000·00	3,000·00
child's limit	3,000·00	3,000·00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Earnings disregards		
where disability premium awarded	15·00	15·00
various specified employments	15·00	15·00
lone parent—in receipt of IS	15·00	15·00
lone parent—not in receipt of IS (from October 1990)	15·00	25·00
where the claimant has a partner	10·00	10·00

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Weekly rates unless otherwise shown	*Old rates 1989*	*New rates 1990*
single claimant	5·00	5·00
Other income disregards		
war disablement pension and war widows pension	5·00	10·00
voluntary and charitable payments	5·00	5·00
student's covenanted income	5·00	5·00
Expenses for subtenants		
furnished or unfurnished	4·00	4·00
where heating is included, additional	7·00	7·35
Income Support		
Personal allowances		
single		
under 18—usual rate	20·80	21·90
under 18—higher rate payable in specific circumstances	27·40	28·80
18 to 24	27·40	28·80
25 or over	34·90	36·70
lone parent		
under 18—usual rate	20·80	21·90
under 18—higher rate payable in specific circumstances	27·40	28·80
18 or over	34·90	36·70
couple		
both under 18	41·60	43·80
one or both over 18	54·80	57·60
dependent children		
under 11	11·75	12·35
11 to 15	17·35	18·25
16 to 17	20·80	21·90
18	27·40	28·80
Premiums		
family	6·50	7·35
lone parent	3·90	4·10
pensioner		
single	11·20	11·80
couple	17·05	17·95
pensioner (enhanced)		
single	13·70	14·40
couple	20·55	21·60
pensioner (higher)		
single	16·20	17·05
couple	23·00	24·25
disability		
single	13·70	15·40
couple	19·50	22·10
severe disability		
single	26·20	28·20
couple (one qualifies)	26·20	28·20
couple (both qualify)	52·40	56·40
disabled child	6·50	15·40
carers (from October 1990)		10·00
Maximum amounts for accommodation and meals in		
residential care homes		
old age	140·00	150·00
very dependent elderly	155·00	165·00
mental disorder (not handicap)	140·00	150·00
drug/alcohol dependence	140·00	150·00
mental handicap	165·00	175·00
physical disablement		
(a) (under pension age)	200·00	210·00
(b) (over pension age)	140·00	150·00
others	140·00	150·00
maximum Greater London increase	23·00	23·00
nursing homes		
mental disorder (not handicap)	195·00	200·00
drug/alcohol dependence	190·00	200·00
mental handicap	205·00	215·00
terminal illness	235·00	245·00
physical disablement		
(a) (under pension age)	235·00	245·00
(b) (over pension age)	190·00	200·00
others (including elderly)	190·00	200·00
maximum Greater London increase	23·00	23·00
Amounts for meals where these cannot be purchased within the accommodation (daily rate)		
breakfast	1·10	1·10
midday meal	1·55	1·55
evening meal	1·55	1·55
Allowances for personal expenses for claimants in		
private and voluntary residential care and nursing homes personal allowance	10·05	10·55
dependent children		
(a) Under 11	5·10	4·30
(b) 11 to 15	6·05	6·35
(c) 16 to 17	7·00	7·35
(d) age 18	10·05	10·55
hospital	8·70	11·75
local authority (Pt III) accommodation	8·70	9·40
the Polish home Ilford Park		
maximum amount for accommodation and meals	140·00	150·00
personal expenses for claimant	13·25	13·95
personal expenses for partner	13·25	13·95
personal expenses for dependent children		
(a) Under 11	4·10	4·30
(b) 11 to 15	6·05	6·35
(c) 16 to 17	7·00	7·35
(d) age 18	11·95	12·55
Housing costs		
deduction for non-dependants		
aged 18 or over and in remunerative work	9·15	10·85
others, aged 18 or over, or on Income Support and over 25	3·85	4·55
low earnings threshold	52·10	56·05
Deduction for direct payments		
fuel debt 5 per cent. rate	1·75	1·85
fuel debt 10 per cent. rate	3·50	3·70
arrears of housing costs	1·75	1·85
arrears of water rates	1·75	1·85
Deductions for arrears of Community Charge		
single debtor	1·75	1·85
couple debtors both with IS	2·75	2·90
Reduction in benefit for strikers	18·50	19·50
Capital		
upper limit	6,000·00	6,000·00
amount disregarded	3,000·00	3,000·00
child's limit	3,000·00	3,000.00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		

Weekly rates unless otherwise shown	*Old rates 1989*	*New rates 1990*
Disregards		
standard earnings	5·00	5·00
higher earnings	15·00	15·00
war disablement pension and war widows pension	5·00	10·00
voluntary and charitable payments	5·00	5·00
student's convenanted income	5·00	5·00
Expenses for subtenants		
furnished or unfurnished	4·00	4·00
where heating is included, additional	7·00	7·35
Industrial death benefit		
Widow's pension		
higher rate	43·60	46·90
lower rate	13·08	14·07
Industrial disablement pension		
18 and over, or under 18 with dependants		
100 per cent.	71·20	76·60
90 per cent.	64·08	68·94
80 per cent.	56·96	61·28
70 per cent.	49·84	53·62
60 per cent.	42·72	45·96
50 per cent.	35·60	38·30
40 per cent.	28·48	30·64
30 per cent.	21·36	22·98
20 per cent.	14·24	15·32
Under 18		
100 per cent.	43·60	46·90
90 per cent.	39·24	42·21
80 per cent.	34·88	37·52
70 per cent.	30·52	32·83
60 per cent.	26·16	28·14
50 per cent.	21·80	23·45
40 per cent.	17·44	18·76
30 per cent.	13·08	14·07
20 per cent.	8·72	9·38
Maximum life gratuity (lump sum)	4,730·00	5,090·00
Unemployability Supplement	43·60	46·90
plus where appropriate an increase for early incapacity		
higher rate	9·20	10·00
middle rate	5·80	6·20
lower rate	2·90	3·10
Maximum special hardship allowance/ reduced earnings allowance	28·48	30·64
Maximum retirement allowance	7·12	7·66
Constant attendance allowance		
exceptional rate	57·00	61·40
intermediate rate	42·75	46·05
normal maximum rate	28·50	30·70
part-time rate	14·25	15·35
Exceptionally severe disablement allowance	28·50	30·70
Invalid care allowance	26·20	28·20
Invalidity benefit		
Invalidity pension	43·60	46·90
Invalidity allowance		
higher rate	9·20	10·00
middle rate	5·80	6·20
lower rate	2·90	3·10
Maternity allowance	33·20	35·70
Maternity payment	85·00	100·00

Weekly rates unless otherwise shown	*Old rates 1989*	*New rates 1990*
Mobility allowance	24·40	26·25
One-parent benefit	5·20	5·60
Pneumoconiosis, byssinosis, workmen's compensation (supplementation) and other schemes		
Total disablement allowance and major incapacity allowance (maximum)	71·20	76·60
Partial disablement allowance	26·20	28·20
Unemployment supplement plus where appropriate increases for early incapacity	43·60	46·90
higher rate	9·20	10·00
middle rate	5·80	6·20
lower rate	2·90	3·10
Constant attendance allowance		
exceptional rate	57·00	61·40
intermediate rate	42·75	46·05
normal maximum rate	28·50	30·70
part-time rate	14·25	15·35
Exceptionally severe disablement allowance	28·50	30·70
Lesser incapacity allowance		
maximum rate of allowance	26·20	28·20
based on loss of earnings over	34·90	37·55
Retirement pension		
Category A or B	43·60	46·90
Category B (lower)—husband's insurance	26·20	28·20
Category C or D—non-contributory	26·20	28·20
Category C (lower)—non-contributory	15·65	16·85
Additional pension	(increased by 7·6%)	
Increments to basic and additional pension, contracted out deductions (from pre April 1988 earnings) and graduated retirement benefit	(increased by 7·6%)	
Contrated out deductions and increments to contracted out decuctions (from post April 1988 earnings[1])	(increased by 4·6%)	
Graduated retirement benefit (unit)(pence)	5·71	6·14
Addition at age 80	·25	·25
Severe disablement allowance	26·20	28·20
Sickness benefit		
Over pension age	41·80	45·00
Under pension age	33·20	35·70
Social fund		
Capital limit—aged 60 and over	500·00	1,000·00
Statutory maternity pay		
Earnings threshold	43·00	46·00
Lower rate	36·25	39·25
Statutory sick pay		
Earnings threshold	43·00	46·00
Standard rate threshold	84·00	125·00
Lower rate	36·25	39·25
Standard rate	52·10	52·50
Unemployment benefit		
Over pension age	43·60	46·90

[Mr. Tony Newton]

Weekly rates unless otherwise shown	*Old rates 1989*	*New rates 1990*
Under pension age	34·70	37·35
Occupational pension abatement	35·00	35·00
War pensions		
Disablement pension (100 per cent. rates)		
private or equivalent	71·20	76·60
officer (£ per annum)	3,712·00	3,994·00
Age allowances		
40 per cent.-50 per cent.	5·00	5·40
over 50 per cent. but not over 70 per cent.	7·75	8·35
over 70 per cent. but not over 90 per cent.	11·10	11·95
over 90 per cent.	15·50	16·70
Disablement gratuity		
(base figures for calculation purposes only)		
specified minor injury	4,730·00	5,090·00
unspecified minor injury	2,601·50	2,799·50
Unemployability allowance		
personal	46·30	49·80
adult dependency increase	26·20	28·20
increase for each child	8·95	9·65
Invalidity allowance		
higher rate	9·20	10·00
middle rate	5·80	6·20
lower rate	2·90	3·10
Constant attendance allowance		
exceptional rate	57·00	61·40
intermediate rate	42·75	46·05
normal maximum rate	28·50	30·70
part-time rate	14·25	15·35
Comforts allowance		
higher rate	12·30	13·20
lower rate	6·15	6·60
Mobility supplement	27·10	29·15
Allowance for lowered standard of occupation (maximum)	28·48	30·64
Exceptionally severe disablement allowance	28·50	30·70
Severe disablement occupational allowance	14·25	15·35
Clothing allowance (£ per annum)		
higher rate	97·00	104·00
lower rate	61·00	66·00
Education allowance (£ per annum) (maximum)	120·00	120·00
War widow's pension (private)		
widow	56·65	60·95
childless widow under 40	13·08	14·07
age allowance		
(a) age 65 to 69	6·10	7·00
(b) age 70 to 79	12·20	13·50
(c) age 80 and over	15·30	20·00
children's allowance	12·60	13·40
Orphan's pension	13·80	14·70
Unmarried dependant living as spouse (maximum)	54·60	58·90
Rent allowance (maximum)	21·55	23·20
Adult orphan's pension (maximum)	43·60	46·90
Widower's pension (maximum)	56·65	60·95
Widow's benefit		
Widow's payment (lump sum)	1,000·00	1,000·00
Widowed mother's allowance	43·60	46·90
Widow's pension		
standard rate	43·60	46·90
age related		
age 54 (49)	40·55	43·62
53 (48)	37·50	40·33
52 (47)	34·44	37·05
51 (46)	31·39	33·77
50 (45)	28·34	30·49
49 (44)	25·29	27·20
48 (43)	22·24	23·92
47 (42)	19·18	20·64
46 (41)	16·13	17·35
45 (40)	13·08	14·07

[1] Contracted out deductions and increments (post April 1988). Scheme is responsible for 3 per cent. Balance of 4·6 per cent. paid by State.

Note:

For deaths occuring before 11 April 1988 refer to age-points shown in brackets.

Mr. Robin Cook (Livingston): May I begin with those parts of the statement to which the Opposition can give an unqualified welcome? First, we warmly welcome the introduction of a carers' premium on income support. As the Secretary of State will be aware, it remedies one of the worst injustices of the cuts of last April, when carers found themselves the sole group on long-term supplementary benefit who were denied any premium on the transfer to income support. We welcome the introduction of such a premium. We regret that, for the past two years, carers have been left without it.

We also welcome the changes to attendance allowance, particularly the extension of attendance allowance to the terminally ill and to children under two. The Secretary of State will have had it pointed out to him, I am sure, that during the course of the Social Security Act 1988 my hon. Friends the Members for Preston (Mrs. Wise) and for Coventry, South-East (Mr. Nellist) were particularly vigorous in pressing that point on the Government and, at the time, the Government were particularly vigorous in resisting both changes.

But the Secretary of State cannot pretend that the comparatively minor changes that he has just announced to disability benefits are the comprehensive review of disability benefits that we were promised after the study conducted by the Office of Population Censuses and Surveys. As the Secretary of State is aware, that survey identified 6·5 million disabled people in Britain——

The Minister for Social Security (Mr. Nicholas Scott): It was 6·25 million.

Mr. Cook: —my figure includes the under 16-year-olds —whose needs cannot possibly be met by an additional £100 million. Neither can an extra £1 on the disability premium possibly meet the depths of poverty revealed by

the OPCS study. May I, therefore, press the Secretary of State to make it clear that he remains committed to that comprehensive review of disability benefits?

I also congratulate the Secretary of State on having recruited another 40,000 claimants to family credit. I congratulate him on the fact that that brings the numbers up to two thirds of the number that the Secretary of State originally predicted would be on family credit. In case any hon. Members consider that family credit is now an efficient benefit, will the Secretary of State confirm that the additional numbers that he has announced today have been purchased by advertising expenditure which works out at £120 for every additional claimant? The extraordinary advertising costs necessary to recruit that modest increase makes it all the more incomprehensible that the Secretary of State has chosen to freeze child benefit, which, without advertising, reaches 98 per cent. of mothers.

May I at least congratulate the Secretary of State on Monday's Lobby briefing, in that he attempted to persuade the Treasury to let him uprate child benefit. Upon which arguments did he place the greatest stress in his negotiations with the Treasury? Did he place greatest stress on the dishonour brought on the Conservative party by a freeze in child benefit for the third year running since the general election during which every Conservative Member stood on a manifesto that pledged them to continue child benefit? Or did the Secretary of State stress the dishonesty of pretending that he had carried out his annual duty to review the level of child benefit? Is he aware that over the past three years of the freeze, the level of child benefit has sunk by a fifth?

Which mother did the Secretary of State meet in the course of his review who told him that the cost of bringing up a child has gone down by a fifth over the same period? Or did the Secretary of State point out to the Treasury the sheer hypocrisy of a party that boasts of being the party of the family, which cannot find an extra 50p for the family budget? Does not the Secretary of State understand that so many young mothers with small children live in first-time buyers' homes where budgets have been wrecked by Conservative mortgage rates? Will the Secretary of State now at least find the courage to do the House the courtesy of informing the House and the nation that he is a member of a Cabinet which wants to be rid of child benefit and that Britain, as it limps towards 1992, is the only country with a Government who are not prepared to recognise anywhere in the benefit or tax system the extra cost of families with children?

The Secretary of State has again increased income support by the retail prices index less housing costs. Will he confirm that this year that reduces the increase by one third? In view of the large difference between the increase in income support and the increase in national insurance benefits, how many pensioners are likely to find themselves floated off entitlement to means-tested benefit?

I want to press the Secretary of State about two particularly desperate groups on income support. The Secretary of State referred to the thousands of old people who have been encouraged to go into private nursing homes on the assurance that the Department of Social Security will meet their costs. They now find that the benefit does not cover their bills. Is the Secretary of State aware that many of my hon. Friends have cases in their constituencies where the gap between the old person's benefit and the private home fee is £30, £40 or £50 a week? An increase of £10 a week in the benefit will go nowhere towards plugging that gap. Will the Secretary of State admit that the £10 he has just announced is no more than the 5·2 per cent. increase to which they are entitled on a weekly payment of £190?

The fees of those homes will go up by more than £10 this year and that will leave old people with a further gap to meet if they are to keep a roof over their heads.

May I press the Secretary of State on a group whom he omitted from his statement and who are on income support? I refer to the stark desperation of the 200,000 claimants who are entitled to no increase because they are still on transitional protection and to whom today's statement is wholly irrelevant. Next April will be the third year running in which they have had no increase. They still need the extra heating and the special diet for which they used to get allowances, but which they now cannot afford. I plead with the Secretary of State for an amnesty for those cases on transitional protection so that they may get the full uprating.

The Secretary of State has again announced an increase in the basic state pension, but it is not a penny over the minimum necessary to match price increases. Will he confirm that if the link with earnings had been preserved under his Government, the figures he has announced today for the state pension would have meant an increase in the single person's pension of £12·65 over the present level and, on the married person's pension, of £20 a week over the present level? Is he aware that, last April, the cumulative total in the national insurance fund was a record surplus of £9,900 million? Why will the Treasury not let him spend some of that surplus on the pensions for which working people have paid their contributions to that fund?

Is he aware that, this year, the cost to the national insurance fund of the 2 per cent. bribe in personal persons schemes is already £1·5 billion over budget? Will he confirm that that sum alone would have doubled the sum he announced today relating to the increase in the state pension? If he really believes in targeting, surely it would be better to target that expenditure to help pensioners in poverty than to subsidise the private pensions industry.

The Secretary of State will be aware that during the 11 years of this Government the basic pension has gone up by a beggarly 2 per cent. in real terms. In the five years of the previous Labour Government it went up by 20 per cent. in real terms. Those figures show up the different priorities we attach to the state pension.

Since the Secretary of State has said that his announcement is intended to ensure that the greater prosperity of the nation gets through to those on benefit, why does he not go back to the Treasury and remind the Chancellor of his many speeches on Britain's economic miracle? He should ask his right hon. Friend when that greater prosperity will get through to the millions of pensioners dependent on the basic state pension, who should not be abandoned in their old age to the stress and distress of a life in poverty.

Mr. Newton: I would have found the latter part of the hon. Gentleman's remarks somewhat more credible but for the fact that the previous Labour Government were unable even to sustain their own undertakings about the way in which they would uprate retirement pensions; and but for the fact that pensioners' average total net incomes have been rising far faster under this Government than

[Mr. Newton]

under the previous Labour Government. The latest figures show that, between 1979 and 1986, those incomes rose by 23 per cent. against only 0·6 per cent. a year, or 3 per cent. over the whole period when the hon. Gentleman and his friends were in office. The principal reason for that was, of course, the roaring inflation over which the Labour Government presided.

The second principal reason for the substantial increase in pensioners' average net incomes going far beyond what occurred under the previous Labour Government is the very growth of occupational and other pension schemes, which we have been sucessfully encouraging still further by the development of personal pensions.

The hon. Gentleman made several observations about family credit, child benefit and the review of benefits for disabled people. I shall refer to each of them. First, as I emphasised in my statement, the key point about family credit is that that benefit is now far more effective than the old family income supplement in taking substantial help to the less well-off families in work. The effectiveness of that benefit will be further increased by the steps that I have taken today. I make no apology for the scale and importance of the advertising campaign that we have mounted to ensure that that benefit is effective. We shall continue with the campaign.

As for disability benefits, I note with some pleasure the hon. Gentleman's welcome—albeit grudgingly—at least for the range of new improvements that I announced at the conclusion of my statement. If the hon. Gentleman had been listening to my statement with the care that I would have hoped for, he would have heard me say clearly that it is a package of immediate improvements and that within a few months—by the turn of the year, I hope—the Government will be coming forward with a fuller and more strategic response to the information that we have gained from the OPCS surveys. That is absolutely clear. There is no way in which I am suggesting that what I have announced today—important though it is—is the full and final answer to the greater information that we now have available.

Finally, I refer briefly to the hon. Gentleman's comments on child benefit. I shall tell the hon. Gentleman what I had in mind in considering the balance—it had to be a balance—between increasing child benefit and doing a variety of other things. It was against a background of rising real incomes for those in work and of further improvements in their position through the reduction in national insurance contributions that have already taken place and that are likely to occur in other ways as a result of changes in taxation, to which I also referred, that I came firmly to the conclusion that I would rather spend the sum of money that I outlined in my statement on the less well-off families, the poorer pensioners and on the sick and disabled and their carers. I believe that that sense of priorities will be widely shared.

Several Hon. Members *rose*——

Mr. Speaker: Order. I draw the attention of the House to the fact that we have a heavy day ahead of us. The Secretary of State mentioned in his opening statement that there will be a statutory instrument and a debate so I ask for brief questions and answers today, please.

Mr. Nicholas Bennett (Pembroke): Will my right hon. Friend confirm that the Labour party, which is so concerned now about child benefit, voted against the reductions in income tax in the last two Budgets which will help the people who will not get an increase in child benefit this year? Does my right hon. Friend agree that the best way to help those on the lowest incomes is to target it, as he has done, on those who do not pay income tax?

Mr. Newton: I agree with my hon. Friend that whatever the rate of child benefit it is right to ensure that we have special measures to help less well-off families both in work and out of work. Again, I make no apology for having concentrated primarily on those groups in part of the proposals that I have outlined.

Mr. Frank Field (Birkenhead): As the Secretary of State is a known advocate of child benefit and he has now been defeated on this issue, what advice can he offer to his friends in the House? Does he agree that it would be gesture politics of the worst order now merely to call yet again for an increase in child benefit when it has been frozen for the third year running? Should not an alternative strategy be advanced? Does the Secretary of State accept that the best way forward would be a reintroduction of child tax allowances? Does he agree that such a move would benefit practically every working family with children? At a later stage, could not that money be put back into the child benefit scheme so that in next year's negotiations on this front, the right hon. Gentleman would have many more supporters among his hon. Friends who would be in favour of that move, including the Prime Minister?

Mr. Newton: I have noted with interest not only what the hon. Gentleman has just said, but the various press articles and other comments that he has made on similar lines. Our policy remains, as is required by law, to review the rate of child benefit annually in the light of all the relevant circumstances. That is what I have done and, in the light of all the relevant circumstances, I have come to the conclusions that I have outlined.

Sir Ian Gilmour (Chesham and Amersham): While I congratulate my right hon. Friend on his many welcome announcements this afternoon, does he agree that as this is the third year running that the Government have made the mean and wrong-headed decision to freeze child benefit that can only signify that it is the firm and considered—if unaccountable—view of the Government that at all levels of income couples with children have no greater expenses than couples without them or single people?

Mr. Newton: Clearly, the existence of child benefit is at variance with that proposition. As I told the hon. Member for Birkenhead (Mr. Field) just now, we look each year at all the circumstances and in particular at the needs of those who will not be helped by child benefit. This year, as on earlier occasions, we have come to the conclusion that there are better ways of spending the money involved.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): But surely the Secretary of State recognises that there is no credibility left in the Government adhering to that view. For three years now Secretaries of State have told us that they are considering the circumstances each year individually and on their merits, but that is now a complete

fiction. Would it not be more honest to say that the Government have decided to let child benefit wither on the vine and to allow people to take appropiate steps accordingly?

Does the right hon. Gentleman agree that he has been guilty of sleight of hand this afternoon? Although many of the new changes involving increased expenditure are welcome, they are merely the recycled savings from the freezing of child benefit.

Mr. Newton: We have decided not to uprate child benefit and to use that money and, taking account of the increase in pensioner premiums and the abolition of the earnings rule, provide significantly greater sums on improving the position of pensioners, especially that of less well-off pensioners and of less well-off families. Above all, in the light of the OPCS surveys, we have used the money to improve the position of the long-term sick and disabled and their carers.

Mr. Nicholas Winterton (Macclesfield): I associate myself with the views of the hon. Member for Birkenhead (Mr. Field), but may I also express my disappointment as a member of the Select Committee on Social Services that the Government have not decided to uprate child benefit? It is the most efficient way of getting money directly to families with children.

Nevertheless, I believe that my right hon. Friend has made an exciting announcement about the uprating of benefit, and I think that the whole House should look in detail at what he has said so that we may have a constructive debate when the regulations are laid.

Mr. Newton: I am grateful to my hon. Friend and I am well aware that he and many others—not only the hon. Member for Birkenhead (Mr. Field)—will be disappointed that there is to be no increase in child benefit. I can only tell him and others who may feel the same way that they would also have been extremely disappointed had I not been able to do some of the many things—some 20 in all—for the groups that I have mentioned. In the real world it is sometimes necessary to make choices.

Mr. Jack Ashley (Stoke-on-Trent): I welcome the premium for carers and the extension of the mobility allowance to deaf-blind people, although I regret the failure to extend it to mentally handicapped people. Is the Minister aware that these increases are miserly and lacking in all generosity? The fact that they are made at the expense of child benefit is disgraceful.

Does the right hon. Gentleman recognise that some disabled people need child benefit as well, so they are paying for the increase in the disability allowances by losing child benefit? Where is the justice in that?

Mr. Newton: In view of the right hon. Gentleman's long track record of pressing the case for disabled people with such vigour and in such a well-informed way, I would have hoped for a slightly less grudging response to a number of changes for which he has pressed for a long time. What I have announced today adds up in a full year to about £100 million extra for many disabled families and their children and carers; to describe that as miserly is less generous than I would have hoped for from the right hon. Gentleman.

Sir George Young (Ealing, Acton): The whole House should welcome unequivocally the additional measures that my right hon. Friend has announced today over and above the statutory uprating and bringing extra help to many groups who certainly need it. But was it not clear from my right hon. Friend's statement that these improvements are largely to be funded by freezing child benefit, provision for an increase in which was already in his Department's public expenditure programme? Where is the equity in funding these welcome improvements by placing an extra burden on families who happen to have children rather than funding them though taxpayers generally?

Mr. Newton: I fear that I have to repeat to my hon. Friend what I have said to a number of others already. When considering the overall position this year, I had to decide whether the right way to use a substantial sum of money was to increase child benefit and to give relatively modest amounts to a large number of people, many of whom have substantial incomes which have been rising rapidly, or whether to put it into the hands of groups who have not benefited in the same way and whose needs have been acknowledged by right hon. and hon. Members on both sides of the House. I decided to do the latter, and I shall not apologise to the House for that.

Rev. Martin Smyth (Belfast, South): I welcome the general statement, but will the Minister enlighten us about when the immediate grants will be paid? As I heard and read the statement, it seemed that the next uprating is likely to be six months to a year hence. Is it not possible for some of these payments to be made with greater speed? Secondly, in relation to child benefit, the Minister referred to the fact that male earnings have gone up, but will he recognise that citizens advice bureaux and others have said that what really matters are payments direct to the woman, not male earnings. As a male, I know that many men keep their wage packets and payments to their wives separate.

Mr. Newton: Of course, family credit is also normally payable to the mother for precisely those reasons, so I do not think that the hon. Gentleman's point takes us that far. It will be difficult—probably impossible—to bring any of these changes forward from the uprating date next April, except for the increase in the independent living fund, in regard to which I have made it clear that an immediate increase is being made. In one or two cases, changes may have to be later because of the need to pass legislation.

Dame Elaine Kellett-Bowman (Lancaster): I had intended to take my right hon. Friend to task because he is not indexing child benefit, because there is a large number of non-earning women whose husbands do not give them an allowance of any sort, shape or kind. However, in view of the immense generosity of his proposals for people in residential homes, for carers, on whom so many elderly people rely, and for disabled people in general, I shall refrain from criticising him at this time.

Mr. Newton: I suppose that I should be grateful to my hon. Friend, and I am.

Dr. David Owen (Plymouth, Devonport): Is it not a shabby way to help the disabled, who greatly need help, to take away allowances from children and from families with children? Is universal child benefit not a badge of citizenship in a country which professes to proclaim the

[Dr. David Owen]

doctrine of one nation? Why does the Minister not tax the second earner in a family on child benefit and get some selectivity in that way?

Mr. Newton: I seem to be getting a number of suggestions which I shall obviously note. Choices have to be made when deciding how to use public money, and I think that we have made the right choice on this occasion.

Mr. David Nicholson (Taunton): My right hon. Friend and the Minister with responsibility for the disabled are to be congratulated on their skill in targeting this package at a time of financial stringency. Did my right hon. Friend hear the various murmurs of appreciation, not only from Conservative Members but from Opposition Members, as various long-standing injustices were remedied? Is he aware that the proposal on carers and on the independent living fund, both of which featured in the debate last week, are particularly welcome? Will he do everything that he can to increase uptake of family credit, which is an excellent benefit and can he say how much spending on family credit has increased in comparison to family income supplement?

Mr. Newton: Very roughly, the amount being spent on family credit is about twice as much as that on family income supplement. As I have said, as that goes to about 50 per cent. more families, it means that the average amounts being paid are substantially greater than under family income supplement. I noted and was grateful for the murmurs of approval from all parts of the House for what I announced, especially in relation to the disabled. We certainly hope in due course to build further on that.

Ms. Marjorie Mowlam (Redcar): The Secretary of State has returned to the position of two years ago for single parents of allowing them to earn up to £25 before it affects their benefit. Will he clarify whether he intends to return to the other piece of legislation of two years ago when the £25 was net of child care costs? Unless that is the case, his moves today will have no meaningful effect for single parents.

Mr. Newton: I have no plans for going back down the path of introducing specific arrangements in relation to specific costs. The increase in this earnings disregard in housing benefit for lone parents from £15 to £25 will help significantly with the problems of lone parents generally and especially those who wish to work.

Miss Emma Nicholson (Torridge and Devon, West): Is not my right hon. Friend aware that withering on the vine produces the most concentrated and sweetest wine? He has offered the House a most carefully constructed libation that will do more to help the really poor than the thin gruel spread so forcibly throughout the population by the Opposition. I also welcome the allowance to be paid to parents of severely disabled children under two where medical advances now mean that such children can be cared for at home. That is an example of sensitive thinking which I warmly welcome. Will he continue to look most carefully at the delivery system for family credit?

I welcome the fact that the advertising campaign has resulted in a greater take-up. I look forward to far greater efforts being made in advertising and other campaigns aimed at the population so that this excellent benefit will receive the take-up that it deserves.

Mr. Newton: Yes, I will continue to look very hard at ways of improving still further the effectiveness of family credit. This has been a fairly intractable problem under both family credit and family income supplement, but I am encouraged by the progress that we made in the early part of the year and which I outlined in my statement. I hope that we can build on that, especially in relation to lone parents. I obviously agree with the general drift of what my hon. Friend said about child benefit. Because of the medical advances about which she spoke and other matters, we have reviewed and changed the position about attendance allowance for the under-twos.

Mr. John Battle (Leeds, West): Although I welcome the overdue extension of mobility allowance to the deaf-blind, may I ask the Secretary of State to amplify his comments on pensions, because his answer on 17 October clearly demonstrates that every year since July 1986 the value of a pension as a proportion and percentage of average net earnings has been declining and is now lower than it was in 1978 and 1979? Further, what is his Department's estimate of the take-up level of family credit? Is it not the case that nearly 250,000 families who are entitled to family credit are not getting it because the take-up is low? What will happen is that some funds will be shifted from child benefit into family credit, but the Minister's Department will not even have budgeted for a full take-up of family credit.

Mr. Newton: What the hon. Gentleman suggests in the latter part of his question is manifestly incompatible with the strenuous efforts that we are making to improve the coverage of family credit. I have not given any figures for the percentage take-up of family credit because it is increasingly obvious from looking at the figures that we are not at all clear about the full size of the eligible population. Therefore take-up figures as such are not very meaningful. I have concentrated on what we have succeeded in doing in increasing the numbers of people in receipt of the benefit by comparison with the earlier period, because that is what seems to matter. As I said in my statement, the number went up by 40,000 to 320,000 in the middle part of this year.

On the earlier part of the hon. Gentleman's question, the apparent discrepancy between my earlier answer and what I said this afternoon is that pensioners' incomes from state social security benefits are only a small part—in some respects an increasingly small part—of pensioners' total incomes. Over the period to which I referred—from 1979 to 1986; the latest data available—income from social security benefits rose by 19 per cent. in real terms but income from occupational pensions rose by 56 per cent. in real terms and income from savings rose by nearly 64 per cent. in real terms. That explains the discrepancy. Whereas income from savings rose by 64 per cent. or 64 p in the pound under this Government in that period, under the previous Labour Government, the figure fell by 16 p in the pound.

Mr. John Maples (Lewisham, West): Many of us welcome my right hon. Friend's decision not to uprate child benefit as we regard it as wrong to pay universal flat rate benefits regardless of people's means. They are a

recipe for high taxation and it is no business of the state to have one of its agencies taking money out of the pockets of husbands so that another agency can put it back into the pockets of wives. Will my right hon. Friend use every opportunity to explain something to which he alluded in his statement but which is widely misunderstood, which is that an uprating of child benefit would have been of no benefit to children of the poorest 25 per cent. of families?

Mr. Newton: As I know my hon. Friend understands, as child benefit is taken into account in setting the rates of income support and so on, an increase in child benefit reduces the amount of income support that would otherwise be paid. Conversely, if child benefit does not increase, as it is not increasing in my proposals for this year, the effect of that is fully offset for income support families by the increases that take place in their income support for their children and themselves.

Mrs. Margaret Ewing (Moray): Will the Secretary of State accept that, despite his many and loud protestations today, his decision to freeze child benefit yet again will be regarded as a niggardly move by millions of women throughout the country as it is the one benefit that has an uptake rate of 98 per cent. and is paid directly to the mother? If it is his intention to kill the benefit through death by gradualism, has the right hon. Gentleman made an estimate of when family credit will have reached the same level of take-up? When he brings forward his proposals on mobility allowance and attendance allowance, will he also be looking at the procedures for dealing with such claims, because it seems as if the authorities believe that they should pay as few as possible of those allowances? Where an appeal is made people are subjected to long, difficult and sometimes humiliating procedures in order to obtain payment of the benefits.

Mr. Newton: The answer to the hon. Lady's last question is yes. It is something that I am conscious of and if we could find ways of improving the medical adjudication procedures nobody would be more pleased than I. However, I do not want to pretend that that will be a simple or quick task. The hon. Lady may be right to think that some people—indeed there has been some evidence in the House today—will regard my decision not to uprate child benefit as niggardly. However, it will not be seen as niggardly by, among others, those women who are caring for disabled people, severely disabled babies and others, as they will be receiving substantial benefit increases.

Mr. Robin Squire (Hornchurch): My right hon. Friend is a humane and intelligent man and that is reflected in the range of welcome initiatives in his statement. However, he knows that as a result of his statement, several hundred thousand families in difficult circumstances, on either side of the level of salary qualifying for family credit, will receive nothing for the third year in a row. Knowing that, and hearing the suggestions from both sides of the House on the necessity for change, will he accept the need to change the system if we cannot uprate benefits?

Mr. Newton: Again, I note what my hon. Friend has said and the comments he is reported to have made in the newspapers this morning. I am grateful that he has acknowledged the scale and importance of what I have been able to do as a result of the decision not to increase child benefit this year.

Mr. Andrew F. Bennett (Denton and Reddish): Does the Secretary of State agree that his early reputation in the House was built on the championing of child benefit as a universal benefit? Does he not now find it humiliating to have to trample over his principles?

Mr. Newton: No, I do not. I have never made any secret of the importance that I attach to helping families with children, but it does not follow that that can be given, at any particular point in time, priority over a whole range of other needs that I have also advanced in the House over the years, including those of disabled people. My main feeling is one of pride at having been able to make so many improvements for that latter group.

Mrs. Elizabeth Peacock (Batley and Spen): While I welcome greatly what my right hon. Friend has told the House and appreciate all the extra money that he has announced—we all recognise and welcome that the sum is £143 million per day for benefit—I am greatly disappointed that he has not found it possible to uprate child benefit. I appreciate that it is a universal benefit, but it is paid directly to the mother, and that is an important aspect. During the next six months, will my right hon. Friend look carefully at the take-up of family credit, to see whether he can raise that figure to as near as that for child benefit as possible? I shall reserve my judgment about opposing him until I see how he gets on.

Mr. Newton: I take some comfort at least from the last part of what my hon. Friend said. I assure her, as I have assured the House several times, that everything possible will be done to increase the number of people who take up family credit. The improvements that I have announced this afternoon will assist in that process.

Ms. Dawn Primarolo (Bristol, South): Why has the Secretary of State ignored the report of the Social Security Advisory Committee, which said that if child benefit was not raised, the Government's efforts to encourage single mothers back into the paid labour market would not succeed, and that the freezing of the benefit at the 1987 level would increase women's dependency on means-tested benefits and continue to trap them within the poverty limit?

Mr. Newton: I have not ignored anything, on this or any other front, that the Social Security Advisory Committee has said. I simply take a different judgment, certainly at the moment, about the right way to achieve the objective to which it also attaches importance.

Mr. Robert G. Hughes (Harrow, West): Does my right hon. Friend accept that many Conservative Members find it offensive that people on the salaries of Members of Parliament and other similar salaries are still receiving child benefit, and that we would prefer to see that money used to help people who are less well off? People who are not sharing their income fully with their wives and children should be thoroughly ashamed of themselves. Most people will welcome my right hon. Friend's statement that the people most in need will be helped most.

Mr. Newton: My hon. Friend has at least clearly shown that there is more than one view. I have sought to strike a balance that best suits the needs of those whom we most want to help at his time.

Mr. Harry Ewing (Falkirk, East): I should declare my position as one of the few hon. Members who gives all his earnings to his wife. What she does not get, my daughter gets.

Does the right hon. Gentleman appreciate that this is the third consecutive year that child benefit has not been increased? If, in 1991, in the run-in to a general election, he thinks that he can use child benefit for an election bribe, he will find that millions of mothers simply will not forgive the Government for the treatment that they have had over child benefit in the past three years.

On a completely different issue, as some of the changes that the Secretary of State has introduced arise from the introduction of the social security changes in April 1988, will he look at another anomaly introduced by those changes? The Government increased the age limit for qualification for a widow's pension from 40 to 45. Many widows who receive widowed mother's allowance will go off that allowance before they are aged 45. Therefore, they will go from the widowed mother's allowance one day to nothing the following day. Will the Secretary of State look at this vexed question?

Mr. Newton: The hon. Gentleman will know that we have acted already to deal with one aspect of the changes in widows' pensions which was widely regarded as anomalous. I shall examine with care what he has said, but I cannot give him any undertaking. As for child benefit, I have no plans to do anything other than what I have faithfully done this year, which is to review the matter in the light of the circumstances and the other things that I wish to do. That is what I shall continue to do.

Several Hon. Members *rose*——

Mr. Speaker: Order. I must have regard to subsequent business. I shall endeavour to call hon. Members who have been rising in their places, but I ask for brief questions and not repetition of questions which have already been asked and answered.

Mrs. Maureen Hicks (Wolverhampton, North-East): I welcome the generous benefits that have been outlined, but I have to say to my right hon. Friend that I think that there is an inconsistency and a principle at stake in excluding yet again an uprating of child benefit. I remained silent during the previous two occasions on which we discussed the subject, but I have reached the point where I am conscious of those who do not apply for family credit, despite our wonderful efforts to encourage take-up, and of constituents who are not eligible for family credit. I hope that all the comments that my right hon. Friend has heard this afternoon will demonstrate clearly to him that there is a need to say honestly and openly that there is a clear-sighted policy for the future. The Government have always been recognised as being clear sighted, but we are now in danger of having muddle. We have a universal benefit that has not been upgraded and at the same time we have family credit. All that we are saying is that we look to my right hon. Friend in future to offer a clear policy.

Mr. Newton: I respect what hon. Friend has said and the reasons why she said it. I merely say that I think that it would be accepted on both sides of the House that under a Government of any colour it would be virtually inconceivable that child benefit could be set at levels that would give family credit families the same amount that they get from family credit. Wherever the line is drawn, there will be a need, in my judgment, for a benefit of that sort. I think that it is right to concentrate on making it as effective as we can.

Mr. Nigel Griffiths (Edinburgh, South): Does the Secretary of State not realise that for the 10th year running the Government have failed to link old-age pensions to rising levels of incomes? Next year the Government will save about £5,000 million from failing to uprate the old-age pension, and that is enough to cover the package that has been announced today, the top tax cuts for the rich and this month's trade deficit, all on the backs of Britain's pensioners.

Mr. Newton: Over the 10 years during which the Government have presided, the range of our policies as a whole have increased pensioners' average net incomes far faster than under the previous Government. In recent months—indeed, during this very month and in parts of the package that I have announced—we have given additional help on a substantial scale to those who have not yet benefited from occupational pension schemes, for example.

Mr. Barry Field (Isle of Wight): In view of the demographic slump, my right hon. Friend's announcement on helping lone parents back into work will be widely welcomed. Can he tell me when he will be able to announce a decision on a local increment for income support for families, with young children, that have a metered water supply?

Mr. Newton: I cannot give my hon. Friend an off-the-cuff answer on the second part of his question. I am grateful for his introductory comment.

Mr. Max Madden (Bradford, West): May I urge the Secretary of State to launch an urgent investigation into the difficulties of elderly people and their relatives who are finding great difficulty in paying the difference between DSS benefit and private home fees? Will he instruct his Department to collect information about elderly people who are being evicted from private homes because they cannot afford to pay the fees? In that context, will he persuade councils, such as Bradford council, not to close council homes, whose places will be needed desperately for elderly people who cannot afford the fees of private homes or are evicted from private homes because they cannot pay the fees?

Mr. Newton: The hon. Gentleman will be aware that payments from social security in that respect have risen from only about £10 million in 1979 to more than £1 billion this year, and I have announced further increases today. The hon. Gentleman would acknowledge that payments have never been set at levels that cover all the costs in all the homes. However, they do cover the majority of homes, and I think that that cover will be improved by what I have announced today. That is certainly the position that I expect next year.

We all know that the system has not proved to be an entirely satisfactory way of providing help, which is why, following the report of Sir Roy Griffiths on community care, the Government have changed to a different way of dealing with those needs. Meanwhile, I repeat that what I announced this afternoon will give significant further help to many tens, indeed hundreds, of thousands of elderly people.

Mr. Peter Thurnham (Bolton, North-East): I congratulate my right hon. Friend on a welcome and thoughtful package. I am glad that he did not delay bringing in the planned £100 million package for the disabled. He has done a fair job in his dealings with the Treasury, but we shall be looking for further benefits for the disabled when he introduces his White Paper.

Will my right hon. Friend remind Opposition Members that universal child benefit accounts for about half of the total family package? Does he feel that he now has the balance right between targeted and universal benefits?

Mr. Newton: In an area where I appreciate so many of the difficulties and the needs, I should always be reluctant to claim that we have everything absolutely right. However, as a result of what I have said this afternoon the balance of the social security system will be improved, and not least in relation to the disabled, in whom my hon. Friend rightly takes such an interest. I hope that we have paved the way for further improvements.

Mr. Jeremy Corbyn (Islington, North): Will the Secretary of State take this opportunity to congratulate my hon. Friends the Members for Preston (Mrs. Wise) and for Coventry, South-East (Mr. Nellist) and all those who campaigned for attendance allowance for the parents of disabled children under the age of two? Is he aware that his statement will be profoundly disagreeable to millions of pensioners and that he must therefore return to the 1980 link between the old-age pension and earnings? That would give pensioners an increase of at least £8 more per week than he has announced today. Does he realise that they bitterly resent the way in which they have been robbed by this Government during the past decade?

Mr. Newton: Obviously, I reject the suggestion in the latter part of the hon. Gentleman's question. I beg leave to doubt whether pensioners generally would feel that way about proposals that steer additional help to so many of them, especially when taken alongside the increases this month in the pensioner premiums for the over-75s and for disabled pensioners.

Mr. Andrew MacKay (Berkshire, East): Is my right hon. Friend aware that as most people rightly believe that benefits should be targeted towards those most in need, they will widely welcome his statement today? Is he further aware that they will think him right not to increase child benefit further, but instead to use the money on more urgent priorities?

Mr. Newton: I am grateful to my hon. Friend for what he said.

Mr. John McAllion (Dundee, East): Last week, the Home Secretary boasted that police pay had increased by 50 per cent. above the rate of inflation since 1979. This afternoon, the Secretary of State has yet again shackled pensioners to increases of no more than the rate of inflation and he has frozen child benefit for the third year running. Is he saying that in the real world, when choices have to be made, the Government choose to boost police pay at the expense of pensioners and mothers with families?

Mr. Newton: The hon. Gentleman might care to reflect on the fact that under this Government, the real value of total expenditure on the long-term sick and disabled has risen not by 50 per cent., but has doubled. With the introduction of family credit alone, we have pretty well doubled the amount spent on low-income families in work.

Mr. Kevin Barron (Rother Valley): Will the Minister answer the question asked earlier by my right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley) about the widening of the likely recipients of mobility allowance to include those with the disabilities of hearing and sight loss? Will he take that even further and bring in mental handicap, too? I am sure that he is aware that many people feel that the system is grossly unfair and that an extension that does not include mental handicap is only half a job.

Mr. Newton: I am aware of the arguments that took place both in this place and another place during the passage of the social security legislation earlier this year. When I considered the matters I concluded that there was a clear-cut and relatively straightforward way of helping the deaf-blind. The other problem to which the hon. Gentleman referred is somewhat more complicated, but we shall consider it in the course of the review to which I referred.

Mr. John Fraser (Norwood): Does the Secretary of State recognise that most single working parents are women, and therefore not in receipt of average male earnings, and that in inner-city areas many single working parents face massive poll tax payments next year, massive rises in housing costs and high child care costs? The effect of freezing child benefit is simply yet another disincentive to women to stay at work or return to it.

Mr. Newton: Many single lone parents such as those to which the hon. Gentleman referred receive income support or family credit. As I made clear in my statement, the measures announced this afternoon will be helpful to many lone parents. Part of the aim of the family credit further take-up campaign is to ensure that it becomes even more helpful to many lone parents.

Mr. Brian Wilson (Cunninghame, North): Does the Secretary of State accept that on top of the poll tax and the cruel removal of all benefit from 16 and 17-year-olds, freezing child benefit confirms the Tories' growing reputation as the anti-family party? At the other end of the age scale is a matter of particular concern in my constituency about which I seek general elucidation. The Secretary of State gave the impression of generosity when he announced a £10 increase in income support for elderly people in residential homes. Will he confirm that the increase will be only £10—less than the rate of inflation? Does he accept that that will increase pressure on the proprietors of such homes who at present maintain people at a rate that does not cover costs and will lead to people being removed from homes when they have nowhere else to go? Does he accept that the Government's parsimonious policies are simply building up problems for the future?

Mr. Newton: I have already made extensive comments on that matter in response to an earlier question. The percentage increase represented by the £10 increase varies because of the wide variation in the existing limits. In the case of residential care homes for the elderly, which have

[Mr. Newton]

given rise to special anxiety in recent months, it represents an increase from £140 to £150, which cannot be dismissed as the hon. Gentleman sought to do.

Mr. Speaker: Mr. Tony Banks.

Mr. Tony Banks (Newham, North-West): Thank you, Mr. Speaker. You are a hard man, Sir.

It is perverse of the Secretary of State to claim as a virtue the additional money being laid out by his Department this year given that his Government's policies have forced so many people into poverty in the past 10 years. Is it true that unprocessed social fund applications at departmental offices are carried over into the next year's budget rather than being taken out of the budget for the year in which the application was made, even if it shows a surplus? If so, it is grotesquely unfair and the Secretary of State must do something about it.

Mr. Newton: The mechanism of the social fund involves having regard to the priority of a particular range of claims. In the next few months I shall consider how best we can set the allocations and divisions between local offices and between different purposes of the social fund in the light of our continued monitoring.

Mr. Robin Cook: May I press the Secretary of State to say something about the cases of income support and transitional protection about which I asked him? He will be aware that not only have those people had their benefit frozen for three years, but some face a further freeze of another three or four years. Some of the most harrowing letters that I receive—and, I suspect, that he must receive—are from those caught in that trap. Whatever one's view about freezing benefits—and vigorous views have been expressed by hon. Members on both sides—there cannot be a case for freezing a means-tested benefit which is supposed to reflect costs. Will the Secretary of State ascertain whether such people could qualify for an uprating of their benefit?

Mr. Newton: It is important that we should all recognise that just under 90 per cent. of those on income support will receive an increase in this uprating. Of the remaining 10 or 12 per cent., about half will receive a partial uprating. The need for transitional protection arose from our wish to protect people during what we thought was, overall, a sensible change in the social security system. People were inescapably involved in moving from the old system to one that, as my statement has shown, is better able to target money quickly and effectively on those in need. The hon. Gentleman also knows that steps have been taken to uprate transitional protection in some of the most difficult cases—those who previously had large amounts of domestic assistance or payments in respect of respite care.

Children Bill (Proceedings)

4.45 pm

Mr. Tim Devlin (Stockton, South): On a point of order, Mr. Speaker. Have you received a report of the events last night, which meant that consideration of the Children Bill was not completed because of the activities of hon. Members from mining areas, as Opposition Front-Bench spokesmen have admitted? It is an important measure which has been supported by both sides of the Committee. It represents thousands of hours of work by responsible children's organisations. It now appears that it will be lost because of the activities of certain Opposition Members.

Several Hon. Members *rose*——

Mr. Speaker: Order. Perhaps it would be helpful if I were to deal with this matter straight away.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. If I clear up the matter, the hon. Member may not need to raise his point of order.

Several Hon. Members *rose*——

Mr. Speaker: I understand that there was some delay last night in the completion of the Children Bill. I am not aware and it has not yet been reported to me that anything out of order took place.

Mr. Skinner: It is unfortunate that the hon. Member for Stockton, South (Mr. Devlin) did not stay to hear the debate last night. If he had, he would have heard an honest-to-goodness debate about the Government forcing pre-school playgroups to pay for licensing and inspection. Several Tory, Labour and Liberal Members—no mining Member of Parliament whatever—took part in the debate. There were 400 Government amendments. The Government's troops, including the hon. Gentleman, went home to bed with the result that the Children Bill was lost because the Government spokesmen pulled up the stumps.

Mr. Speaker: Order.

Mr. Skinner: This is important. The hon. Gentleman has made an allegation.

Mr. Speaker: Order. I have read about the proceedings, so I do not need to be told about them. As far as I am aware, nothing out of order took place.

Mr. Roger Sims (Chislehurst): On a point of order, Mr. Speaker. Can you confirm, because it is not clearly understood outside the House, that any measure before the House must pass through all its stages, with amendments passed by both Houses, before it becomes law and that any Bill that does not do so by the time that Parliament prorogues falls? Are you aware that, as a result of what happened last night, there is a real danger that this Bill could suffer that fate? The Bill has had all-party support and its implementation is anxiously awaited by many caring organisations. Do you agree that if that were to happen it would not only be deplorable but would inflict great damage on the reputation of Parliament, which I know that you are anxious to guard?

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: I will take all the points of order together.

Mr. Alan Williams (Swansea, West): On a point of order, Mr. Speaker. Unlike anyone else, you, Sir, have the privilege of reading what happened. The way in which *Hansard* is published means that anyone who hears this exchange will not have read what happened. It is important that we are allowed to put the record straight. It is not good enough for part-time Tory Members— *[Interruption.]*—who are so dedicated to the legislation that they sneak off home as soon as the three-liner is concluded to attack the Opposition when the Government's incompetence in drafting their legislation led to 400 amendments which had to be dealt with in 12 hours, or at the rate of 40 per hour, or one every two minutes. As we stayed to discuss them, we do not accept the hon. Gentleman's criticism.

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: Order. These are not matters of order, although they may be matters of disagreement across the House. *[Interruption.]* Order. I have already said that what the right hon. Member for Swansea, West (Mr. Williams) has said is absolutely right, in procedural terms. What happened last night was in order, although it may have been unfortunate.

Mr. Nicholas Bennett (Pembroke): I was here at 1.50 am, and raised the matter with Mr. Deputy Speaker at the time. What happened last night was that a Division was forced by the hon. Members for Bolsover (Mr. Skinner) and for Doncaster, North (Mr. Welsh), in which no hon. Member voted with the Noes. It was clear that the intention was to force Divisions on numerous later amendments on which there is no disagreement, to keep the House here throughout today, if necessary, and lose today's business.

The hon. Member for Monklands, West (Mr. Clarke) said last night:

"when other reasonable hon. Members representing mining areas feel it necessary to demonstrate as they have done . . .".

"As they have done": the Opposition Front-Bench spokeman admitted that that was what was going on. The Opposition, having reached an agreement with the Government on a Bill that is not contentious—for there is general agreement that child abuse must be dealt with as quickly as possible—welshed on that agreement. They cannot control a small minority of mavericks. Is it not time that the House ruled on whether Divisions should take place when there is no disagreement and no hon. Member votes with the Noes, merely to obstruct a Bill for other purposes?

Mr. Robert Key (Salisbury): On a point of order, Mr. Speaker. You will know how rare it is for a Back Bencher to persuade the Government to accept an amendment. After many hours of debate with hon. Members on both sides of the House, I was able to do so, and the amendment was passed unopposed on Report. Now we see that it is about to be lost. In such circumstances, is it in order for hon. Members on both sides of the House to approach the Leader of the House to seek a guillotine on the business as soon as possible?

Mr. Frank Haynes (Ashfield): You know, Mr. Speaker, they are a mardy lot over there—and they are being really deceitful this afternoon. *[Interruption.]*

Mr. Speaker: Order. As I think the hon. Gentleman knows, that word is not parliamentary. Will he please withdraw it?

Mr. Haynes: In your interests and no one else's, Mr. Speaker, I will withdraw it.

We could have got that Bill last night. Both sides of the House wanted it, but the Government Chief Whip came to the Chair and said, "I am going to move the closure," so the Government did it. They all wanted to go to bed, that was the trouble.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): Further to that point of order, Mr. Speaker. One feature is, I think, central to the whole discussion. The Children Bill commands widespread support throughout the House. It is a good Bill, widely commended, and last night—I was here and the shadow Leader of the House was not—the Opposition Front-Bench spokesman left us in no doubt about his anxiety to see it passed. *[Interruption.]*

Mr. Speaker: Order.

Sir Geoffrey Howe: As is not unusual, the usual channels had made arrangements for the Bill to be discussed, and the expectation—settled and firm on both sides—was that it would be finished by a reasonable hour. That progress, however, was not made. As one of my hon. Friends has pointed out, a Division took place in which no Opposition Member voted, and the Opposition Front-Bench spokesman expressed his regret that progress had been impeded for the reasons already given. In those circumstances, there was no prospect of progress being made along the lines previously foreshadowed. My right hon. and learned Friend the Chief Whip therefore prudently said, "Let us draw stumps tonight and see whether we can make a better attempt at it on a future occasion."

The proof of the pudding may be, to a significant extent, in the eating of today's business. Let us see whether we can make sensible headway with that, as foreshadowed through the usual channels. Then we may be able to return to the other matter coolly, and fulfil what the people of this country expect—the enactment of the Children Bill, containing many Government amendments in response to the debate that has taken place.

Fisheries Legislation (Repeal)

Mr. Teddy Taylor (Southend, East): On a point of order, Mr. Speaker. As a means of helping today's business and safeguarding the rights of Parliament—about which I am sure the Leader of the House is very concerned—may I ask you, Sir, how it can possibly be in order for the House to consider tonight the Merchant Shipping Act 1988 (Amendment) Order 1989, which repeals, on the interim advice of the European Court, sections of a law passed by Parliament only last year which was stated by the Minister introducing the Bill to be essential if British fishing quotas were to be preserved for British fishermen?

Let me make two points. The order relates solely to the nationality provisions of vessel ownership and qualified persons. Is that not sub judice? There are two other cases involving both nationality and company domicile and residence, on which the United Kingdom Government are required to provide their final submissions by 9 and 15 November. Those cases are Nos. 221 and 213 of 1989, and are known as the Crown *v.* Factor Tame Ltd. and Others, initiated by Spanish fishermen. If we lost that case, another order revoking another section will be required, taking up more parliamentary time, and if we win the order itself will be revoked.

The second argument is whether it might be irrelevant and time-wasting to have a debate at all tonight. In case No. 213—before the European Court—the House of Lords, in its judicial capacity, is seeking the advice of the European Court on whether British courts, and not the British Parliament, have the right to suspend or revoke laws passed by Parliament at the request of the European Court. Surely it is silly to waste our time at a late hour, when in a short time the divisional courts in Britain may have the power to act in that legislative capacity and do the job for us. As the final date for submissions of evidence is 9 November, we have not long to wait.

I hope that you will agree, Mr. Speaker, that the constitutional issues and rights of Parliament that are involved are important and fundamental, and that, in the circumstances, to discuss the order tonight would make nonsense of parliamentary procedures.

The draft order states for all to see that copies of the judgment can be obtained from the Treasury Solicitor, and not from the House of Commons. It seems wrong to me that Members of Parliament are apparently denied even the ready availability of papers that they require to do their work. I hope that you agree, Mr. Speaker, that this is an important issue and one that matters to Parliament, whatever we are doing.

Mr. Speaker: The hon. Gentleman kindly gave me notice of his point of order, so I have been able to look into it with great care, and I have some sympathy with what he has said.

As to whether tonight's debate would be affected by the sub judice rule, I have to tell the hon. Gentleman that that rule does not apply during the consideration of delegated legislation, or to proceedings of the European Court. As to the hon. Gentleman's other points about the provisional nature of what the House is being asked to do tonight, that is really a matter for debate, not a point of order for me.

As to the availability of copies of the interim judgment of the court, copies of the judgment are available to the general public from the Treasury Solicitor, but I am informed that a copy was deposited in the House together with the draft order, and that copies for the use of Members are now available in the Vote Office. As to whether the debate proceeds, that is not a matter for me, but I am sure that, in the light of what the Leader of the House has just said, he will consider it.

Mr. Alan Williams (Swansea, West): Further to the point of order, Mr. Speaker. I thank you for the helpful ruling that you have just given, and I think we are very encouraged by the fact that you feel that there is ground for sympathy with the point of view put by the hon. Member for Southend, East (Mr. Taylor).

As the Leader of the House is present, may I make a suggestion in good will, as one who is not directly involved in the issue? I have consulted my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), who will be dealing with it for the Opposition. He assures me that he has met fishing interests from England, Scotland and Wales, all of whom are affected by the issue.

In addition, other hon. Members are as deeply concerned as the hon. Member for Southend, East about the constitutional aspects of the problem. Yet we are to have a debate of only an hour and a half. There is no way in which either side of the issue can be justifiably and fairly aired in an hour and a half. Therefore, I appeal to the Leader of the House to withdraw it this evening and bring it back, even if it has to be late at night. I am sure that hon. Members who are involved in constitutional issues will be willing to stay and debate it if a proper debate could be arranged.

Mr. Speaker: Allow me to deal with this matter. It is not a matter of order for me, as the deputy shadow Leader of the House——

Mr. Richard Shepherd (Aldridge-Brownhills) *rose*——

Mr. Speaker: Order. It is not a matter of order for me——

Mr. Shepherd: There is a point of order.

Mr. Speaker: Order. No, please. I am on my feet. The deputy shadow Leader of the House has put a suggestion to the Leader of the House. I am sure that these matters can be discussed through the usual channels, but they are not a matter of order for the Chair.

Mr. Shepherd: There is a point of order that I think is for us and for you, Sir, as our representative in the Chair.

Mr. Speaker: Of course I always take these points of order, but the hon. Gentleman must not jump up when the Speaker is on his feet. If he has a genuine point of order, will he please put it now?

Mr. Shepherd: There is a genuine constitutional worry here. My understanding and concern—this is why I seek your guidance—is that the supremacy of Parliament meant that the most recent legislation gainsays legislation made prior to it. In this instance, the Merchant Shipping Act was passed last year, the European Communities Act was passed in the 1970s and the Single European Act was passed some years ago. By what authority, therefore, is a piece of legislation that we have passed as recently as last year being questioned or countered by authorities beyond this territory, under preceding legislation that has since been gainsaid by our last legislative expression on the matter? That is my point of order.

Mr. Speaker: That, sympathetic though I am with it, is not a point of order for the Chair. These matters have to be put to Ministers who are dealing with this particular order. It is not a matter for me.

Statutory Instruments, &c.

Mr. Speaker: With the leave of the House, I will put together the two motions relating to statutory instruments.

Ordered,

That the draft Insolvency (Northern Ireland) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Companies (Northern Ireland) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

Points of Order

Mr. Gerald Howarth (Cannock and Burntwood): On a point of order, Mr. Speaker.

Mr. Speaker: On a completely different matter, please.

Mr. Howarth: Last night, the hon. Member for Barnsley, Central (Mr. Ilsley) referred to the alleged grievances of the so-called mining group of Members of Parliament who sought to prolong the debate on the Children Bill as part of their dispute with the Chairman of Ways and Means about the Associated British Ports Bill. May I point out to you, Sir, that that group consisted of——

Mr. Speaker: Order. The hon. Gentleman is shooting himself in the foot. This is not the occasion to be pointing out matters to me. He is raising a point of order. I have already said that this is not a matter of order for the Chair. The hon. Gentleman has heard what the Leader of the House said about it. We have a very heavy day before us; let us see how we get on.

Mr. Howarth: Further to that point of order, Mr. Speaker.

Mr. Speaker: No, I am not taking it. I shall take the point of order from the hon. Member for Cambridgeshire, South-East (Mr. Paice).

Mr. James Paice (Cambridgeshire, South-East): Further to that point of order, Mr. Speaker. In your earlier remarks on the happenings of last night, you specifically——

Mr. Speaker: Order. I am not pursuing that matter. We have heard what the Leader of the House said about it, and as far as I am concerned, in terms of order, nothing more arises.

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Speaker.

Mr. Speaker: So long as it is not on the matters that we have already discussed.

Mr. Marlow: It is not directly on it, but it is related. It is to do with the Statutory Instruments Committee. The point was made by my hon. Friend the Member for Southend, East (Mr. Taylor). I understand that some of this subject was covered by a meeting of a Statutory Instruments Committee yesterday at 4 o'clock. Is the report of that Committee available or not, because if it is not available, as my right hon. and learned Friend the Leader of the House is here, he might consider, in view of what you said and what my hon. Friend said, that it would be appropriate to delay any such debate until a later date, at which time that report may be available.

Mr. Speaker: The Committee did not draw the attention of the House to the statutory instrument. As to what the hon. Gentleman said, I am sure that it will have been heard by the Leader of the House.

Emphysema Compensation

5.5 pm

Mr. Geoffrey Lofthouse (Pontefract and Castleford): I beg to move,

That leave be given to bring in a Bill to provide compensation to coal miners suffering from emphysema.

The House will be aware that, between 1982 and 1985, I presented four Bills seeking to make emphysema an industrial disease in coal mining. I have not presented a Bill since 1985 because of the promise of the Industrial Injuries Advisory Council to investigate the report published in May 1988. I am now presenting another Bill to make emphysema among miners an industrial disease. I do not intend to present evidence that I presented in speaking to my previous four Bills, which are well documented in the *Official Report*.

The latest ITAC report into bronchitis and emphysema was expected to give rise to more widely available industrial disablement benefit for certain disabled coal workers, but, rather surprisingly, it failed to do so. The report recommends no changes in the present system.

I have to say that I am not satisfied with the report. It still fails to consider emphysema as a distinctive disease. It ignores aspects which link it with the industrial disease pneumoconiosis, and continues to ignore vital evidence which shows a direct causal relationship between coal dust and emphysema.

Contrary to my opinion and the feelings of the House, a mistake was made by the IIAC when it decided to investigate bronchitis and emphysema. Bronchitis has industrial aspects, but it is a more universal disease; nor is the research into its causes highly developed. Emphysema, by contrast, is an industrial disease and its research is sophisticated and advanced. It can be shown that emphysema can kill non-mine workers, but it is more prevalent in miners than others.

I also feel that it is a mistake to consider emphysema as separate from pneumoconiosis. In some coal workers, the emphysema element of their pneumoconiosis is mild, while in others it is severe. But pathologically, emphysema is clearly part of the pneumoconiotic process. That separation has led to many of the current difficulties, and persists in the IIAC report.

Of course, no one is saying that all coal workers with emphysema have acquired it because of their occupation, but compensation is always a question of balancing two tendencies—not compensating all those who have acquired the disease occupationally and compensating too many, including some who have acquired it non-occupationally.

At the moment with emphysema, the balance is very much on the side of not compensating enough miners. It is time to tip the balance, not to the other extreme, but to some reasonable middle ground. The suggestion of using the X-ray changes as an index of retained dust was sensible and would have avoided going to the other extreme. The reasons given in the report for rejecting that suggestion are unconvincing.

I am also dissatisfied with the way the report treats miners who smoke. Statistical tools exist to compensate for smokers and to continue the idea that miners get emphysema because they smoke. It is naive to call for research on miners who do not smoke. I believe that that is done to avoid giving men justice. I am also informed that the analysis of the appendix to the Soutour and Hurley 1986 paper is misleading—possibly deliberately.

It has repeatedly been found that there is an excess of emphysema among coal workers. That emphysema has been shown to be related to lifetime coal dust exposure, by many authorities, most notably by Huckley et al, who concluded that the association between emphysema and coal dust is likely to be causal. No report or study has failed to find a relationship between coal workers and dust exposure. Bearing that in mind, we must ask why the Industrial Injuries Advisory Council found against miners.

Yesterday, I had the privilege, if that is the right word, of visiting the Royal Courts of Justice in the Strand. The family of a deceased Kent coal miner were suing British Coal for the death of their husband and father. I do not want to go into the details of the case, but experts expressed different opinions about the case. One can therefore understand the difficulties experienced by the Industrial Injuries Advisory Council.

In-depth, learned research into the disease, which has never been refuted, has been completed. It shows that a miner is 10 times more likely to catch emphysema than any other industrial injury. It is not good enough to say that there is insufficient evidence. The evidence will be investigated in the future. The practice of the Industrial Injuries Advisory Council has been to investigate every 10 years. If it takes another 10 years to investigate, most of the problem will have disappeared because those unfortunate men, many of whom cannot walk or lift a cup of tea to their lips, will have died. Since I first introduced a Bill on this subject in 1988, hundreds of miners have died. They did not receive justice.

It is essential that the House recognises the problems experienced by disabled miners and supports the Bill, which will give justice and due compensation to those men in their lifetimes.

Question put and agreed to.

Bill ordered to be brought in by Mr. Geoffrey Lofthouse, Mr. Alexander Eadie, Mr. Peter Hardy, Mr. Kevin Barron, Mr. William O'Brien, Mr. Allen McKay, Mr. Frank Haynes, Mr. Dennis Skinner, Mr. David Hinchliffe, Mr. George J. Buckley, Mr. Michael Welsh and Mr. Eric Illsley.

Emphysema Compensation

Mr. Geoffrey Lofthouse accordingly presented a Bill to compensate coal miners suffering from emphysema: And the same was read the First time; and ordered to be read a Second time upon Thursday 2 November and to be printed. [Bill 208.]

Orders of the Day

Companies Bill *[Lords]*

As amended (in the Standing Committee), considered.

5.15 pm

Mr. Jeremy Hanley (Richmond and Barnes): On a point of order, Mr. Deputy Speaker. New clause 48 and amendment No. 303, which relates to it, are omitted from the selection list. The Committee of London and Scottish Bankers, the Law Society, Law Lords, the Association of British Insurers, the Confederation of British Industry and many others are concerned about the uncertain position of the law following the decision in re Charge Card Services and should like it to be clarified. New clause 48 was accepted by the Clerks after three or four draftings. An extremely important point of law arises that requires urgent discussion. I should be grateful if you, Mr. Deputy Speaker, would reconsider the selection for tomorrow.

Mr. Deputy Speaker (Mr. Harold Walker): Did I understand the hon. Gentleman to say that new clause 48 is not included in the clauses on the prefatory motion?

Mr. Hanley: I am asking you, Mr. Deputy Speaker, to reconsider the selection for tomorrow.

Mr. Deputy Speaker: As the hon. Gentleman knows, Mr. Speaker goes through the selection list with meticulous care. If the new clause and amendment to which he referred are not included, it is because they have not been selected. I shall have further inquiries made, but I think that that will be so.

Mr. Anthony Nelson (Chichester): On a point of order, Mr. Deputy Speaker. May I ask for your help and guidance, in your capacity of protecting hon. Members' interests? We are about to embark on the Report stage of a Bill to which 300 amendments have been tabled. Admittedly, many of them are Opposition amendments, but the Government amendments are technical. You, Mr. Deputy Speaker, will understand that many hon. Members are faced with the serious difficulty of being unable to understand what are, in many cases, highly complex amendments at this stage of the passage of the Bill. At this late stage, officials and Ministers should not be allowed to bring before the House reams of amendments without giving the House and its Committees appropriate opportunity, and more thorough explanation, to consider them. You, Mr. Deputy Speaker, rightly protect the interests of Back Benchers. We do not have the resources or the staff to be able to investigate the proposals, many of which have major significance for the running of companies and the employment of people throughout the country. Will you, Mr. Deputy Speaker, advise us, or perhaps make a statement, about the practice that should be adopted for Bills such as this, and the extent to which any Government can bring forward so many amendments on Report?

Mr. Dennis Skinner (Bolsover): The hon. Member for Chichester (Mr. Nelson) makes a valid point. Before you, Mr. Deputy Speaker, took the Chair, we heard about a Bill that had 400 amendments attached to it. The hon. Member for Chichester mentioned 300 amendments being tabled today. I have news for him: tomorrow another 500 Government amendments will be added. It appears that the Government have allowed their legislative programme to get out of control. I think that they would be well advised to drop the Bill. Some people have been talking about bringing back the Children Bill.

We understand that the Government are in a mess. We know that the Cabinet is at sixes and sevens, and that only two Cabinet Ministers wanted to hear the Chancellor of the Exchequer yesterday. The Government are in an old-fashioned mess, which was exemplified by one of their Back Benchers saying that he cannot understand the Bill that the Government have brought forward. Tomorrow will be even worse, and I believe that the Government would do beter to get rid of it altogether.

Mr. Deputy Speaker: I understand the complaints about the number of amendments and the lack of time in which adequately to debate them. These are not matters for the Chair, but doubtless what has been said will have been heard by the Minister.

Ordered,

That the Bill be considered in the following order: New Clauses relating to Part I, Clauses 1 to 4, Schedule 1, Clause 5, Schedule 2, Clause 6, Schedules 3 and 4, Clauses 7 and 8, Schedule 5, Clauses 9 to 13, Schedule 6, Clauses 14 to 18, Schedules 7 and 8, Clauses 19 to 21, Schedule 9, Clauses 22 and 23, Schedule 10, New Schedules relating to Part I, New Clauses relating to Part II, Clauses 24 to 30, Schedule 11, Clauses 31 and 32, Schedule 12, Clauses 33 to 46, Schedule 13, Clause 47, Schedule 14, Clauses 48 to 50, Schedule 15, Clauses 51 to 53, New Schedules relating to Part II, New Clauses relating to Part III, Clauses 54 to 87, New Schedules relating to Part III, New Clauses relating to Part IV, Clauses 88 to 100, Schedule 16, New Schedules relating to Part IV, New Clauses relating to Part V, Clauses 101 to 134, Schedule 17, Clause 135, Schedule 18, New Schedules relating to Part V, New Clauses relating to Part VI, Clauses 136 to 143, Schedule 19, New Schedules relating to Part VI, New Clauses relating to Part VII, Clauses 144 to 146, Schedule 20, Clauses 147 to 176, New Schedules relating to Part VII, New Clauses relating to Part VIII, Clauses 177 to 191, Schedule 21, New Schedules relating to Part VIII, New Clauses relating to Part IX, Clause 192, New Schedules relating to Part IX, Other New Clauses, Clauses 193 to 202, Other New Schedules, Schedule 22.—*[Mr. Redwood.]*

New Clause 1

POLITICAL GIFTS

'The following section is inserted in Part VII of the Companies Act 1985—

"234B. The directors' report shall be approved by the board of directors and signed on behalf of the board in so far as it relates to the matters specified in section 234 above and Schedule 7 to this Act, except for political purposes. Such contributions shall be reported as an annex to the directors' report such annex to be left unsigned and expressed in the form of a proposal for ordinary resolution to be approved by the company in general meeting."'.—*[Mr. Gould.]*

Brought up, and read the First time.

Mr. Bryan Gould (Dagenham): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 1, in clause 1, page 1, line 9, at end insert

'and

(c) inserting a new provision to modify the presentation of company accounts so as to allow shareholders to consider contributions for political purposes separately from other business in general meeting.'.

Mr. Gould: May I begin by welcoming the Under-Secretary of State for Corporate Affairs to his new job and to the Bill? As the hon. Member for Chichester (Mr. Nelson) said, he has arrived at a crucial moment, because the Bill is about to break the unfortunate record established by his Department in respect of the Insolvency Act 1986 and the Financial Services Act 1986. If my hon. Friend the Member for Bolsover (Mr. Skinner) is right in predicting that hundreds of new amendments will be tabled, that unhappy record will be broken with some comfort.

In welcoming the Under-Secretary, I venture on the debate with some trepidation, because I recently read in the newspapers that this occasion is to be used by the Minister to launch a most ferocious attack on me. The reports appear in dreadfully blood-curdling terms, and I understand that I am to be portrayed as the bogy man, red in tooth and claw, and as someone with whom to frighten all right-thinking people. The only comfort that I take is that I see myself—perhaps I am mistaken—as a most unlikely bogy man, but, when I see the Minister sitting opposite me in all his meekness and mildness, I feel that he is a rather improbable hatchet man.

The only reason that I feel that degree of trepidation, however, is that, again, the self-same reports tell me that the precise weapon with which it is intended to attack me is a book which I recently published. I should be delighted if the hon. Gentleman wishes to draw attention to the book, but I assure the House that any arrangement that the hon. Gentleman may have made with my publishers to provide further publicity to the book really has nothing to do with me. I can certainly do little about it. But if he will insist on boring hon. Members with frequent references to my book, I plead not guilty to that imposition. The responsibility must be entirely that of the hon. Gentleman.

The book refers briefly to principles of limited liability in similar terms to those which I used on Second Reading. I fear that those who expect to find great revelations in the book will be sadly disappointed—if, that is, they have bothered to familiarise themselves with the proceedings on the Bill so far. However, the book does not deal with company donations. That is the subject of the new clause and, therefore, this brief debate. I assure the House that, for the moment at any rate, we are safe from the dreaded attack about to be launched by the hon. Gentleman.

The new clause is an exact replica of the amendment passed in another place when the Bill began its passage with their Lordships. It is by no means a perfect provision. Opposition Members understand that it suffers from some defects, but we believe that it was worth tabling the new clause in this precise form simply to encourage the House to take a similar view of this issue to the one that was taken by their Lordships. If the Government are willing to accept the principle that lies behind the new clause, I have no doubt that the technical problems could be corrected by an appropriate amendment or new clause when the Bill returns to the other place.

The defeat which their Lordships inflicted on the Government in the other place was rightly hailed as a great political victory—indeed it was—but it was also a great victory for common sense. The debate, vote and conclusion on that occasion demonstrated that anybody who bothered to look at the arguments—their Lordships considered the arguments very carefully—would realise the thinness of the Government's objections to what was being proposed. Accordingly, their Lordships inflicted defeat on the Government. Predictably enough, the Government reversed that decision in Standing Committee, but, although they mustered the votes, it cannot be said that they won the arguments. The arguments remain exactly as they were when the matter was debated in the other place, and they are arguments which would convince everybody other than direct supporters of the Conservative party.

Mr. Tim Smith (Beaconsfield): It was not a Government amendment; it was my amendment, and the Committee agreed it.

Mr. Gould: I read the record of the Committee's deliberations with some care. I am slightly surprised that the hon. Member for Beaconsfield (Mr. Smith) should put his head forward on the chopping-block a second time. His ministerial colleague, the present Minister's predecessor, was quite rightly criticised for sheltering behind the hon. Member for Beaconsfield, who, admirable though he is, is not a direct spokesperson for the Government. It would have been much more appropriate for the Minister to advance that proposition rather than to use a Conservative Back-Bench Member to do the job for him.

The starting point of this debate is that the matter of donations by commercial companies to political parties is one of considerable murkiness. In making that assertion, I am encouraged and sustained by the very good evidence that considerable embarrassment is felt by all parties to such transactions. Again, the best evidence for that embarrassment is the very considerable efforts made by donors and recipients—let us be clear that the only major recipient that matters here is the Tory party—to conceal what is going on. It is persuasive evidence of that embarrassment that great subterfuges are resorted to and clandestine procedures are used. Every effort is made to conceal the truth of what goes on in that murky and somewhat grubby relationship.

That is why we saw all the revelations in *The Independent* earlier this year about the river companies which have only recently come to light, although they functioned for many years. We are told that all that is behind us and in the past, but, at the time, we would have been assured that there was nothing in the stories anyway. We can place little reliance on assurances that none of it happens any longer. It is considered that at least three of the river companies still exist, but it is not clear for what purpose.

There is also the use of front organisations—again not a matter which can be disputed. The Conservative party finds it convenient to set up front organisations, of which British United Industrialists is the most prominent, so that donations can be made in an indirect fashion. The reason for that is clearly admitted by some of those involved. Lord Taylor of Taylor Woodrow, prominent in BUI, admitted that BUI provides a financial conduit for business men who are frightened of their names being displayed as supporters of the Conservatives. That is a clear admission that the purpose of setting up the front organisation is to deceive and to conceal what is really happening.

There are also devices such as the use of special bank accounts, for example, the so-called free enterprise account at Drummonds bank. I wonder whether the Minister will enlighten us on whether that account still functions and, if so, for what purpose. It is not only the

donors who are shy in these matters, but the recipient—the Tory party—is extremely reticent. Tory party accounts make no mention of the substantial donations that its own members concede account for about 90 per cent. of Tory party income. There is a great deal of effort to conceal what is happening on both sides of the transaction.

There is a good reason for that embarrassment. A transaction in which commercial enterprises, usually companies, pay to a political party—in this case the Government—sums of money in circumstances in which that party in government could conceivably reward such payments with commercially important decisions favouring the donors is fraught with difficulty and will always arouse suspicion—and rightly so. Such suspicion centres on relationships which involve the award of personal honours, the award of Government contracts, the making of public appointments, and the application of ministerial permissions and sanctions of various sorts. In each case in which a payment is made and a reward is either potentially available or is actually made, the only safeguard that we have in the public interest to ensure that it is not an improper relationship is that there should be maximum openness about what is going on.

Such transactions would be bad enough if it were a matter of individuals making payments of their own money, but what is particularly worrying about company donations is that a small group of people make donations of other people's money and, presumably, expect some reward for themselves or for their company as a consequence.

A potent example of the difficulty into which secrecy and confusion can lead us is the recent sad episode of the Monopolies and Mergers Commission report on the brewing industry. When the commission made its report, the then Secretary of State proclaimed that it was an excellent report and that he was minded to implement it in full. Some of us were just a little more sceptical, not to say cynical, about that matter. We then observed a sequence of events in which great efforts were made by the major brewing firms to lobby hon. Members, Ministers and eventually, so we understand, the Prime Minister. The all too sadly predictable upshot was that the brewers had their way. The Secretary of State who had proclaimed himself so boldly at the outset was made to look foolish and craven when he abandoned the report by the Monopolies and Mergers Commission. Perhaps nothing improper happened in that relationship. However, no one observing that course of events could fail to ask whether the success which the brewers clearly expected and eventually enjoyed did not have something to do with the fact that the major brewers are bank-rollers and paymasters of the Tory party.

5.30 pm

Because suspicions necessarily and naturally arise in such cases, for some 20 years now this legislature has regarded donations to political or charitable purposes as a special category. That is why the Companies Act 1967 made special rules for that kind of donation. That is why the law remains that any donation over £200 must be reported specifically in the annual report presented to the ordinary general meeting.

Mr. Hanley: The hon. Gentleman was right to state that any donation of that sort over £200 must be stated in the directors' report. He will also know that any shareholder can raise the subject at an annual general meeting and may vote with a simple majority whether such a payment should have been made. Surely in corporate terms democracy is available and there is also the opportunity to embarrass directors. The matter can be raised in a proper form.

Mr. Gould: The hon. Gentleman and I have sat opposite each other in many Committees dealing with these issues. He will be aware that there were earlier occasions when I had to tell him that his interventions had come a little early. If he will exercise a little patience, I will be happy to deal with his points.

The point that I was making, which is important to the sequence of the argument, is that there is good reason for the present company legislation to make special provision because the decision to give money to political or charitable purposes cannot, in the ordinary sense, be a commercial decision. If it was a commercial decision in the sense that it was expected to produce a direct and immediate commercial consequence or benefit to the company concerned, it would clearly be improper for the very reasons that we have just discussed. The donation cannot be made for buying a ministerial decision favourable to that company. It can be made only in propriety for a much wider purpose reflecting the general political judgment of the directors concerned. However, that is not what they are employed to do. Both shareholders and non-shareholders are entitled to make such a judgment, but the directors are employed to make a commercial judgment which, by definition, is excluded. That is why special rules are provided.

We must then decide whether the current arrangements which recognise the special nature of such donations are adequate to protect the shareholder and assure the public interest that nothing improper is happening. The difficulty with the situation described by the hon. Member for Richmond and Barnes (Mr. Hanley) is that of course it is possible for a shareholder attending the ordinary general meeting to comment adversely on what has already happened. However, his only sanction is to vote against the whole report and vote it down. For the reasons that were explained admirably in another place when their Lordships discussed the issue, that is a highly unlikely course of action because it is well known that if that happened a great blow would be dealt to the company's commercial management with a consequent loss of confidence. That is why the sledgehammer provided by the current provisions cannot possibly be an effective weapon in the hands of disgruntled shareholders who want simply to express their opposition to this particular use of the company's resources.

However, in that scenario, shareholders are informed retrospectively and too late. They are informed in a way that makes it impossible for them to do much about it. That is why we propose that the position should be improved so that shareholders have more control over a situation in which they are currently powerless.

Mr. Hanley: Where in the Companies Act 1967 does it say that shareholders must vote in favour of the whole directors' report? I understood that the matter could be raised separately by the requisite number of shareholders and therefore it can be voted upon separately.

Mr. Gould: Of course, anything can be raised and discussed separately. However, to get any effective action,

[Mr. Gould]

a special resolution would have to be tabled. The only effective way of reversing what had happened would be to vote down the whole report.

The Government's arguments against the proposal in new clause 1 are totally unconvincing.

Mr. Nicholas Baker (Dorset, North): What would be the position of directors who proceeded to make a donation against the terms of a resolution carried at an ordinary general meeting if such a resolution had been voted down, albeit if that was not a special resolution? Will the hon. Member for Dagenham (Mr. Gould) release us from our anxieties? Will we get a discount on the price of his new book? Is that the book before him?

Mr. Gould: Yes, this is my book and I am anxious to display it. It is available at the full price. It is called, "A Future for Socialism". Unfortunately, I do not have the right to sell it in large numbers, but I can recommend several excellent book shops which will sell it at its cover price.

In response to the point made by the hon. Member for Dorset, North (Mr. Baker), the problem is that no special resolution could undo what had already happened. A resolution would have to be passed instructing company directors not to make such payments in future. It would be very difficult to be sure that, as shareholders move from one company to another, they keep pace with what has happened and been reported to them retrospectively.

The Government argue that the proposals in new clause 1 affect only trivial amounts. They may be trivial to the company donors, but they are substantial in terms of financing a political party. In 1987 the donations amounted to £4 million. Indeed, there may be other donations which were not adequately reported. In 1984, a survey of 1,250 companies revealed that 320 had made donations—243 to the Tory party and 110 to front organisations. The proportion of companies making those gifts is quite large. Taylor Woodrow, P and O, Allied Lyons, British and Commonwealth and United Biscuits are among the companies which gave more than £80,000 last year. These are not inconsiderable sums.

The Government's next argument is that advanced by the hon. Member for Richmond and Barnes—that the present arrangements are quite sufficient. The difficulty is that most shareholders are naturally not represented at an ordinary general meeting. Also, and I believe that Conservative Members are unwilling to acknowledge this, many shareholders are not individual or direct shareholders; they are the beneficiaries of or people with interests in pension funds and insurance companies which have major shareholdings on their behalf. There are hundreds of thousands, if not millions, of people whose contributions to pension funds and insurance companies are invested without their knowledge in companies which then, without referring to the shareholders, make political donations to the Tory party. That is an extraordinarily unsatisfactory situation and we should do what we can to correct it.

Mr. Tim Smith: What evidence does the hon. Gentleman have that shareholders, whether direct or indirect, are dissatisfied with the present arrangements?

Mr. Gould: Shortly I shall discuss the polling evidence that reveals public opinion, but the hon. Gentleman's question demonstrates what is wrong with the present situation. As a consequence of the amendment that he moved in Committee, and as a consequence of the status quo that he wants to preserve, it is extremely difficult for shareholders to be aware of, or to express an opinion on, precisely the question to which he has addressed our attention. Because we believe, in the interests of democracy, that shareholders should have that opportunity we want a change to be made.

At an earlier stage in our deliberations the right hon. Member for Braintree (Mr. Newton), then Minister of Trade and Industry, suggested that there was a remedy in the hands of shareholders in the sense that if they were dissatisfied with political donations reported to them, they could sell their shareholding and move on to another company. That doctrine is extraordinary if based on any democratic principle, and it would not even work in practice. Even if an individual shareholder followed that advice, even if he were to traipse around the stock exchange to look for companies that met his criteria and even if he were prepared to accept all the transaction costs that might be involved, he could never be sure that he had not invested in yet another company that was making the political donations to which he had originally objected. He would discover that only when he attended the ordinary general meeting. The Minister and his colleagues quickly dropped that argument and we have not heard much of it since.

Mr. Hanley: I do not want to delay the House, but surely if a prospective shareholder felt so seriously about this matter he could write to the directors to ask them about their policy.

Mr. Gould: Why does a democratic right to exercise control over what is admitted on all sides to be a specific and rather dangerous form of donation depend upon the initiative being taken by the shareholder who fears that he may or may not be aggrieved? If we establish the principle that it is right that shareholders should have some power of control over such matters, that right should be available to them, whether or not they initiate that right. In an election no one suggests that one must apply for a vote before one receives it—one receives a vote by virtue of being a citizen. Similarly, as a shareholder, one should have a vote and that right of control.

The hon. Member for Beaconsfield asked about the evidence as to the opinion of shareholders. The only evidence of which I am aware is a MORI poll that showed that 82 per cent. of the public—admittedly not shareholders in particular—favoured our proposal that shareholders should be consulted before political donations are made. The only instance of a ballot being taken of shareholders was, as far as I am aware, conducted by the National Freight Corporation when no fewer than 87 per cent. of shareholders voted against political donations being made. In the absence of any other evidence I believe that the available evidence is conclusively in favour of our proposition.

If the hon. Member for Beaconsfield wants further convincing on this matter, I refer him to members of his own party. The Charter Movement, which publishes *Charter News*, said:

"Over 90 per cent. of the Party's income in 1987-88 came from donations. No information is given in the accounts about these donations, which makes it all too easy"—

and all too understandable

"for our political opponents to allege improprieties, which it is then impossible for Conservative supporters to counter".

The arguments against our proposal do not carry conviction. Our proposal has widespread public support and it flows directly from democratic principle and practice. No amount of special pleading—one might almost say specious pleading—on behalf of the Tory party can displace the proposition in the new clause, which is fully supported by public opinion and which is consonant with common sense and democratic principles.

Mr. Frank Haynes (Ashfield): The Conservatives adopt a one-sided approach to this argument. They made the trade unions consult their members about the political levy and they put that on the statute book. When it comes the other way round, however, they do not want to know. The shareholders are told after the donations have been made and they are not consulted about them. If the Conservatives do not accept what we are suggesting, will my hon. Friend let them know in no uncertain terms that when we get back into office after the next election we shall do it ourselves?

5.45 pm

Mr. Gould: My hon. Friend is right to point to the double standards which the Conservatives apply to this important issue and I endorse the point that he has made.

The onus is on the Government, or more particularly the Conservative party, to say why a sensible reform should not be implemented. Their continued opposition to that sensible reform shows that they are prepared to put self interest above public interest. It shows that their constant espousal of shareholder democracy is a sham and how determined they are to keep from the light of day and from proper scrutiny their grubby relationship with their secret backers. It is an act that needs to be cleaned up and if the Tory party will not do that job, Parliament will, and if we have to wait for a Labour Government, Parliament, under that Government, will do that job.

Mr. Nelson: What we have just witnessed is another death throe of the Labour party. Underneath it all it recognises that it has lost the support of enterprise and industry. The only way in which it can make up for that is to try to prevent that part of the economy from contributing freely to a party that stands for an ideology that it perceives to be in the interests of the economy, employers and company employees.

When my hon. Friend the Member for Beaconsfield (Mr. Smith) moved an amendment on this matter in Committee—it was the first subject to be dealt with—it represented an initiative from Conservative Back Benches and was not at the instigation of the Government. It was universally welcomed in principle by Conservative Members because we believe that the directors of a company should decide what is in the best interests of that company; indeed, they are required to do so. Their interests are those of their employees, customers, creditors and shareholders.

All companies are affected one way or another by Government policy, but certain major companies, such as those in the oil industry, the financial services industry and in defence are radically affected by the policies adopted by political parties and by the Government of the day. I believe that it is proper and above board for those companies to be able to back overtly a party that stands for their interests, be they the interests of their employees, shareholders or interests relating to their specific activities.

The new clause represents an admission by the Labour party that the productive side of the economy knows which political party is backing it. It is only because the Labour party is bereft of the policies that can lead to future stability for companies that it has sought to frustrate the right of those companies to back that party.

Mr. Ian Gow (Eastbourne): Will my hon. Friend please read out to the House a list of those companies that make political gifts to sustain and strengthen the Labour party?

Mr. Nelson: I fear that I do not have that information to hand. If my hon. Friend is able to catch your eye, Mr. Deputy Speaker, I hope that he will be able to elucidate on that. It is undoubtedly true that the Labour party receives support from a variety of quarters—from the corporate sector, as well as from the trade unions.

The hon. Member for Ashfield (Mr. Haynes) mentioned the requirement that has been placed on trade unions to ballot their members. The difference is that one can opt out of making political contributions through a trade union, whereas, other than by selling the shares, one cannot opt out of a company of which one is a member. The two cases are fundamentally different.

Mr. Gould: The hon. Gentleman has just made a powerful point in support of our contention. I was also interested in a point that he made a moment ago when he appeared to concede that the effect of passing the new clause would be to "frustrate"—to use his word—the making of such donations to the Tory party. May I take it that he concedes that to introduce this element of shareholder democracy would produce decisions that are different from those currently taken by a small minority of directors?

Mr. Nelson: No, I do not concede that because, as my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) has already said, that right is already available to members of a company. Before the annual general meeting, members of a company are given that company's report and accounts and have adequate time in which to table any necessary resolutions and to obtain support for them. Any board of directors worth its salt—most of the boards of directors of this country's public limited companies are certainly that—would take seriously any such resolution passed at an annual general meeting.

Mr. Derek Fatchett (Leeds, Central): Parallels with trade unions have been drawn several times. From his vast knowledge of industry, the hon. Gentleman must know that trade unions operate on exactly the same basis as companies. Under the law as it has existed from 1913—and as it still exists, with one major change—trade unions publish their political fund accounts. They present them to their annual meetings—their conferences. In those circumstances, there is an exact parallel with companies. Why did the hon. Gentleman vote for the 1984 trade union legislation, which imposed an additional duty on trade unions—to ballot their members—when he opposes such provisions for shareholders?

Mr. Nelson: Because at that time many members of trade unions could not get out of being members of their trade unions. In many cases, their jobs depended on their trade union membership because of the closed shop. Under that reality, it was essential that there was openness in terms of trade union contributions—I welcome what the hon. Gentleman said on that—and that people had the right to opt out. In my judgment, that position is not analogous to that of a company, because the opting-out provision does not mean the same thing and cannot operate in the same way.

Mr. Nicholas Baker: Will my hon. Friend give way?

Mr. Nelson: Although I do not wish to prolong the debate, I shall give way briefly to my hon. Friend.

Mr. Baker: My hon. Friend has put his finger on the important point, which is the position of directors of a company that has, by its shareholders, voted to disapprove of such payments. I put the point to the hon. Member for Dagenham (Mr. Gould)—who did not answer it—that any directors who persisted in making such donations in the face of such a resolution would not simply be doing something unwise or immoral, but would be laying themselves open to a legal action, instigated by their shareholders. The existing law is not negligible; it is powerful and directors are right to take notice of it.

Mr. Nelson: I am obliged to my hon. Friend and agree 100 per cent. with what he has said.

The Labour party has defended every restrictive trade and labour practice that we have tried to sweep away over recent years. The dock labour scheme is just one example. My right hon. Friend the Secretary of State for Trade and Industry is right to seek to liberalise industry and to promote profitability and reinvestment. Why should industry not be allowed to decide who is helping its ambitions, employees and shareholder interests? Companies already provide facilities for their members to question political contributions, so the new clause is redundant and unnecessary and the House should not accept it.

Mr. David Winnick (Walsall, North): We all know which restrictive practice the hon. Member for Chichester (Mr. Nelson) has defended. I have no doubt in my mind that the new clause and our amendment will be heavily defeated. If it was possible for the Conservative party to have a heavier Whip—perhaps a six-line Whip—it would do so. We can rest assured that there will not be a single Tory rebel on this issue. They will all troop through their Lobby accordingly.

I also have no doubt that if people outside the House knew what we were discussing, they would believe that the Opposition have fairness, justice and reason on their side in tabling this new clause. As the beneficiary of donations from companies, the Conservative party is saying, "The law is all right. There is no need to change it." Indeed, even the existing legislation, which was enacted in 1967, was not greeted with any enthusiasm by the Conservative party at that time. The only explanation for all this is that the Conservative party is extremely reluctant to allow undue attention to be paid to the way in which it is so heavily financed by so many companies.

If contributions were made to the Conservative party in a straightforward way, there would perhaps be less reason for tabling the new clause. However, such contributions are not made in a straightforward way—they are made in a furtive, underhand and murky way, as my hon. Friend the Member for Dagenham (Mr. Gould) has said.

My hon. Friend referred to the river companies. I did not use to know of their existence and I doubt frankly whether many Tory Members knew either. Indeed, at least one Tory Member is nodding in agreement with that comment. However, the river companies existed for many years and the purpose of those fake companies was quite clear. Incidentally, they were publicised in *The Independent* when the *Sunday Times* was not keen to publish the story. Their purpose was to channel large sums of money to the Tory party. Because the river companies were never publicised, until those articles appeared most people—including those in the media as well as many politicians—did not know of their existence. I would imagine that their existence was known to just a few people in the higher reaches of the Conservative party.

British United Industrialists is another Tory front organisation. I have certainly known about it for a number of years. The function of that organisation—very likely, it has no other function—is to act as a financial link between various companies and the Tory party. Indeed, 90 per cent. of the income of British United Industrialists is simply passed on to Conservative Central Office. At one stage in the 1970s it was decided that contributions to the Conservative party should be made out to the "free enterprise account" at Drummonds bank.

The Conservative party does not even publish a properly audited balance sheet of its finances. That is why there is so much concern about the manner in which one of the state's two major parties organises its finances in such an underhand and furtive way. It does so because it is frightened that undue attention might be paid to the sources of its money.

If, as the hon. Member for Chichester said, the Conservative party is proud of the way in which it receives such donations, the question from myself and my hon. Friends is surely obvious—why not publish the full details? Why behave in this underhand way? The explanation is obvious also.

Lord Taylor, the president of Taylor Woodrow, who is a leading light in these financial dealings, and whose own company is so generous to Tory funds, is quoted as saying:

> "We had to fight Harold Macmillan to avoid him going socialist. And, but for Aims of Industry, Edward Heath would have agreed to putting union leaders on the boards of companies."

Clearly the present Prime Minister is much more to the liking of Lord Taylor as party leader than were two of her predecessors.

Under existing legislation a company needs only list the amount under political donations. It can state that it is making a contribution to BUI, and nothing else. The shareholders will not know how that money will be sent on from BUI to the Conservative party, or perhaps to another front organisation. The new clause would mean that such contributions would be properly and separately debated at general meetings, which explains why Conservatives are so opposed to making the change.

6 pm

Sometimes when I study the way in which the Tory party organises its finances I wonder whether Richard Nixon and those associated with him mastermind the arrangements. He knew all about laundering money; perhaps he could have given the Tory party more advice.

Money is being laundered—the Minister shakes his head, but it certainly is, and the river companies would not have existed had they not been considered necessary by Tory central office.

We are not talking about peanuts—about donations of £100 or £400 or so. Last year 16 companies alone made donations of £50,000 or more each to the Conservative party or front organisations, and the top 10 donated more than £1·5 million. The largest donation came from Taylor Woodrow, which last year contributed more than £111,000 to the Conservative party.

I want to compare briefly the subject under debate with the way in which this same Government insisted in legislation that unions must hold ballots every ten years on whether to have a political fund. As I said when the legislation was debated, at their annual conferences unions could decide whether they wanted to continue a political fund or to discontinue or start one. The law on that was perfectly clear. Moreover, as the hon. Member for Chichester pointed out, any member of a union with a political fund can opt out—that has been the position since 1913. Any member of any trade union can tell the branch secretary that he does not want to contribute to a political fund and that is that.

Shareholders cannot opt out in the same way. Despite all the safeguards in place at the time, the Conservative party—with no members dissenting—decided to change the law, and the trade unions had to hold a ballot every 10 years. It so happens that victory went to the trade unions. Not only did all the unions with political funds vote to keep them: one or two that never had one decided to begin one.

However, the purpose of the exercise was quite different—the Government tried to cripple the finances of their major opponents. We have never denied of course that the Labour party's funds have always been far more limited than those of the Conservative party, but the Government were not satisfied and tried to undermine still further the financial position of their political opponents—and that from a party which claims to be in favour of parliamentary democracy.

We are not trying in this new clause to cripple the funds of the Tory party. The proposed clause will not be passed, but: if it were, shareholders would be able to approve, or not, donations to the Conservative party. It is likely that they would usually approve them—I would not challenge that.

In case some Conservative Members believe that I am exaggerating—I always try to avoid that—one of the leading members of the Charter movement inside the Tory party, Peter Hardy, is quoted as saying that he has long suspected that the Conservative party has hidden reserves in secret bank accounts. If I or my hon. Friends had said that, we would have been denounced as exaggerating as usual. Presumably, Peter Hardy is as much an active Conservative supporter as any Conservative Member—the difference being that he and others in the Charter movement, such as Eric Chalker, happen to believe that their party should be run in a straightforward and honest manner. I see no reason why they should be criticised for that point of view.

My hon. Friend the Member for Ashfield (Mr. Haynes) told my hon. Friend the Member for Dagenham that he hoped that a Labour Government would effect the sort of changes in the financing of political parties which will never be made as long as the Conservative party has a majority in the House. I agree. Perhaps we should have brought about such changes when we were in office: it is regrettable that we did not.

Conservative Members may shrug this off and call it the usual Labour party propaganda, but the more they resist modest reforms along these lines the more determined the Labour party will be when in office to make substantial changes to ensure that the Tory party is put on the same footing as the Labour party. So if trade unions which, to a large extent, finance the Labour party need to hold political fund ballots every 10 years, alongside observing the provisions from before the 1984 Act, it is only right and proper that the same should apply to companies and shareholders.

Either we change the law along the lines being suggested now, or we perhaps should come to the conclusion that the financing of the Conservative party by big business and of my party, in the main, by trade unions is wrong, and that the remedy lies in some form of state funding. There is already state funding of opposition parties, from which the Conservative party benefited when it formed the Opposition. I am not entirely sure that that is the best remedy but I am coming round to that view more and more. Perhaps the real remedy to end many of the present controversies would be for the state to finance political parties in accordance with the number of votes they received at the previous general election. I am not entirely convinced that that is the solution, but perhaps we should consider it further at some stage.

Mr. Richard Shepherd (Aldridge-Brownhills): The last point made by the hon. Member for Walsall, North (Mr. Winnick) has some merit. The most extraordinary thing about this debate is the sense of déja vu that it conveys. I had not appreciated that the Opposition had been converted so solidly by the arguments advanced by my party and the Government during the reforms of the trade union movement.

What is sauce for the goose is sauce for the gander. All the arguments adduced by the Opposition spokesman, the hon. Member for Dagenham (Mr. Gould), tailor neatly with most of the arguments adduced by the Government when requiring ballots on trade union political funds. It can be argued with a sense of equity that it is not unreasonable that companies should ask their shareholders directly whether they should make a political donation. It must be reasonable.

Some of my Conservative colleagues have said that it does not matter, and that they can be sacked anyway. I have listened to the same arguments from the trade union movement. For 60, 70 or 80 glorious years it had the perfect source of finance, and the leadership did not have to trouble the membership too much about detail. It was the leadership's right to grant funds to the Labour party. Indeed, the Labour party was created by the trade union movement.

Our anxiety is that the public may perceive that we are the creation of big business. Clearly it will be a case of what is sauce for the goose is sauce for the gander if it is exposed that our support comes from big business. There should be a more relaxed atmosphere. The argument that the decision should be put to the shareholders may well not serve us ill, as a party. There is no evidence to suggest that it will. There is a lot of evidence for the argument advanced

[Mr. Richard Shepherd]

by my hon. Friend the Member for Chichester (Mr. Nelson), that the judgment of the majority of shareholders will be in favour of the continuation of donations.

I remember the Labour party's trepidation at the prospect of change in trade union legislation. There was anxiety. I have to acknowledge that there was also some triumphalism among Conservative Members that that legislation would be the end of the Labour movement as we knew it. It was thought that trade unionists who were deeply disaffected and disappointed by the conduct of the Labour party would withhold funds. In the event, it did not turn out that way. As the hon. Member for Walsall, North has just said, the legislation consolidated Labour's strength and the donations, strangely enough.

I do not see any reason why there should be any mystery. It is not an unreasonable proposition that shareholders should vote directly on donations to political parties. That is why I call this sauce for the goose and sauce for the gander.

There is a sense of equity and fairness in our nation. It looks blindly partisan if we say that we expect rules and regulations to be imposed on our political opponents, but that they must not apply to us. Our arguments have mirrored those made by a nervous Labour party when it had to confront the possibility of unions having to ballot their members on political donations. Companies may decide to donate money to the Labour party or that wealthy individuals, through companies, may make donations to the S whatever it is called—the SDP, I think.

It is important that the Conservative party shows itself to be fair-minded about this matter, particularly these days. The Government should treat this issue with caution for fear that, should we reject a measure that is essentially fair, the public perception will be that we have become so particular in these matters that we want only to reinforce our own finances. We will find it in our interests to do this because the measure would give confidence to company boards, supported by the votes of their shareholders, if that is their wish.

I beg my colleagues on the Front Bench to look at this proposal with a more open mind.

Mr. Charles Kennedy (Ross, Cromarty and Skye): I support new clause 1. [*Interruption.*] Does the hon. Gentleman wish to intervene?

Mr. D. N. Campbell-Savours (Workington): I did not want to intervene. I was merely asking my hon. Friend the Member for Walsall, North (Mr. Winnick), from a sedentary position, whether the British School of Motoring contribution has been sorted out yet.

Mr. Kennedy: The hon. Member for Workington (Mr. Campbel-Savours) was kind enough to give me advance warning that he intended to crack that hilarious joke, which has never been heard in this Chamber before. I gather that it refers to a body which was once known as the British Liberal party, of which I was not a member. Therefore, I am not prepared to answer or to take responsibility.

I agree with the new clause although, after listening to the speech of the hon. Member for Walsall, North (Mr. Winnick), I feel that we should go for full state funding of political parties. Ultimately, that will be seen to be the logical step, and it is preferable to what was fairly described by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) as the sauce for the goose, sauce for the gander situation with which we have been presented in this debate, and in previous debates on the Bill.

6.15 pm

The frank and straightforward speech of the hon. Member for Walsall, North highlighted what, from the point of view of a third political party, is a basic criticism of the whole system. He rightly said that the bulk of Labour party funding comes from the trade union movement—I say good luck if it wants to use finances in that way—and that the bulk of Conservative party funding comes from the corporate and the private sector.

The hon. Member for Dagenham (Mr. Gould) was critical of the Department of Trade and Industry's response to the Monopolies and Mergers Commission's report on the brewing industry. Conservative Members were critical of the Labour party's attitude to trade union legislation and to the promises in the policy review document that there would be further movement in a direction that the trade unions want. All that underpins the fundamentally unhealthy nature of having a political system that is so directly dependent, on one side of the political divide, on private sector finance and, on the other side, on the trade union movement. That clearly influences Government and Opposition policies to an unhealthy and dangerous extent. That approach has done much legislative damage to the body politic for many generations.

Mr. Michael Brown (Brigg and Cleethorpes): Can the hon. Gentleman tell the House whether he has arrived at that conclusion because of the experience of his former party—the SDP—which I understand received approximately £9,975 in the year up to 1987? It may be that that £10,000 now goes to the Liberal Democrats. Perhaps the hon. Gentleman is embarrassed by that. [HON. MEMBERS: "From Lonrho."] Yes, from Lonrho—I think that you will have heard of that company, Mr. Deputy Speaker. Is it embarrassment at receiving that sort of donation that has led the hon. Member to the conclusion that he has just put to the House?

Mr. Kennedy: I can assure the hon. Gentleman that the party of which I am a member has not received, and is unlikely to receive, any money from Lonrho, and would turn it down if it were offered. If that party which adheres to the right hon. Member for Plymouth, Devonport (Dr. Owen) receives money from Lonrho, that is a question for him. If money from that source was paid to the then SDP in 1987, I was not aware of it. I would not have supported it, and any questions about it should be directed to the politician who now purports to be the leader of that party.

Mr. Brown: Should the hon. Gentleman not be arguing that it is a question not whether the Conservative party needs to publish its accounts but whether the party of which he was once a member ought to publish its accounts more widely?

Mr. Kennedy: I was once a member of that party, but if the hon. Gentleman studies the legal and constitutional terms of the merger between the Social Democractic party with the British Liberal party, he will find that that party is still within the merged party and therefore those people, to whom I shall refer as provisionals in all this, must speak for themselves. I do not take responsibility for them.

I shall return to my basic contention—[HON. MEMBERS: "It is the very man—the hon. Member for Caithness and Sutherland (Mr. Maclennan)."] I am sure my hon. Friend will write to the hon. Gentleman to answer his question. I should add that I am sponsored by nobody.

Conservative and Labour Members have criticised each other's parties. However, in defending their own parties they highlighted the weakness and the unsatisfactory nature of the entire system. It cannot be healthy for the body politic of the country for industry to be bound financially to one side of the political divide. That is sure to influence legislation and party political attitudes and it is the mirror image of what happens on the other side of the political divide.

Criticism has been levelled at my party and at some of its members. When the SDP came into being, we said that one cannot build a party that will not be in somebody's pocket unless one is prepared to dig into one's own pocket. The Liberal Democrats adhere to that principle. The present financial arrangements will not be changed by the Bill. The overwhelming bulk of our funding comes from membership subscriptions and through direct mail appeals to members and supporters. At the end of the day, that is healthier and fairer than the funding of political parties related to the proportion of the board of directors that a party has been able to attract at the previous election.

If the Government will not accept the new clause as a small step, I hope they will take an early opportunity to redress the gross injustice, imbalance and incoherence of the political system which arise from our present unsatisfactory arrangements.

Mr. Gow: The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) criticises political parties that receive donations from companies. He said that he did not like money going from trade unions to the Labour party and from companies to the Conservative party. He suggested that such donations, and presumably other voluntary donations, should cease and that the British people should be obliged to finance the Social and Liberal Democrats, the Labour party, the Conservative party and the Scottish National party. So muddled is the hon. Gentleman's thinking that one could conclude that possibly even Sinn Fein should be supported in that way. That proposal does not find much favour among my hon. Friends, although my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) seemed to be flirting with the idea.

Those who wish to support political parties, whether they are members of trade unions or companies, should be free to do so. I am strongly opposed to imposing additional taxation on the British people so that they can finance political parties of whose purposes they may disapprove.

The hon. Member for Ross, Cromarty and Skye is immensely and rightly popular in the House, but his speech contained another sad characteristic. He criticised political parties that receive donations from companies and was asked by my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) about Lonrho. The hon. Gentleman said that he knew nothing about it. Lonrho has extensive trade dealings with the Republic of South Africa. The *Financial Times* of 23 February 1988, a newspaper well known to the hon. Member for Ross, Cromarty and Skye, said:

"Lonrho, mining, trading and industrial company headed by Mr. Tiny Rowland, donated £9,775 to the Social Democratic Party last year."

That was in 1987. That means that at one time Lonrho, with its vast interests in South Africa, thought that it might hedge its bets and make a donation to what was then, I think, called the Alliance. The hon. Gentleman will correct me if I have my timing wrong.

At that time, some companies and even a few people believed that it was possible for the Alliance to attract some support from the British people. I have news for the hon. Gentleman. No donation will be forthcoming from Lonrho at the next general election to the Social and Liberal Democrats. The support for that party from the trade union movement and companies and from the British people will be very slender.

Dame Elaine Kellett-Bowman (Lancaster): What about the learner drivers?

Mr. Gow: I shall come to that later.

The hon. Member for Ross, Cromarty and Skye complained about the way in which political parties are funded. We have seen that opportunistic change of mind before by the SLD, because it characterised the abandonment of its previous support for the policy of first past the post. The SLD has grown out of the Liberal party. When the Liberal party was amassing great majorities in the kingdom by means of first past the post, it was in favour of that system. When it discovered that its support was waning and that the only way in which it could have more Members of Parliament was to alter the rules, it was in favour of doing so.

It is a new doctrine for the inheritors of the Liberal party now to say that they are in favour of state funding for political parties and against trade unions, companies or individuals being allowed to support such parties. The reason for that is simple. It is that everybody knows that the SLD is bust. That is why it says that it should be financed by the Government. That is a most dangerous argument and it again reveals that, when the going gets rough and when that party cannot support itself by the existing rules of finance for the electoral system, it will alter course.

Mr. Graham Allen (Nottingham, North): I support the hon. Gentleman's view about not levying the taxpayer. People should not have to pay into a state fund that finances political parties. Will the hon. Gentleman extend that argument to shareholders? Should they be levied for money for the Conservative party? Would he go further and say that consumers of beer, supermarket goods and insurance and other services should be balloted and consulted before money is taken from them?

Mr. Gow: I propose to deal with that matter, and I shall again give way to the hon. Gentleman if he is dissatisfied with what I have to say.

The new clause contains a proposal that retrospective approval will have to be given at an annual general meeting for donations that have been made by the board of directors. A board of directors should be free to carry out the duties laid upon it by the memorandum and articles of association of the company concerned and, of course, must act within the constraints of the Companies Acts. It should be up to directors to take decisions that fall properly to them. Of course directors are accountable to and removable by shareholders at the annual general

[Mr. Gow]

meeting. If shareholders do not like the decisions taken by the directors, those directors can be and frequently are removed.

The new clause seeks to set a dangerous precedent. If retrospective approval has to be given for a political donation, will it also be required if directors enter into a contract with the Republic of South Africa? That question will appeal to Opposition Members. That is an interesting matter that exercised the attention of my right hon. Friend the Prime Minister at Kuala Lumpur.

I am glad that the shadow Chancellor is in his place. I understand that some Opposition Members say that specific approval should be given by shareholders if a company enters into a contract with the Republic of South Africa. Some may say that shareholders should be asked before donations are made to charity, or that specific approval should be required before a donation is made to disaster funds. It is perfectly proper to rely on the protection given in the Companies Act 1967, and I believe that the hon. Member for Wallsend (Mr. Garrett) was in the House at that time. That Act requires disclosure of sums of more than £200.

6.30 pm

The law as presently in force requires full disclosure. It is obvious that shareholders in general meetings can issue an instruction, through resolution, that no further political donations should be made. It is possible for any shareholder who does not like the donations policy of his company to sell his shares, or not to buy them if it has been the practice of the company to make donations.

I wish to express my enduring thanks to those excellent and wise British companies and British people who continue to make donations to the Conservative party. Those people and those companies perceive—in my judgment correctly—that their true interests lie in the continuation of a Conservative Government.

Mr. Campbell-Savours: When the current arrangements for payments to political parties by companies were devised conditions were different. Only a small minority of the wider public were in a position to acquire and retain shares. We were not in what is described today as a "shareholder democracy". As one widens share ownership, one is required to reconsider the powers that are available to shareholders to influence arrangements in companies. Many of the Government's arguments about widening shareholder democracy, certainly throughout the privatisation debates, were about ensuring that shareholders—the wider public—have a stake in and some influence over the future and the potential for business. If that is the case, surely the matter should not be kept in isolation, and consideration should be given by the House to change.

My hon. Friend the Member for Dagenham (Mr. Gould) has put to the House the proposition that simpler and more equal treatment should be meted out to trade unions, as it is to companies, regarding their political contributions. He has sought only to ensure that trade unions are treated no differently from companies and vice versa. I do not see that it is possible to argue against that. I can concur with every word of the speech of the hon. Member for Aldridge-Brownhills (Mr. Shepherd). If one is being equal in treatment, one must be open-minded about those matters. If a political party might lose out by way of that arrangement, it drives us to consider the whole question of state funding of political parties.

The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) mentioned the British School of Motoring. I will not score any political points by drawing attention to what happened some years ago. The British School of Motoring was making contributions of several hundred thousand pounds to the Liberal party and the Liberal party was receiving them because it has no other way of funding its operation. I do not blame the Liberal party for taking the money. If that is the only way to fund one's political party, one must do it. However, we all know that what happened on that occasion was wrong. When I looked into that matter in some detail I was able to locate a debate in the House of Lords during which a Liberal peer had moved an amendment to legislation on driving schools. In the eyes of the public and Parliament his motive in moving that amendment was related to the political contribution that had been made. It may be that peer moved that amendment for the most altruistic of reasons. However, when the public saw the facts and realised that his political party was being funded by way of a substantial contribution, they naturally drew the conclusion that there must be some connection.

I tell that story only to show that, because of the system as it is presently arranged, the public will inevitably be suspicious. Every contribution of weight that is made to the Conservative party must inevitably lead some members of the public to believe that there may be a connection with the treatment that the Conservative party gives to big business or the way particular Secretaries of State and Departments might handle business that may help companies that make contributions. I am not necessarily saying that that is what happens, but if the public are led to believe that there may be a connection, it further generates suspicion in their minds as to political contribution as against political pay-off.

Mr. Michael Brown: The hon. Gentleman is making a very interesting and sincerely held point. However, by the same token, could it be argued—although I do not argue it—that any hon. Member who is sponsored by a trade union will be perceived in the same way?

Mr. Allen: They do not make a direct contribution.

Mr. Brown: The hon. Gentleman says that it is not a direct contribution. Nevertheless, the public may still be suspicious. When an hon. Member speaks on behalf of a large mining community in his constituency, and if he happens to be sponsored by a miners' union, nobody in the House disregards his points simply because he is sponsored by that union. The hon. Gentleman's point falls down on those grounds.

Mr. Campbell-Savours: The hon. Gentleman presumes that I will be partisan in my reply, but I do not intend to be so. I accept that inevitably the public will be suspicious. Whether there is a need for that suspicion is another matter. As the House knows, sponsored Members of Parliament do not receive money from trade unions. I am sponsored by the Confederation of Health Service Employees but it pays me nothing and I would accept nothing. I would not draw a penny of expenses from the union. However, I accept that the public might conclude that there was a connection between the way in which I

conduct myself in the Chamber and the sponsorship arrangement in the background. All I am doing—as did the hon. Member for Aldridge-Brownhills—is trying to be neutral and say that there should be equal treatment. The hon. Gentleman did not talk in terms of suspicion, but we should not rule out the possibility that that might exist. The proof can be found in the case of BSM and the Liberal party.

Other cases have recently come to light. I know that the case of the Westminster cemeteries and Lady Porter is controversial, and I shall try to deal with it neutrally. During the inquiries by Westminster city council into all that happened in Westminster, an argument developed about how the Conservative party was funded during the 1983 election. Many people could not work out where the money to service the Conservative campaign had come from. It may be that all the funding was proper, honourable and above board. However, as the investigations and inquiries developed and as queries about the river companies were raised in the national media, that sparked off the suspicion—wearing a more political hat than I am now, I willingly fostered it—in the minds of the general public that something might be wrong. Such suspicion arises only from the fact that at the moment we have a system that allows companies to allocate money to political parties without any accountability. I would argue that they should not be in a position to make those contributions because I am a supporter of state funding of political parties.

My hon. Friend the Member for Dagenham hinted that the Labour Government may look sympathetically at the need to legislate to introduce such funding. However, I do not see that hint as an attempt to penalise the Conservative party in the way that the Conservative party thought that it was penalising the Labour party in 1985, through employment legislation. Were the Labour party committed to legislate on funding because we have a duty to protect all political parties, irrespective of what they believe, and ensure that they are properly funded, that would spark off the necessary debate that we need on state funding of political parties. The hon. Member for Eastbourne (Mr. Gow) is obviously opposed to this funding, but in such conditions he might look more favourably on what I think is a neutral position to take on funding.

I only wish that the debate were less partisan. Conservative Members seem so defensive about a system that, like the hon. Member for Aldridge-Brownhills, they know is morally and in equity wrong. Instead of locking themselves into a position of inflexibility, a few more charitable gestures on the principles involved should be the order of the day. Perhaps before the end of the debate we shall have some words along those lines.

Mr. Tim Smith: I join the hon. Member of Dagenham (Mr. Gould) in welcoming my hon. Friend the Member for Wokingham (Mr. Redwood) to the Front Bench. I was pleased when he was appointed to his new position in July because I believe that he is peculiarly well qualified to take over this responsibility, and we shall see that as our debates proceed.

I listened carefully to what the hon. Member for Workington (Mr. Campbell-Savours) said, and we understand that he favours state funding of political parties. However, that is not what the debate is about. It is about how companies should determine political donations. We should establish the principle of accountability and openness. We heard a lot at the beginning of the debate from the hon. Member for Dagenham about concealment, murkiness and all the rest. However, we know that the saga that was revealed in all its shock horror-status by *The Independent* related to what happened before the Companies Act 1967. It has specific and clear requirements about the disclosure of political and charitable donations, and we have heard about those. The key to this is that people should know what companies are doing. We now know from its accounts that Lonrho made a donation to the SDP and that many companies make donations to the Conservative party.

Mr. Gould: What about private companies?

Mr. Smith: I think that the same provision applies to private companies as to public companies, but I stand to be corrected. The main contributions come from the large public listed companies and disclosure is required. Even if they make the contribution to British United Industrialists, one would have thought that, because of the number of times that that organisation has been mentioned in our debate, most people would know what it stood for. The argument is about accountability and openness, and shareholders know what is happening and are in a position to challenge it if they wish to do so, and we have heard of the different ways in which they can do that.

The hon. Member for Dagenham said that it is wrong that directors do things with other people's money, but that is what directors are paid for. They are the stewards of the shareholder's money, and it is their job to decide how to dispense that money to the best benefit of all the shareholders.

Mr. Gould: Is there not a distinction between what directors do with the company's money in its commercial interests and what they do by way of donation to political and charitable causes? If the hon. Gentleman would not accept that, is he denying the basis of the special provisions of the Companies Act, which require disclosure in those cases?

6.45 pm

Mr. Smith: Before a board of directors makes a decision to make a donation to a political party, it has a serious debate on the matter. The overriding consideration in that debate is the commercial interest. The directors ask themselves whether it is in the commercial interest of the company for it to make that donation. Many companies, not unnaturally, take the view that it is in the interests of the company to make a donation to the Conservative party because it is the party which stands for free enterprise and supports the private sector. Therefore, that is an entirely reasonable thing to do.

Mr. Nicholas Baker: Companies see donations sent in certain political directions as more in the interests of freedom and enterprise. Is not the solution something that was mentioned in Committee when the hon. Member for Dagenham (Mr. Gould) was not there to hear it? The hon. Member for Workington (Mr. Campbell-Savours) was fair, but the hon. Member for Dagenham was motivated by revenge, and his tone was invidious. Is not the solution for the Labour party to make itself so in favour of freedom of enterprise that it will attract donations? We come back

[Mr. Nicholas Baker]

to what the debate is all about when I say that the answer to making the Labour party more acceptable is, I suspect, in the book sitting by the hon. Member for Dagenham.

Mr. Smith: My hon. Friend may be right about the book. I have bought a copy and am looking forward to reading it. The key to the matter is the commercial interest of the company, and it is on that basis that companies decide whether to make donations to political parties.

Mr. Winnick: What evidence does the hon. Gentleman have of the serious discussions that he claims go on in companies about such donations? Are we to understand that, for example, in Taylor Woodrow—bearing in mind who is president of that company—there is a lengthy and serious discussion of the pros and cons? The discussion is likely to be similar to those that used to go on in the politburo of the Soviet Communist party. Why do not companies make it clear that they are donating to the Conservative party? What is all this business about British United Industrialists? Why, unless it is to deceive, do they use a front organisation?

Mr. Smith: I have already dealt with that last point. It is self-evident that a decision to make a donation to a political party is a major decision by a board of directors, and not one made in two or three minutes. It is discussed carefully and many companies refuse, as a matter of company policy, to make a donation to any political party simply because they do not believe, wrongly in my view, that it would be in their commercial interests to do so. The commercial interests of the company are the foremost consideration, and the directors have the responsibility —that is why they are elected by shareholders—to make such decisions. Were we to agree to the new clause, we would be undermining the principles on which company law is based. Shareholders delegate their responsibility to directors. If they do not like what the directors are doing, they can get rid of the directors by voting them out of office. Alternatively, as my hon. Friend the Member for Eastbourne (Mr. Gow) says, they can sell their shares. Those are the options open to them.

That brings me to the distinction between shareholders and trade unionists. We have heard much about parallels, and my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has said that in equity we should treat shareholders and trade unionists equally. There are, however, fundamental distinctions. An individual can be a shareholder in several companies, and many people are in that position. If such an individual does not like the stock, he can sell it, but that option is not open to a trade unionist. There are many people who, because of their employment, have to be members of a trade union. They have little choice in the matter. Furthermore, they cannot switch from one union to another. Even more important, if a trade union determines to set up a political fund, it can then have a major influence in determining the policy of the Labour party. Its block vote at the Labour party conference may play a major part in determining that party's policy. No companies have an equivalent role in the Conservative party.

Mr. Richard Shepherd: It is my understanding that it is the Government's intention to legislate to make unlawful the closed shop, and that is legislation which I shall support. That being so, the burden of my hon. Friend's argument is not sustainable. Is he saying that trade unionists may or may not belong to a trade union? If that is so, they are not obliged to make donations or vote for a contribution to be made to the political fund. This is an argument that is based on sauce for the goose being sauce for the gander. Surely it is not an unreasonable principle that shareholders should have the opportunity to vote on the issue.

Mr. Smith: I understand the strength of my hon. Friend's feeling on this issue but I do not accept that there is a parallel between companies and trade unions. I dealt with these matters when I developed the argument in Committee. I know that it is an embarrassment to the Labour party that trade unions have major block votes and can determine the Labour party's policy. There is no comparable arrangement within the Conservative party for companies. That is why the system is such an embarrassment to the Labour party, and I understand that it is considering changing it. That is one fundamental difference, and I have mentioned others.

I am saying that we should have a satisfactory system of accountability and openness. We should not undermine the principles of company law on which legislation is currently based.

Mr. Fatchett: I think that the hon. Member for Aldridge-Brownhills (Mr. Shepherd) has summed up the key issues, especially when he dealt with parity of treatment. That issue goes to the heart of the political system and the heart of democracy. There have been one or two attempts by Conservative Members to obscure the issues. For example, the hon. Member for Eastbourne (Mr. Gow) has talked about retrospective legislation and retrospective decision making. With respect, the hon. Gentleman's examples of contracts with South Africa do not relate to the issues that arise as a result of political funding. There has been some embarrassment among Conservative Members because there has been no willingness to meet the arguments advanced by the hon. Member for Aldridge-Brownhills, which are based on parity of treatment.

There has been a substantial difference historically between the ways in which trade unions have been able to make political donations and the ways in which companies have been able to do so. Initially, trade unions have to ballot their members under the 1913 legislation if they are to have a political fund. No such condition applies to companies. Trade unions have to give their members the right to opt out, but no such condition applies to companies. The hon. Member for Beaconsfield (Mr. Smith) said that an individual could move his shares from one company to another, but he has overlooked two factors. As my hon. Friend the Member for Workington (Mr. Campbell-Savours) said, someone might want to continue to invest in a certain company but not invest in the Conservative party. The hon. Member for Beaconsfield also overlooked the fact that many shareholdings are held by institutions, and institutions may not give their members the opportunity to opt out of a particular shareholding. The defence argued by the hon. Member for Beaconsfield does not hold water.

Within the trade union structure there is provision for ballots and the right to opt out, but in addition there is the right to study the political fund accounts at each annual

conference, which is the governing body. Conservative Members argue that the same right exists for shareholders, but shareholders do not have the rights of a ballot or of opting out.

We are told that there is no need for shareholders to have further rights because the disclosure provisions are sufficient. On the other hand, we are told that boards of directors take decisions that are in the commercial interests of their companies. It appears that one of those decisions is to make a donation to the party which believes in private enterprise, that being the Conservative party. Conservative Members should understand that what the Government are doing to the economy will undermine a great deal of private enterprise within the industrial sector.

The third largest donation made to the Conservative party in 1988 came from British and Commonwealth Holdings plc. The report of the annual general meeting of that company appeared in the *Financial Times* on 28 September. Presumably the decision to make the donation was taken in the interests of the company's shareholders because it is thought that the Conservative party is good for the company. The House will probably be aware that the profits of British and Commonwealth Holdings plc have declined in the last financial year by 45 per cent. The company' chairman, Mr. John Gunn, attributes that decline to one factor—the Government's reliance upon high interest rates. It seems that directors do not always take decisions that are in the best interests of their shareholders.

I had the pleasure of considering in Committee the measure which became the Trade Union Act 1984. We were told by Conservative Members that there was a need for constant accountability, a constant flow of information and a constant process of legitimacy before trade unions could be allowed to make political donations. I think that my hon. Friend the Member for Walsall, North (Mr. Winnick) was correct when he said that at that stage there was some enthusiasm among Conservative Members in the expectation that such provisions would lead to a substantial decline in the Labour party's funding. They voted for a provision that meant that trade unions had to ballot their members once every 10 years to reaffirm the right to have a political fund. There is no similar provision or right for shareholders, and Conservative Members have not argued that there should be one. When Conservative Members said that they wanted a provision in the 1984 Act that would confirm trade unionists' support for political donations, why did they decide not to extend the same right to shareholders? The conditions that apply to trade unions do not apply to companies and their political donations.

The hon. Member for Aldridge-Brownhills is right when it comes to the essence of the argument, and that does not necessarily mean reducing the £3·5 million that is provided to the Conservative party each year in corporate donations. The argument turns on making all donations accountable, open and legitimate, and that goes to the heart of the democratic process.

Mr. Allen: This has been a fairly lighthearted excursion into political funding. It needs to be put on record, however, whether the intention of the Trade Union Act 1984 was as frivolous as seems to be suggested. In my view, the intention was to undermine completely the funding of the Labour party so that the party would be destroyed, thereby creating a one-party state.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The hon. Gentleman's intervention is interesting but not relevant.

Mr. Fatchett: I confirm what I perceived to be the intentions of Conservative Members through the 1984 legislation—to undermine the funding given to the Labour party and, in effect, to create almost a one-party state. The intention was to take the financial life blood away from the Labour party.

7 pm

Reference has been made to books and to the pushing of various publications. My hon. Friend the Member for Dagenham (Mr. Gould) has promoted his book. I want to tell the House about an excellent book on the trade union political fund ballot. Any hon. Member who wishes to buy a copy has only to ask me, and I shall tell him at which bookshop he can buy it. I will not be diverted——

Mr. Allen: What about television advertising?

Mr. Fatchett: That is without television——

Mr. Allen: It can be on television next week.

Mr. Fatchett: I want to return to the point made by the hon. Member for Aldridge-Brownhills, which is that this debate goes to the heart of the political system and to the heart of democracy. When there is openness about political contributions, as there is in the relationship between trade unions and the Labour party, there can be no suggestion that those contributions are used for particular purposes. However, when the system is not open, when company chairmen and directors who donate to the Tory party gain more than their fair share of honours—as a result, one suspects, of those donations—when influence is exercised by various individuals, the argument for openness and accountability becomes that much stronger.

We are not trying to reduce donations to the Conservative party; we are asking for parity of treatment. We want an open democracy with accountability by trade unions to trade unionists and by companies to shareholders. That is the essence of the argument and hon. Members should not obscure it by disclosure or by an embarrassing defence of the Conservative party's vested interests. We must relate to the issue, to parity and to democracy. If the Minister devoted his intellectual powers to that argument, I am sure that he would support new clause 1.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): I thank the hon. Member for Dagenham (Mr. Gould) and my hon. Friend the Member for Beaconsfield (Mr. Smith) for their kind remarks.

I wish first to respond to my hon. Friend the Member for Chichester (Mr. Nelson), who questioned the number of amendments tabled and the basis of our debates today and tomorrow. As all hon. Members can see, there are a number of Government amendments, but most of them comprise one or two types—they are either amendments to take on board the very good points made in Committee, or they result from consultation with a range of professional interests and other groups and are technically consequential upon that. I hope that there will be a spirit of co-operation in the House as most of the amendments are

[Mr. John Redwood]

non-political. I hope that, as we make progress, I can offer assistance to those who make good points and, wherever possible, I hope to accommodate some of their wishes.

We began this debate with the one highly contentious issue that was bound to arise. There is a sense of deja vu because most of the ground has been well trodden already. The Opposition have not put forward any new arguments tonight that might have added to our previous debates. As others have sketched, a good piece of legislation—the 1967 Act, introduced by a Labour Government—is already in place and we are happy with the disclosure requirements that it places on companies. We intend to ensure that those requirements are not only in force, but are fully enforced. We shall carefully consider any point raised by any hon. Member who believes that there has been some dereliction of duty in the enforcement of those clear disclosure provisions.

Members of companies need to know whether donations are being made, which is the purpose of the 1967 Act. That is bolstered by good proposals about company democracy. A range of powers would give shareholders the right at annual general meetings to raise questions, to table ordinary resolutions and to put pressure on boards of directors. Above all, there is a great deal of choice for shareholders. I know that some like to construct what they call "ethical portfolios", which do not include any company that invests in South Africa. As only one in four of the top 100 companies are wise enough to make donations to the Conservative party, there is plenty of scope and choice to construct an apolitical portfolio. However, I share my hon. Friends' view that not many, if any, of the companies in the top 100 make donations to the Labour party, so it would be quite difficult to construct a Socialist portfolio of companies. That is the problem that has led to this jealousy clause that we are debating.

The issue should be put in perspective. To those hon. Members who would raise the question of symmetry of treatment between trade unions and companies, I must repeat that there is extensive machinery within companies, within the company law framework, which we support and intend to ensure continues. It should also be recognised that the trade unions make a much larger contribution proportionately, and in total, to the Labour party than do the top companies to the Conservative cause. In 1987 alone, one union gave £5 million—a stunning sum. The reason why the Conservative party enjoys more funds in total and does not have the same financial difficulties that so often face the Opposition is its strong basis of mass membership. It is the only party with well over 1 million members. It is an active party, well organised and capable of raising money from a range of donations from people of all sorts and styles——

Mr. John Garrett (Norwich, South): Tea dances.

Mr. Redwood: Yes, tea dances do raise money for the Conservative party—and why not? People can have fun and they can raise money for the one good cause in this place.

The origins of the Labour party's problems lie in the fact that they do not have money coming from the companies' sector. It is on this point that I must take issue with the hon. Member for Dagenham. He need not worry because I do not intend to savage him tonight. Indeed, he has done a signal good service. He has produced a book that reveals in great detail exactly how he has moved well to the Left of the right hon. Member for Chesterfield (Mr. Benn), who once held many strong views on industrial policy and even had the benefit of being able to implement those views so that the public could recognise just how dreadful they were.

I can well understand why companies will vote massively to support a Conservative Government if a party insists on threatening shareholders with renationalisation on the cheap, with damaging the interests of minority shareholders after a Government raid on a company and with separating ownership from control, which must mean taking away votes from shareholders as there can be no other explanation for that, with the suggestion that employees, trade unions, customers—an enormous group—should in many cases be ranked above shareholders and in some way be given votes just as the shareholders lose theirs and by sustaining the attack in saying that stakes must be bought in private sector companies. I can understand why, if companies are threatened with municipalised competition to provide subsidised undercutting of worthwhile businesses in the private sector; with the wish for public interest commissioners who would set investment programmes, control dividends and reduce the cash flow by lowering prices—all suggestions which are not only in the hon. Gentleman's book, but are part of the Labour policy review document. Companies will no doubt appeal to their shareholders to endorse their actions by not opposing them at annual general meetings.

It is a sign of the success of its policy that the Conservative party is still the main party that benefits from donations by companies. There is little trouble at AGMs because shareholders clearly and intuitively understand the need to support a party of private enterprise——

Mr. Allen: If company donations to the Conservative party are a sign of great faith in that party and a barometer of the approval of businesses for that party, can the hon. Gentleman explain why those donations are currently falling?

Mr. Redwood: Companies are particularly keen to offer donations at election times and I am sure that if a general election were in the offing, the hon. Gentleman would find that donations increased again. It concentrates the mind wonderfully. That is when people will understand that a party of free enterprise is needed to defend the interests of shareholders from the wild policies adduced in "The Future of Socialism".

Mr. Campbell-Savours: I spoke about the wider shareholder democracy in my brief speech. What about a shareholder in my constituency who has £500 worth of shares? If the annual general meeting is held in London and that person is at work, how can he influence the decisions taken there? The Government want people to invest, yet there may well be tens or even hundreds of thousands of shareholders in that position.

Mr. Redwood: Shareholders can go to the meeting, organise themselves, write to the chairman and express their views in a variety of ways short of going to the meeting. The hon. Gentleman knows how democracy works in the political sphere. The same is true within a company framework. The powers are contained in

company law. The responsibilities are on the shareholders, who exercise them if they see the need to do so. It is not that that is difficult, but that shareholders do not want to do it. That is what the hon. Gentleman cannot bear.

Mr. Campbell-Savours: The Minister has not grasped my point. The question is whether the shareholders are physically able to attend a meeting. What happens if a group of shareholders feels collectively that it wants to change a company's policy? How can it influence events? It may be that when there were few shareholders of companies——

Madam Deputy Speaker: Order.

Mr. Redwood: If a group of shareholders is worried about a matter, surely one of them who is retired or has a day off can attend the meeting, table a resolution and, if the right numbers are present, vote in the usual way. At company general meetings there are proxy systems and other ways of voting for a properly tabled resolution which is circulated with the general agenda.

The Labour Government put in place a fair law which we wish to operate sensibly and well. Shareholders are happy with the present system because they are worried by the policies of the Labour party and, in particular, those of the hon. Member for Dagenham. The powers are there and I, like many other hon. Members who have spoken, wish to see wider share ownership mean a true share-owning democracy. Present company law is more than adequate to do that. The only thing that would wreck it would be if I accepted any of the wild ideas adduced by the hon. Member for Dagenham. I hope that the House will vote against the new clause.

Mr. Gould: I confess to finding the Minister's first speech on the Bill disappointing in two respects. First, I assume that what I heard was the much-trailed, ferocious and blood-curdling attack that was to be made on me. [HON. MEMBERS: "Just wait."] It may well be that that attack is to be repeated, but I have a feeling that it will not bear repetition. From its present ineffectiveness it will become hardly effective in any respect. I had hoped for something more full-blooded and perhaps the Minister will try again for something better. In the meantime, to hon. Members who are encouraged by that ferocious onslaught to buy my book and to those who, like the hon. Member for Beaconsfield (Mr. Smith), have already done so, I immediately offer to autograph their copies and those of future proud possessors.

Mr. Redwood: I am delighted that jointly we can advertise the hon. Gentleman's book because it will do the Conservative cause so much good. The only thing that worries me is that if he offers too many autographed copies, their value will drop, so should my hon. Friends insist on buying their own copies and on not having them autographed?

7.15 pm

Mr. Gould: Hon. Gentlemen have no option but to buy their own copies. The book will not be given away.

The second disappointment in the Minister's speech can be briefly expressed. Like all his hon. Friends, except the hon. Member for Aldridge-Brownhills (Mr. Shepherd), the Minister failed to understand the real purport of our proposal. Some of them understood it but chose not to reveal it. It may be that the Minister is as deficient in his judgment of this point as he was in his estimation of the effect of a wide readership of my book. In this debate a division has emerged. Opposition Members believe that democracy, good practice and the public interest require that directors are obliged to obtain shareholders' approval in advance of giving money to political parties. By contrast, the Government offer the present position in which it is open to shareholders, if they are properly organised and informed and sufficiently motivated to turn up to an ordinary general meeting, to initiate a response to what has already been done. They are required to remonstrate with directors in retrospect. That is not an adequate expression of what democracy requires in that context.

On that basic point, we differ strongly from the Government who seem unable to comprehend what is at stake. It is because I find the Minister's response so disappointing and his comprehension so inadequate that we shall press the new clause to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 168, Noes 223.

Division No. 358] [7.16 pm

AYES

Abbott, Ms Diane	Doran, Frank
Allen, Graham	Dunwoody, Hon Mrs Gwyneth
Anderson, Donald	Eadie, Alexander
Archer, Rt Hon Peter	Eastham, Ken
Armstrong, Hilary	Ewing, Harry *(Falkirk E)*
Ashley, Rt Hon Jack	Ewing, Mrs Margaret *(Moray)*
Ashton, Joe	Fatchett, Derek
Banks, Tony *(Newham NW)*	Fearn, Ronald
Barnes, Harry *(Derbyshire NE)*	Field, Frank *(Birkenhead)*
Barron, Kevin	Flannery, Martin
Battle, John	Flynn, Paul
Beckett, Margaret	Foot, Rt Hon Michael
Beith, A. J.	Foster, Derek
Bell, Stuart	Foulkes, George
Benn, Rt Hon Tony	Fyfe, Maria
Bennett, A. F. *(D'nt'n & R'dish)*	Galloway, George
Bermingham, Gerald	Garrett, John *(Norwich South)*
Bidwell, Sydney	Garrett, Ted *(Wallsend)*
Blair, Tony	Gilbert, Rt Hon Dr John
Blunkett, David	Gordon, Mildred
Boyes, Roland	Gould, Bryan
Bradley, Keith	Griffiths, Nigel *(Edinburgh S)*
Brown, Gordon *(D'mline E)*	Griffiths, Win *(Bridgend)*
Brown, Ron *(Edinburgh Leith)*	Hardy, Peter
Bruce, Malcolm *(Gordon)*	Hattersley, Rt Hon Roy
Buchan, Norman	Heffer, Eric S.
Buckley, George J.	Hinchliffe, David
Campbell, Menzies *(Fife NE)*	Hoey, Ms Kate *(Vauxhall)*
Campbell, Ron *(Blyth Valley)*	Home Robertson, John
Campbell-Savours, D. N.	Howarth, George *(Knowsley N)*
Canavan, Dennis	Howells, Geraint
Carlile, Alex *(Mont'g)*	Howells, Dr. Kim (Pontypridd)
Clark, Dr David *(S Shields)*	Hughes, John *(Coventry NE)*
Clay, Bob	Hughes, Robert *(Aberdeen N)*
Clelland, David	Illsley, Eric
Clwyd, Mrs Ann	Ingram, Adam
Cohen, Harry	Janner, Greville
Cook, Robin *(Livingston)*	Johnston, Sir Russell
Corbett, Robin	Jones, Barry *(Alyn & Deeside)*
Cousins, Jim	Jones, Ieuan *(Ynys Môn)*
Cox, Tom	Jones, Martyn *(Clwyd S W)*
Cummings, John	Kennedy, Charles
Cunliffe, Lawrence	Leadbitter, Ted
Cunningham, Dr John	Leighton, Ron
Darling, Alistair	Lewis, Terry
Davies, Rt Hon Denzil *(Llanelli)*	Litherland, Robert
Davies, Ron *(Caerphilly)*	Livingstone, Ken
Davis, Terry *(B'ham Hodge H'l)*	Livsey, Richard
Dewar, Donald	Lofthouse, Geoffrey
Dixon, Don	Loyden, Eddie
Dobson, Frank	McAllion, John

McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Steinberg, Gerry
Straw, Jack
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mrs. Llin Golding.

NOES

Aitken, Jonathan
Alexander, Richard
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl'Y's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hanley, Jeremy
Hannam, John
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Mans, Keith
Maples, John
Mariand, Paul
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Morrison, Sir Charles
Neale, Gerrard
Nelson, Anthony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rumbold, Mrs Angela
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Stephen Dorrell.

Question accordingly negatived.

New Clause 3

DISCLOSURE CONCERNING POLLUTION CONTROL POLICY

'(1) Paragraph 6 of Schedule 7 to the Companies Act 1985 (Miscellaneous) shall be amended as follows—

(2) At end insert—

"(d) an indication of the company's policy regarding pollution control and particulars of any fines or other penalties, if any, incurred by the company in respect of breaches of the Public Health Acts 1936 and 1961, of the Clean Air Acts 1956 and 1968, of the Health and Safety at Work Etc. Act 1974 and of the Control of Pollution Act 1974.".'
—[Mr. John Garrett.]

Brought up, and read the First time.

Mr. John Garrett (Norwich, South): I beg to move, That the clause be read a Second time.

The aim of new clause 3 is simply to give prominence to the urgent need for pollution control by companies, and to make them more accountable for any environmental pollution that they cause. It would oblige companies to have a written statement of their environmental policies, and to disclose breaches of environmental statutes and particulars of any judgments against them for having broken pollution control law. I am pleased that the Government are moving in our direction and I hope that the Minister will see fit to accept new clause 3.

On 1 September, an article in *The Guardian* stated that the Government proposed

"New rights of access for the public to information about companies breaching pollution control laws".

We seek to extend access to such information to shareholders and potential investors. If the Government feel that they should legislate to inform the public about pollution by companies, I am sure that it will follow automatically that they are in favour of informing shareholders and investors.

7.30 pm

The article continued:

"The Department of the Environment announced that it would be introducing urgent legislation requiring registers to be drawn up on companies involved in both industrial and air pollution. . .Her Majesty's Inspectorate of Pollution. . .and local authorities are to be required by law to establish public registers giving details of the issue of licences to companies, the track record of the compliance of companies with the terms of their licence and any details of the failure by companies to comply, including a court action."

That is exactly what we are proposing in the new clause which suggests that that information shall be in the company's annual report.

The article went on:

"This kind of information is seen by green groups as vitally important if they are able to bring public pressure on companies which pollute."

Of course, we want to see the results of the consultation, but, if the Government honour their obligation, that proposal seems to us to be a step in the right direction. If implemented, the proposal would inform a local community of the record of companies in regard to pollution locally. We seek to give the same information to shareholders, many thousands of whom nowadays are strongly conscious of environmental issues.

Since this issue was discussed in Committee progress has been made in that the CBI has had an interesting change of heart. The March *CBI News* contained a frosty reception for the EC directive on public disclosure of information by companies on the environmental effects of their activities. The CBI graciously said that it fully agreed with the idea that the public should be given adequate information to allow them to be confident that their environment was being properly protected. However, it said that any new legislation should not go beyond what the public "needs to know", which may be costly or burdensome to provide. It said that legislation also should not prejudice the voluntary flow of information from the controlled to the controller. That was hardly a position of openness on environmental matters.

At that time, the CBI disagreed with the EC directive stating that companies should disclose the environmental effects of their policies and the extent to which they might pollute. However, by the October *CBI News*, the CBI had launched a "major new environmental initiative", an "action plan" called "Environment Means Business" and an environment management unit had been set up to work alongside the CBI's environment policy group. Warning "environmentally apathetic industries", the CBI's plan included the aim that businesses should have environmental improvement objectives, which is what we propose in the new clause, and should promote environmental performance and a high, sustainable reputation for environmental excellence. If the CBI believes that, it would not disagree that individual companies should disclose their performance in this regard. The Government should also welcome such a step. At present, we are in agreement with the CBI.

In May, the DTI launched a campaign to alert companies to environmental challenges and opportunities, and warned companies of tougher environmental controls.

Our intention in new clause 3 is to enable shareholders to be informed and companies to be more easily accountable to their shareholders on environmental matters. There is a growing concern among shareholders about environmental issues. As the Minister said in an earlier speech, there are now a number of investment trusts that invest only in companies that are environmentally sound. Ethical investment is growing rapidly and now accounts for more than 10 per cent. of the stock traded on Wall street.

Throughout the western world there is a realisation that companies must be publicly accountable for their activities that may endanger the environment. Institutional investors are also taking a stronger line on environmental issues with the companies in which they invest. In my constituency, Norwich Union is requiring information from its invested companies on what steps they are taking to control pollution. In particular, the investment management of the Norwich Union wrote to ICI asking for details on its 40 breaches of pollution control laws last year on the discharge of effluent.

As I said in Committee, some of the worst industrial pollution in Britain is committed by household names that pride themselves on their openness to their shareholders and the informativeness of their annual reports. They include ICI, Coalite and the Rio Tinto-Zinc subsidiary Staveley Industries which grossly pollutes the River Rother, and Coats Viyella which regularly discharges pollutants into the River Goyt. Express Foods group, a subsidiary of Grand Metropolitan, has been convicted 25 times in the past six years for discharging pollutants. Shareholders should know about that, as it might influence their investment decisions. There is no reason why Grand Metropolitan should conceal it. British Petroleum, a company which boasts of its green credentials, British Tissues, British Gas and many others frequently breach discharge limits. Prosecutions are few and not particularly onerous for the polluting company. It is cheaper for a company to pollute and pay a fine if it is caught than to install equipment to clean up the

[Mr. John Garrett]

environment. The fines for pollution are very low with a maximum penalty of £2,000, whereas in the United States the fine is $25,000 per day.

We ask that companies should set out their environmental policies and state what they are doing to produce environmentally sound products and operate environmentally sound processes. In West Germany, company chairmen usually devote part of their annual reports to what the company has done to clear up the environment.

The pollution control legislation to which we refer in new clause 3 is pretty comprehensive. The Public Health Act 1936 covers a wide range of statutory nuisances, including the state of premises, dust and effluent discharges and waste accumulation. The Public Health Act 1961 covers the discharge of trade effluents. The Control of Pollution Act 1974 covers waste disposal, and the Clean Air Acts deal with atmospheric pollution. If the new clause were enacted, any shareholder would know a company's policy and record on environmental pollution. The new clause goes with the grain of public and shareholder concern.

As we know from our own constituencies, more and more people throughout the country are concerned about the polluting activities of companies. They want them controlled or stopped, and they want those companies to be publicly accountable for what they discharge.

When we raised this issue in Committee as part of a series of amendments concerned with disclosure to shareholders, we were accused of jumping on a bandwagon. I understand that since then we have been joined on that bandwagon by the Government. The control of pollution is much more than a bandwagon; it is a concern widely and deeply felt by many people. The new clause improves just a little the accountability of companies in a very important area of public policy.

Mr. Redwood: I am grateful to the hon. Member for Norwich, South (Mr. Garrett) for his remarks about the search for an adequate pollution control system. I am sure that all hon. Members agree with him. There must be adequate control of pollution, and information must be available to ensure that that occurs. I accept that laws are necessary to identify certain Acts as pollution control Acts. There must be a register of information so that the public are aware of what is happening, and a clear enforcement mechanism.

A range of laws already govern a wide variety of pollution issues, some of which were mentioned by the hon. Member for Norwich, South and are mentioned in the new clause. Additional legislation may be necessary. The Government are always reviewing the adequacy of pollution laws, and will bring forward whatever measures are necessary to ensure that the laws are strong, clear and meet the clear requirement of people for adequate and strong protection against hazardous and other types of pollution.

The Control of Pollution Act 1974 provided for registers to be available for public inspection. We need new registers to cover integrated pollution control, local authority air pollution control, and so on. The Government will be working on proposals for such new registers over the next few months.

The new clause should be withdrawn because it would clash with the idea of a register open for public inspection, and because there are other problems with it. For example, it does not cover all the laws that should be mentioned, such as the Alkali etc., Works Regulation Act 1906. It is selective, although the laws chosen are some of the most general and well known on pollution legislation.

The purpose of companies' reports and accounts is to inform shareholders, investors and creditors. They are not generally available to the public, unless people go to considerable lengths to request them. The information suggested in the new clause would be an overburden on accounts, which primarily have a financial purpose.

Mr. Campbell-Savours: I am sorry to intrude, but I was not on the Committee that considered the Bill and was therefore unable to follow the debate. The Minister referred to a register. Will he say what is implied in that and how it would work?

Mr. Redwood: The register would be maintained by the relevant pollution control authority and would be available for public inspection. The proposal in the new clause would be less satisfactory, because fewer people would have access, it would be more difficult to gain access and it would clash with the idea of using registers as the buttress to pollution control legislation.

I urge the hon. Member for Norwich, South to withdraw the new clause and to see the Government's proposals in the wider context of the general policies on the control of pollution.

Mr. Campbell-Savours: I shall intervene only briefly because I did not attend prepared to speak this evening. However, a number of the amendments and new clauses invite comment, of which this is one.

I shall be reasonable, as I was in the debate on new clause 1, and press the Minister a little more about the register. As I understand it, he suggested that anyone who applied to the pollution inspectorate could be informed of judgments made against a company that had offended and been penalised.

Mr. Redwood: The Control of Pollution Act provides for the maintenance of registers, which contain information such as details of consents issued under the Act and effluent samples. If we develop the register approach more generally, it will have to be decided what should be recorded in the registers. I am urging the House to agree to public inspection registers rather than to try to include matters in company accounts—which are shown to a much more selective audience—that would be an unnecessary burden on financial statements.

7.45 pm

Mr. Campbell-Savours: I shall develop the use of the term "selective audience" in the course of my argument.

If a company is found guilty of breaching the regulations, to what extent is that information communicated to the people who are in a position to influence that company's future policy? If a company breaches the regulations in the Minister's constituency or in mine, the breach and the damage to the environment would be reported within the locality by the local newspaper. Within the vicinity of the plant there may be a controversial debate about the nature of the pollution, its damage to the environment and the upset that it caused local people. It

may develop into a mature debate, with letters being written to the editor, editorial comment, articles being written by interested journalists and perhaps television programmes or magazine articles. That debate may be localised in a particular area. I live in Cumbria, and my constituency is in Cumbria. The debate that would arise following an incident and a prosecution may be confined to the area. Border Television does not transmit to London, where the annual general meeting of the company concerned may be taking place. The body of shareholders —we know that the majority of shareholders are based in the south-east—may not see that television programme or the local newspaper comment and may be unaware of the problem in the locality. They are therefore not informed, in so far as information about a prosecution or breach has not been communicated to them.

Will the information on the registers proposed by the Government, in addition to the information that arises from the debate in the locality, be communicated to people who attend the company's annual general meeting, who might be able to exert pressure on the directors of the company? It is unlikely that shareholders in a large company such as ICI will find out from the pollution inspectorate the nature of any prosecution and what penalty was paid, because they have other things on their mind. Institutional shareholders are too concerned with the general conduct of their affairs to preoccupy themselves with the business of investing. It may be that because information about a breach is not available from the register, and because knowledge of the breach is confined to the region, there will be no debate at the company's annual general meeting.

The new clause proposes a route whereby information can be communicated about an incident to people who are in a position to exert pressure on a company to secure change. That is crucial, and anything that restricts that flow of information is unnecessary, unreasonable and not what the public want.

The Minister has been generous in suggesting that there may be a way forward, but there is a better way forward. If the drafting of the new clause is not acceptable today, I hope that in the future the Minister will bring forward a similar proposal. I argue that because I believe that the public want it. When I say that information is not communicated, anyone observing today's debate will know that that is the truth.

If the Minister were to argue a case against a resolution, he should be prepared to provide examples of occasions on which shareholders set out to establish the environmental track record of their investment and when they referred to it at annual general meetings. If the Minister is not in a position to do that, in many ways he directs the House to support an amendment which ensures that the debate is on the agenda of the very group of people—apart from the board of directors, who are obviously involved—who are in a position to influence events. I thank the Minister for his generous response, but he should go further and not necessarily write off the new clause. It is not dangerous; it is moderate and sensible.

Furthermore, if shareholders were aware of regular breach and abuse of regulation in companies in which they have made investments, in light of the developing debate on environmental protection, they would be likely to exert an influence, if only behind the scenes, to ensure that offences did not take place. I am thinking of a particular company to which I do not want to refer this evening. However, there are major polluters in the county of Cumbria. I should like to think that shareholders would want to raise these issues. Perhaps the only way that they can be drawn to the attention of shareholders is by the approach that has been adopted by my hon. Friend the Member for Norwich, South (Mr. Garrett) as against the Minister's approach.

Mr. John Garrett: I was deeply disappointed by the Minister's reply. He completely misunderstood the purpose of the new clause. It is complementary to the local register of polluters. It does not displace it in any way, nor is the purpose of the new clause met by a local register of companies which pollute. The local register will tell the local community that it has within it companies that pollute the environment, whereas the annual accounts will tell the owners of the company that they are investing in a company that has a bad record on pollution or no policy for protection of the environment.

Although it is true that not everyone sees accounts, shareholders see company accounts. That is the point of the new clause. It is aimed at informing shareholders of what their companies are up to. Unfortunately, the Minister was not present in Committee, but his colleague the Under-Secretary of State was present, and we enjoyed his participation. His colleague will know that we tabled several amendments about energy use by companies, research and development, employment of the disabled and so on to improve the public accountability—the shareholder accountability—of companies. That is in the broadstream of endeavour on our part. Part of a company's accountability is that it should account to its shareholders for its environmental policies and should own up to its shareholders when it has been successfully prosecuted.

The other argument for our new clause is that it would focus the attention of boards of directors on environmental matters. It would make them think about the issue because they would be expected to state in their annual report, directors' report, or chairman's report their aims and objectives for the environmental impact of their companies' products and processes. That would make them reduce effluent because they would be shamed into doing so if, year after year, they had to own up to polluting a local river, for example.

Although the list of environmental legislation in our new clause may not be comprehensive, as the Minister said, it is a good start. The Government will not hit polluting companies hard enough. They should be exposed, made accountable in public, and made accountable to their shareholders for their polluting activities. Therefore, I intend to ask my right hon. and hon. Friends to support the new clause.

Mr. Kennedy: I wish to speak for no more than one minute. I shall support the hon. Member for Norwich, South (Mr. Garrett) when he calls a Division. I underscore the point that was made by the hon. Member for Workington (Mr. Campbell-Savours). The psychology of many annual general meetings—they are generally in the south-east if not central London—becomes all the more pronounced the further north and far-flung one moves. I can think of examples in the Highlands and Islands of Scotland. I suspect that, if some major shareholders are more conscious of damage or potential damage, they might want to do something about it.

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): The hon. Gentleman's minute is up.

Mr. Kennedy: Not for the first time, I will disappoint the Minister by not being true to my word.

Environmental issues now occupy a higher position on political agendas and in company reports. Companies are spending considerable sums telling us about what they are doing to be environmentally conscious and to reduce emissions, toxic wastes, pollution and so on. Through propaganda and public relations they recognise the importance of doing that, and have acted accordingly.

We should also recognise the other side of the equation —the embarrassment and awkwardness for a company if, along with providing information about its profits, losses, investments, developments and so on, it must make explicit its shortcomings in its pollution track record. The eagerness of companies rightly to demonstrate their environmental consciousness is a further justification for pointing out the potential disincentive of possible pollutant activities. The new clause makes eminent good sense.

I hope that, even if the Minister will not accept the specific wording of the new clause, we shall be able to get a commitment that the Government and the Department of Trade and Industry will try to take steps in this necessary direction, which is clearly a salient political and long-term issue, irrespective of our political viewpoint.

Question put, That the clause be read a Second time:—

The House divided: Ayes 144, Noes 193.

Division No. 338] **[7.58 pm**

AYES

Abbott, Ms Diane	Davies, Ron *(Caerphilly)*
Allen, Graham	Davis, Terry *(B'ham Hodge H'l)*
Anderson, Donald	Dewar, Donald
Archer, Rt Hon Peter	Dixon, Don
Armstrong, Hilary	Dobson, Frank
Ashley, Rt Hon Jack	Doran, Frank
Ashton, Joe	Dunwoody, Hon Mrs Gwyneth
Barnes, Harry *(Derbyshire NE)*	Eadie, Alexander
Barron, Kevin	Eastham, Ken
Battle, John	Ewing, Harry *(Falkirk E)*
Beckett, Margaret	Ewing, Mrs Margaret *(Moray)*
Benn, Rt Hon Tony	Fatchett, Derek
Bennett, A. F. *(D'nt'n & R'dish)*	Fearn, Ronald
Bermingham, Gerald	Flannery, Martin
Bidwell, Sydney	Flynn, Paul
Blunkett, David	Fyfe, Maria
Boyes, Roland	Galloway, George
Bradley, Keith	Garrett, John *(Norwich South)*
Brown, Gordon *(D'mline E)*	Garrett, Ted *(Wallsend)*
Brown, Nicholas *(Newcastle E)*	Gilbert, Rt Hon Dr John
Bruce, Malcolm *(Gordon)*	Golding, Mrs Llin
Buchan, Norman	Gordon, Mildred
Buckley, George J.	Gould, Bryan
Campbell, Menzies *(Fife NE)*	Griffiths, Win *(Bridgend)*
Campbell, Ron *(Blyth Valley)*	Hardy, Peter
Campbell-Savours, D. N.	Heffer, Eric S.
Canavan, Dennis	Hinchliffe, David
Carlile, Alex *(Mont'g)*	Home Robertson, John
Clark, Dr David *(S Shields)*	Howarth, George *(Knowsley N)*
Clay, Bob	Howells, Geraint
Clelland, David	Howells, Dr. Kim (Pontypridd)
Clwyd, Mrs Ann	Hughes, John *(Coventry NE)*
Cohen, Harry	Hughes, Robert *(Aberdeen N)*
Cook, Robin *(Livingston)*	Illsley, Eric
Corbett, Robin	Ingram, Adam
Cousins, Jim	Jones, Barry *(Alyn & Deeside)*
Cummings, John	Jones, Martyn *(Clwyd S W)*
Cunliffe, Lawrence	Kennedy, Charles
Darling, Alistair	Leadbitter, Ted
Leighton, Ron	Quin, Ms Joyce
Litherland, Robert	Radice, Giles
Livingstone, Ken	Randall, Stuart
Livsey, Richard	Reid, Dr John
Lofthouse, Geoffrey	Richardson, Jo
Loyden, Eddie	Rooker, Jeff
McAllion, John	Ross, Ernie *(Dundee W)*
McAvoy, Thomas	Ruddock, Joan
McCartney, Ian	Salmond, Alex
Macdonald, Calum A.	Sedgemore, Brian
McKelvey, William	Sheerman, Barry
McLeish, Henry	Short, Clare
Maclennan, Robert	Skinner, Dennis
McNamara, Kevin	Smith, Andrew *(Oxford E)*
Madden, Max	Smith, C. *(Isl'ton & F'bury)*
Mahon, Mrs Alice	Smith, Rt Hon J. *(Monk'ds E)*
Marek, Dr John	Smith, J. P. *(Vale of Glam)*
Marshall, Jim *(Leicester S)*	Steinberg, Gerry
Martlew, Eric	Taylor, Matthew *(Truro)*
Meacher, Michael	Thompson, Jack *(Wansbeck)*
Meale, Alan	Turner, Dennis
Michael, Alun	Vaz, Keith
Michie, Bill *(Sheffield Heeley)*	Wallace, James
Michie, Mrs Ray *(Arg'l & Bute)*	Watson, Mike *(Glasgow, C)*
Moonie, Dr Lewis	Welsh, Andrew *(Angus E)*
Morgan, Rhodri	Welsh, Michael *(Doncaster N)*
Morley, Elliot	Williams, Rt Hon Alan
Mowlam, Marjorie	Wilson, Brian
Mullin, Chris	Winnick, David
Oakes, Rt Hon Gordon	Worthington, Tony
Parry, Robert	Wray, Jimmy
Patchett, Terry	
Pike, Peter L.	Tellers for the Ayes:
Prescott, John	Mr. Frank Haynes and
Primarolo, Dawn	Mr. Nigel Griffiths.

NOES

Aitken, Jonathan	Cormack, Patrick
Alexander, Richard	Couchman, James
Alison, Rt Hon Michael	Cran, James
Allason, Rupert	Currie, Mrs Edwina
Amess, David	Curry, David
Amos, Alan	Davies, Q. *(Stamf'd & Spald'g)*
Arbuthnot, James	Davis, David *(Boothferry)*
Ashby, David	Day, Stephen
Atkins, Robert	Dicks, Terry
Atkinson, David	Dorrell, Stephen
Baker, Nicholas *(Dorset N)*	Douglas-Hamilton, Lord James
Baldry, Tony	Dover, Den
Batiste, Spencer	Dunn, Bob
Bennett, Nicholas *(Pembroke)*	Durant, Tony
Benyon, W.	Evans, David *(Welwyn Hatf'd)*
Blackburn, Dr John G.	Evennett, David
Blaker, Rt Hon Sir Peter	Fallon, Michael
Bonsor, Sir Nicholas	Favell, Tony
Boscawen, Hon Robert	Fenner, Dame Peggy
Boswell, Tim	Field, Barry *(Isle of Wight)*
Bowis, John	Fishburn, John Dudley
Boyson, Rt Hon Dr Sir Rhodes	Fookes, Dame Janet
Brandon-Bravo, Martin	Forman, Nigel
Brazier, Julian	Forsyth, Michael *(Stirling)*
Brown, Michael *(Brigg & Cl't's)*	Forth, Eric
Bruce, Ian *(Dorset South)*	Fowler, Rt Hon Norman
Buck, Sir Antony	Fox, Sir Marcus
Burns, Simon	French, Douglas
Butcher, John	Gale, Roger
Butler, Chris	Gardiner, George
Butterfill, John	Garel-Jones, Tristan
Carlisle, John, *(Luton N)*	Glyn, Dr Alan
Carlisle, Kenneth *(Lincoln)*	Goodlad, Alastair
Carrington, Matthew	Goodson-Wickes, Dr Charles
Carttiss, Michael	Grant, Sir Anthony *(CambsSW)*
Cash, William	Greenway, Harry *(Ealing N)*
Chalker, Rt Hon Mrs Lynda	Griffiths, Peter *(Portsmouth N)*
Chapman, Sydney	Ground, Patrick
Chope, Christopher	Gummer, Rt Hon John Selwyn
Clark, Sir W. *(Croydon S)*	Hague, William
Colvin, Michael	Hampson, Dr Keith
Coombs, Anthony *(Wyre F'rest)*	Hanley, Jeremy
Coombs, Simon *(Swindon)*	Hannam, John

Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Howard, Michael
Howe, Rt Hon Sir Geoffrey
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Malins, Humfrey
Maples, John
Mariand, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Morrison, Sir Charles
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Rossi, Sir Hugh
Rost, Peter
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

New Clause 4

DIRECTORS' REPORTS

'.—(1) The directors' report of a public company laid before the company in general meeting after 31st December 1989 (not being a meeting adjourned from a date before that date) shall state, in addition to the matters required by Schedule 7 to the Companies Act 1985 (matters to be dealt with in directors' report), which, if any, of the directors at the end of relevant financial year were independent directors.

(2) The directors' report of a major public company laid before the company in general meeting after 31st December 1989 (not being a meeting adjourned from a date before that date) shall state, in addition to the matters required by subsection (1) above and by Schedule 7 to the Companies Act 1985 (matters to be dealt with in directors' report), if at the end of the relevant financial year fewer than three of the directors were independent directors, whether the directors propose that appointments of independent directors should be made.'.—*[Mr. John Garrett.]*

Brought up, and read the First time.

Mr. John Garrett: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to discuss the following: new clause 5—*Interpretation*—

'. In this Part—

"associate" and "associated company" have the meaning given by section 435 of the Insolvency Act 1986;

"audit committee" means a committee of the directors of a major public company appointed in accordance with the provisions of this Act;

"directors' report" has the meaning given by section 235 of the Companies Act 1985;

"financial year" has the meaning given by section 224 of the Companies Act 1985;

"independent director" means a director who is not and in the previous five years has not been—

(a) an employee or the holder of any office (other than his office as independent director) or place of profit under the company.

(b) an associate of any director or officer of the company.

(c) an adviser retained by the company, or an associate or partner of such an adviser,

(d) a person or an associate of a person who has a notifiable interest in the company for purposes of Part VI of the Companies Act 1985, or

(e) a party to or otherwise materially interested in a substantial transaction or arrangement with the company;

and in paragraphs (a) to (e) above, "company" includes any holding, subsidiary or associated company of the company;

"major public company" means on any date a public company of which any issued share capital is listed on a recognised investment exchange as defined by the Financial Services Act 1986 and which, in one or more of the three financial years ending on the last day of the financial year of the company immediately preceding that date satisfied two or more of the following conditions—

(a) the amount of the turnover of the company and its subsidiaries exceeded £200 million;

(b) the balance sheet total (as defined in section 248(3) of the Companies Act 1985) of the company and its subsidiaries exceeded £100 million;

(c) the average number of full-time employees of the company and its subsidiaries determined on a weekly basis in accordance with section 248(4) of the Companies Act 1985 exceeded two thousand.'.

New clause 6—*Appointment of Audit Committee*—

'.—(1) Every notice calling an annual general meeting of a major public company to be held after 31st December 1989 (not being a meeting adjourned from a date before that date) shall, if no audit committee of the directors has been appointed in accordance with the provisions of this Act or if the appointment of such a committee has lapsed, include consideration of the appointment of an audit committee as a separate item of business to be transacted at that meeting.

(2) A major public company may by ordinary resolution require the directors to appoint an audit committee of the directors in accordance with the provisions of this Act notwithstanding any provision to the contrary or the absence of any necessary provision in the articles of the company.

(3) Where a major public company has resolved under the provisions of this Act to require the directors to appoint an audit committee, it shall be the duty of the directors of the company to make such an appointment within a period not exceeding six months after the date of the resolution.

(4) Subject to section 3 below, the conduct, the powers, duties and proceedings of an audit committee shall be governed by such regulations as the company may from time

[Mr. Deputy Speaker]

to time adopt by ordinary resolution and such regulations shall be part of the regulations of the company in the same manner and to the same extent as if they were regulations contained in duly adopted articles of association.

(5) Section 380 of the Companies Act 1985 (registration etc, of resolutions and agreements) shall apply to any resolution passed by a major public company in accordance with the provisions of this section.'.

New clause 7—*Duties of Audit Committee*—

' . The duties of an audit committee shall include the following—

(a) to hold meetings with the auditors to consider any matters concerning the company of which notice has been given to the audit committee by the auditors and to report to the directors thereon; and

(b) to report to the directors on any other matter which in the opinion of the audit committee requires the attention of the directors.'.

Mr. Garrett: New clauses 4 and 5 relate to companies having non-executive or independent directors, and new clauses 6 and 7 relate to the formation of those independent directors into audit committees.

New clauses 4 and 5 represent a simple amendment in the tradition of something that goes back more than 10 years as the House has attempted to encourage public companies to appoint independent directors. I know that the late Sir Brandon Rhys Williams campaigned for this and that the hon. Member for Beaconsfield (Mr. Smith) moved the clauses relating to this in Committee. They advocated the appointment of such directors for many years. We think that it is right that that issue should be aired in this Bill at least one more time so that Conservative Members can join with us in trying to get this change through.

This issue has been current for a long time and, as proof, I have an article with me written by the late Sir Brandon Rhys Williams which appeared in the *Investors Chronicle* on 17 February 1978 entitled "Why companies need audit committees". At that time, Sir Brandon was making one of his numerous attempts to get such provisions enacted in company law.

New clause 4 requires a statement by a company as to whether it has independent directors and requires the directors' report of a major public company with fewer than three independent directors to state

"whether the directors propose that appointments of independent directors"—

or more independent directors—

"should be made."

New clause 5 defines the companies to which that provision will apply as a major public company that satisfies three simple conditions—it has a turnover of more than £200 million, a balance sheet total of £100 million or over, and employs more than 2,000 people.

Sir Brandon's last act before his death was to introduce a Bill to this effect, which was passed unopposed on its Third Reading in the House, but which was regrettably blocked in another place by a hysterical campaign conducted by the Confederation of British Industry. At the time, I believed that that campaign was grossly over the top in its reaction to the threat to companies' independence and powers to carry out their proper duties by virtue of having the independent directors proposed by Sir Brandon. I still hold that view.

Mr. Campbell-Savours: This is a new proposition for some of us, and as we may wish to intervene later I wonder whether my hon. Friend could explain the relationship between the new directors and the executive directors. What would their relationship be on a day-to-day basis? Would they operate in terms of permanent accountability or timetable accountability?

Mr. Garrett: If my hon. Friend will allow me to proceed just a little further, most of his questions will be answered more or less satisfactorily.

This issue has been debated at great length for years. There is general consensus in the corporate community of the value of independent directors. The best run companies already have them and their numbers are increasing. A distinguished organisation PRONED—Promotion of Non-Executive Directors—exists to encourage companies to take on independent directors and to promote the concept of such directors. It has said:

"The purpose of appointing non-executive directors is to provide the board with knowledge, expertise, judgment and balance, which may not be available if the board consists only of full-time executives."

PRONED was set up by the stock exchange, the Bank of England and the CBI. Therefore, it is an establishment body of impeccable credentials and its aim is simply to improve the governance of our public companies.

Non-executives can make a contribution to the long-term development of a company because of their specialist skills. They can take a detached view, and they can often see through any potential conflicts of interest on a board. In the United States, they form the majority of boards of large companies.

PRONED suggests that there should be three non-executive or independent directors in medium-sized companies. Of *The Times* top 1,000 companies, only about 10 per cent. have no independent directors and 60 per cent. have three or more. There is a proposed Bank of England code which will encourage companies to have independent directors.

8.15 pm

Hon. Members on both sides of the Committee were disappointed that the Government opposed the concept of enshrining the position of independent directors in statute. The then Minister referred to the desirability flowing from "the contribution that those directors can make to the well-being of their companies".

He went on, I fear in an unintelligible passage, to say that the definition in the new clause did not encompass all the possible types of non-executive director. He said:

"There are degrees of executiveness . . . We do not wish to place in company law . . . rigid distinctions which are alien to the way in which British company law has developed."

However company law has developed, companies have developed in such a way. It seemed to Opposition and Conservative Members who have advocated the cause for more years than I that the new clauses would be a useful prompt to companies to take on and benefit from independent directors.

The Minister also denied that the passage of the new clauses would give more momentum—what we wanted—to the move towards more independent directors. He said:

"the new clauses would not advance that valuable trend."

—[*Official Report, Standing Committee D*, 8 June 1989; c. 275-6.]

He then announced that the Government would oppose the new clauses, but did not tell us how the Government proposed to advance that valuable trend. I had imagined that the Government would have wanted to encourage it.

On a purely non-partisan basis, we believe that companies are better governed by boards of directors that include outside, independent or non-executive directors with no axe to grind and with the ability to take a detached view of the long-term development of the companies.

The new clauses relating to the audit committees follow from the new clauses relating to non-executive directors. The new clauses seek to establish a procedure for listed companies whereby the relationship with the auditor would be handled by a committee of the board. Such directors would not have a personal interest in the profitability of the company and in the manner in which it is reported, in comparison with executive directors, whose pay or bonuses are likely to have a significant profit-related element. Therefore, those directors would not have the same incentive, under any circumstances, to influence the auditors.

The typical specifications for an audit committee include that it should review financial statements prior to submission to the board for approval; review external auditors' findings and any lack of co-operation encountered during audit with a view to erasing those problems; review accounting policies for compliance with best practice; review periodically the effectiveness of systems of accounting and control; act as an advisory group to the board; review the effectiveness of internal audit and its reports; and discuss with the board and the auditors the significance of matters brought to light by audit and to make appropriate recommendations.

The advantages available from an effective audit committee are most likely to be realised by board members who are non-executive officers of the company. Those officers should be senior, well qualified and experienced individuals who should feel uninhibited about expressing their views on important issues.

From the auditors' point of view, they would expect the detailed contents of management letters, any qualifications in the audit report, any matters involving disagreement with the views of the board or matters pertaining to the auditors' reappointment and remuneration to be discussed.

The case for audit committees derives directly from the argument for independent directors. Those committees help directors to fulfil their legal obligations as to the accuracy of financial statements. They give directors the opportunity to consider issues at greater length and strengthen the objectivity and credibility of financial reporting and the independence of the audit function. They are also an important adjunct to protecting the interests of shareholders and they bring an objective, outside view of the company's financial conduct.

Therefore, I am sure that these provisions will receive the support of hon. Members of all parties. Indeed, this measure has, in effect, already passed through the House with an unopposed Third Reading. I look forward to the Government's support if it comes to a Division. We should have a Division on this, because the House should have an opportunity of expressing its view on the matter and, if we reach that stage, I expect many Conservative Members to join the Opposition in the Lobby.

Mr. Tim Smith: I support the new clause, because it is identical to a new clause that I introduced in Committee. I support it also because the words of all the new clauses in this group are taken from the private Member's Bill which I introduced earlier this year. Those words, in turn, were taken from the Bill that was introduced last year by the late Sir Brandon Rhys Williams, which, as the hon. Member for Norwich, South (Mr. Garrett) has just reminded us, passed through the House unopposed.

However, I do not want to rehearse all the arguments in favour of the new clauses this evening, because we had a good debate in Committee. There was a consensus that independent directors and audit committees are a good thing. Indeed, that is why the CBI, the stock exchange and the Bank of England set up PRONED. The good news is contained in the figures that the hon. Member for Norwich, South gave the House about the proportion of *The Times* top 1,000 companies that now have one or more independent directors.

The question is, how do we make progress? The companies that do not have independent directors or audit committees almost certainly need them most. In such companies, the jobs of chairman and chief executive are rolled into one and one man often dominates the board —perhaps because he has a large shareholding in the company. Those are the companies that need these arrangements, but they are the companies that do not have them at present.

So, how are we to make progress? From experience of company law, I know that good and best practice has gradually developed to a point at which people have then said, "The time has now come when all companies should be required to do this. It is clearly the right way of going about things. We shall incorporate these things into company law." The example that I gave in Committee was the requirement to consolidate accounts. Many companies consolidated the accounts of their group companies years before the consolidation requirement was introduced in 1929. However, at that point consolidation was so widely the best practice that it was thought right to legislate.

How are we to move forward from the present situation where 90 per cent. of companies have one or more independent directors to a position where every company has a number of non-executive directors and an audit committee?

The proposals in the new clauses are relatively modest. In the first instance, they will simply require a company to consider the matter and to give some information to shareholders. In answer to the question, "How are we to make progress?", I shall be interested to hear whether my hon. Friend the Minister agrees that these are good ways in which to proceed and good ways of conducting companies. I shall also be interested to hear how he proposes to encourage a higher take-up of this good practice so that we eventually have a universal provision of independent directors and audit committees. If the Department of Trade and Industry believes these arrangements to be good, how does it propose to promote them?

Mr. Jim Cousins (Newcastle upon Tyne, Central): I follow the hon. Member for Beaconsfield (Mr. Smith) in thinking that these amendments are relatively modest and moderate, yet the Government's argument on this point in Committee was obscure to say the least.

In Committee on 8 June, the then Minister stated:

"The basis of argument is that by putting the matter into statute and having a separate category of independent directors, we would make it more difficult for the general movement towards more non-executive directors to take place."—[*Official Report, Standing Committee D*, 8 June 1989; c. 282.]

[Mr. Jim Cousins]

That argument is extremely perverse and hard to follow. It invites us to believe that if one brings a new category of people into existence, one is making it harder for that new category of people to come into existence. Plainly, the argument does not make sense.

I believe that the Minister was forced into such a contorted argument because he had no other arguments at his disposal on that occasion. As the hon. Member for Beaconsfield has rightly said, there was an effective consensus in Committee—although perhaps it was not always expressed in votes—that these provisions would be a desirable development and one that fitted with the general movements in the markets at large.

This may very well be one of the last opportunities on which we can deal with this matter in this way. Since the Standing Committee met in June and July, there have been further reports, revelations and a further air of unfortunate uncertainty about the conduct of people in the City, especially—but not only—in relation to takeover bids. The market pressure to produce a better system of director responsibility and accountability, not simply to the shareholders but to the markets at large, is almost irresistible.

We must agree to some kind of modest proposal which is self-acting in its mechanisms and simply asks people to occupy a certain role and to carry it out properly. None of the new clauses asks for complex regulatory mechanisms. If this matter cannot be dealt with at this juncture in the development of our financial and industrial markets by putting into place simple, modest and self-acting proposals, the only other alternative at a later date will be to accede to the growing demand for precise, externally imposed regulatory mechanisms which would not suit the needs of the time so well. It would be much better and in the interests of all parties if we could achieve a self-acting, self-regulating system by inviting new categories of people to come into existence, with a new remit and a sense of their own role when carrying out these wider responsibilities.

The stock exchange is asking us to move in precisely that direction. I noted with interest the report of the Listed Companies Advisory Committee, which was contained in the last annual report of the stock exchange. It carefully noted the need to produce a guideline for directors on investor relations which would remind directors of their wider responsibilities, not only to shareholders in that specific company, but to the investing community at large. The document outlined the legal framework that already exists and the responsibilities of directors.

This year the stock exchange has also supported the production of a new booklet entitled "Takeover Bids—A Guide for Directors", which states

> "Understanding their legal and regulatory responsibilities is essential if directors are to take rational and defensible decisions in takeover bid situations, and to communicate them effectively."

Obviously, that is not going as far as to underwrite our new clauses, but its meaning is clear. The financial markets and those experts in them are concerned about the lack of accountability and direction that has been shown by some directors in some key matters of grave public concern that have brought our financial markets into disrepute.

This is a modest opportunity to set in being a new category of actors on the industrial and financial scene, with new responsibilities and a wider remit in the spirit of the recommendations of the Listed Companies Advisory Committee. Our opportunity to do that now is precious. If we do not take it and do not put in place this modest and limited system, we shall be faced later with almost unstoppable pressure for much more complex external regulatory mechanisms such as are in place elsewhere and such as produced the Financial Services Act 1986. It must be in the interests of both sides of the House to support the new clause and to head off that track. It would be unfortunate if, after a few more years of DTI inspectors' reports and of calamities such as Eagle Trust Holdings and the unfortunate image left by the Ferranti business, we were faced further down the road with irreversible pressure to put in place something as complicated in its own way as that Act proved to be.

Mr. Nelson: I, too, support the new clause strongly. My support follows on from my sponsorship of the private Member's Bill of the late Sir Brandon Rhys Williams and from my speeches in Committee in which I supported this measure. If the Government feel unable to accept the new clause—I hope that even now my hon. Friend will consider it sympathetically and change his mind—I shall certainly vote for it.

8.30 pm

This is an idea whose time has come—in fact, it came a long time ago. Something must be done now and if this measure does not pass tonight, it will, nevertheless, come. It is necessary and the only question is how many more scandals and abuses of shareholders' funds need to occur before the House is prepared to recognise in statute the need to separate some of the responsibilities and to accord to a non-executive element of boards of directors the duty objectively to assess the reports of accountants and to determine whether the affairs and liabilities of the company are being deployed in a wholly proper way.

I also congratulate my hon. Friend the Minister on his appointment. I urge on him in the strongest possible terms the importance that I and many others attach to the new clause. This measure went through the House without objection; the Government did not roll in people to vote it down. Because of a cluster of Lords in another place, it was eventually defeated on a despicable day and in an appalling way. However, we do not support it for those nostalgic reasons. We support it because it has been shown intrinsically necessary to have on a board of directors an element who can scrutinise affairs at arm's length and separately assess whether the liabilities and assets of the company are being used with integrity or deployed to an excessive degree. This element can also assess whether, as so often happens, a dominant chief executive or chairman who may appoint all the other members of the board is abusing his position of patronage.

No one would say that this has not happened or will not happen again. I join my hon. Friend the Member for Beaconsfield (Mr. Smith) in welcoming the extent to which so many companies have non-executive directors and the success of organisations such as Promotion of Non-Executive Directors, but the very companies that need effective non-executive directors are those that refuse to have them. They are the companies that use such directors' names on the list of directors instead of giving them an effective role of second guessing or inquiring into the policy decisions and finances of the companies concerned.

I suspect that my hon. Friend will refuse to accept the new clauses—I suppose that it would be impossible for him, as a newcomer, to move against the system, which has been in place for a long time in the Department. The system has won: it has put the House down time after time by ordering Ministers to resist this necessary measure—and I do not know why. The House of Commons, which is sovereign, has often said that this is a necessary measure, but, due to a gross error of judgment by Ministers of both parties, they have been persuaded not to proceed along the lines adopted in other countries.

I have great personal respect for my hon. Friend the Under-Secretary. I suppose that Ministers are still not persuaded to move from a purist view of the common responsibility of directors in a unitary board structure. None of those common responsibilities will be affected or undermined by superimposing on a unitary board structure certain additional responsibilities or overt responsibilities that directors must be seen to be carrying out. They are responsibilities that all directors should carry out already, but this measure will concentrate their minds because non-executive directors will know that they have a statutory responsibility to report to the annual general meeting. They will have a similar responsibility to hear from the accountants if they are worried, for instance, about the extent to which they are lending to another company and about other financial arrangements that may appear slightly suspect.

How many scandals and personal abuses of corporate money would have remained uncovered but for the existence of non-executive directors? Various examples have been mentioned and Blue Arrow may be one of them.

The problem arises in the many companies in which an individual controls the show and is unwilling to have on his board—and if he has them, to use them as an audit committee—some non-executive directors. If we maintain our unitary board structure and do not pursue a continental style of supervisory and executive boards—there is much to be said for maintaining what has proved good in the past—I believe strongly that the time has come for, and circumstances have shown the necessity of, having non-executive directors within the unitary board structure. Urging people to accept this voluntarily will not work in the companies that we most want to accept it.

Pressures exerted by people like myself and others in the House and the City on the stock exchange to make it a listing requirement of public limited companies to have an audit committee and non-executive directors have not been accepted. As so often, that is the trouble with our system of self-regulation: moves are made after events have pre-empted them. In other countries it is a listing requirement for major companies on the exchange, so why not here? Why does not our stock exchange council do exactly the same, at least for the plcs? Large private companies to which the same obligation should extend will remain, but if the plcs refuse it, there will still be problems. As long as a massive amount of personal and financial patronage rests with a few corporate individuals in this country, recent experience should have shown us that there is a strong case for a departure from the reluctance, conservatism and innate resistance on the part of the DTI's advisers to Ministers to allow a change that was universally accepted in the House on a previous occasion and that received enough support in Committee to enable the matter to be considered again tonight.

I respect my hon. Friend very much and I beg him, even if he cannot accept these measures, to throw away his notes and to speak to us from the heart telling us why he resists them and whether he will keep the door open for such a change. It would be a grave personal error of judgment, as well as a massive political one for our party, so to set ourselves against this provision that future events will be a hostage to fortune. I am not prepared to be a part of that. I have made my position clear and, like my hon. Friend the Member for Beaconsfield, I shall be consistent and support the new clause.

Mr. Campbell-Savours: The speech of the hon. Member for Chichester (Mr. Nelson) reminded me of debates in the Committee stage of the Financial Services Bill, when he put the case for a number of new clauses and amendments as eloquently as he has spoken this evening. He and I joined together and conspired behind closed doors to try to see those amendments through the Committee. I do not mean that in any distasteful way. The proceedings on that Bill are clearly replicated by the proceedings on this Bill, whose Committee stage I was unfortunately unable to attend, although that was my fault, and I regret it.

The issue that the Minister should tackle tonight is the one that I had to address as a member of that Standing Committee in 1986. When the Financial Services Bill was put before the Committee, Conservative Members were eager to accept the principle of self-regulation, and I understand why. Early in the debates on the Financial Services Bill most of the argument took place between Labour Members who questioned whether self-regulation could work. By the end of the Committee proceedings, I was one of those hon. Members who, following discussions with various institutions in the City, had accepted the proposition that self-regulation would work and I was willing to give way on statutory requirements, which we had begun by vigorously pursuing. I thought that if it were possible to introduce a system of self-regulation which people were motivated to ensure worked because thereby statutory controls would be avoided, that would secure the same objective. The arguments are similar this evening.

We have two propositions before us. There are those who say let the law take its course and let those directors who default be found and prosecuted, and there are people who say let us have a system based on some form of self-regulation whereby people within the company, with an arm's-length relationship with it, are able to monitor, check and observe its activities, particularly its financial arrangements. It is clear that these audit committees would work on an arm's-length arrangement, rather than its being exclusively the responsibility of management reporting directly to the main board.

I view this proposal in the same light as the debates on self-regulation during the Financial Services Bill Committee in 1986. The Minister should view them that way, because the alternative is clear.

I have brought a number of cases of fraud companies —sometimes large companies—to the attention of the House. I have wondered how it would be possible to check on them without setting up a huge statutory authority which could meddle in the affairs of companies in a way that right hon. and hon. Members on both sides of the House would find unacceptable. These proposals would provide a mechanism that could secure that objective.

[Mr. Campbell-Savours]

The hon. Member for Richmond and Barnes (Mr. Hanley) has drawn my attention to a document that encapsulates my point very clearly—a report by Peat, Marwick McLintock on the audit committee. The introduction says that, in recent years, the presentation of financial information by commercial organisations has been subject to increasingly stringent standards of accountability. This trend has been accompanied by a few highly publicised instances of fraud and corporate failure which have focused attention on the stewardship responsibilities of the boards of directors, particularly in relation to the fair presentation of financial information and the accounting controls of the business. The board of directors is legally responsible for ensuring that the financial statements give a true and fair view, yet the board's detailed involvement in the preparation of those accounts may be minimal.

These people are reputable and know all about these matters. I presume that they have been campaigning on them for years and have consulted widely, as did members of the Committee. The board's detailed involvement in the preparation of those accounts may be minimal, however, as the financial management usually prepares the annual accounts. The board may often rely on an external auditor's expertise to ensure that no material misstatements exist.

These people understand the problem and they are making a proposition. They know it works and, as the hon. Member for Chichester said, in other countries such arrangements are already standard practice. I support the view that he advanced that, if companies want to be listed, they should be required to comply with the arrangements, if only to safeguard the interests of shareholders in companies where large shareholdings may be held by individual directors whose power and influence on the affairs of the company is therefore draconian. Surely inside those boards one needs a committee or some independent directors who can report and give a more arm's-length, independent view of what is happening.

8.45 pm

I do not want to undermine my case, but I shall draw the House's attention to one independent directorate with whom I have had some dealings in the past few months which is well known to the hon. Member for Beaconsfield (Mr. Smith). *The Observer* newspaper has a board of independent directors which was set up prior to the takeover by Lonrho, but I feel sure that what we are advocating is not similar to that arrangement. It was a way to try to reassure the public, journalists, readers and others that the company would not be unreasonably manipulated by Mr. Tiny Rowland and his cohorts in Cheapside. Unfortunately, that board of independent directors did not do its job properly and the newspaper has been manipulated, which is why its circulation has fallen so dramatically and why it will probably be out of business in no time. That is something that the journalists on that newspaper have to sort out and it is to be hoped that Mr. Tiny Rowland will divest himself of control of that newspaper. That is not the kind of independent board of directors that we are looking for. We want a body with teeth, which has an arm's-length relationship, and which will report and consider the financial affairs of a company independently.

The Minister should consider the reasonable arguments that have been put by right hon. and hon. Members from both sides of the House when he replies to this debate.

Mr. Redwood: I share the interests of right hon. and hon. Members on both sides of the House who have argued so eloquently in favour of more non-executive directors, particularly in companies that have not yet taken any steps towards having a reasonable number or which do not have any at all. I welcome the trend towards an increasing number of non-executive directors. As hon. Members on both sides of the House have said, that is happening. There is a healthy growth in their number on the boards of major British companies.

Before I was elected to the House, I was a non-executive director of an industrial public company, and I hope that some of the issues I raised made a contribution to the progress of the company. I do not need persuading that non-executive directors have an important role and are desirable. Many right hon. and hon. Members have quite rightly asked me how their number will increase if there is no statutory requirement to place such people on boards. I think they will spread for the same reasons and by the same mechanisms which have caused them to spread in recent years.

First, the excellent work by Promotion of Non-Executive Directors, which has been praised in this debate, will continue. The service that it provides by advising companies and making available lists of suitable candidates is invaluable and is encouraging many companies to increase the number or to take the step towards having some.

Secondly, the role of the Bank of England is important, and that has been mentioned. Thirdly, the fact that it is good practice for companies to take on such people is becoming widely accepted in the City, in the financial markets and among shareholder groups, and that will lead to more pressures for non-executive appointments. Finally, there will be shareholder and banker pressure in particular cases, and perhaps more generally, if companies do not have boards that meet the requirements of shareholders and bankers when discussing company matters at the AGM or putting forward loan proposals and other financial arrangements.

The new clause is similar to proposals voted down after extensive discussion in Committee. I have three fears about moving to a statutory system. First, I am advised that the basis of British company law depends on the creation of the category of director and the law does not recognise whether people work full time, part time or very little at all. If I accept the new clause, I cannot be sure that the rest of company law would work, because we would be intruding the concept of independent directors on existing company law based on a single category of director with general responsibilities. That could be dangerous and could have consequences not foreseen by the supporters of the new clause.

The second matter relates to my understanding and view of how company boards work. One of my hon. Friends said that he thought that Ministers were concerned about the tradition of collective decision taking on company boards. Such a proposal, cast in the way that it is and with the modest pressures suggested in the new clause, could disrupt that tradition of collective decision

taking and could make personal relationships within boards more difficult. That might not be in the interests of shareholders or the company.

In the end, a company depends on good debate in the board, mutual trust between all its members, and a belief by the non-executives that the chief executive or the chairman—or both if they are executive jointly—are broadly taking the company in the right direction and making the right decisions. The non-executives can apply pressures and skills to individual policies. It is rare for non-executives to have to take more decisive action about the structure of the executive board. If they were there as a separate group clearly marked by law it could create more tensions and hostilities which could create suspicions within the board. That might not be desirable.

My final reason for not accepting the new clause is that while the House could pass the measure and each company designated under the proposal would have to appoint independent directors who would be so named by the clauses, we could not guarantee that they would be genuinely independent people. It depends on the dynamics of the company and the politics of the board, but it is possible to imagine that in companies with chief executives or chairmen who were powerful in the way that has been described devices could be formulated by which people could be appointed to the boards on the tacit understanding that they did not exercise full independence of the kind that hon. Members wish to see.

The House should know that in their reports listed companies already have to reveal which directors are non-executive and must furnish short biographies of them. Therefore, some of the requirements for information are already met by existing arrangements for listed companies.

I shall now deal with audit committees which I think are a good idea. When I was a non-executive director we moved to establish an audit committee and it worked out an agenda of quite useful work. At the beginning, I was a member of a board that in many respects did not operate through audit committees, and that meant that the business came to the board itself. That can be a perfectly satisfactory way to proceed. Some companies prefer to work through many committees and will have strong views on the disposition of non-executive and executive directors of those committees. Others wish to do that through the board.

We cannot get away from the central point that if the main issue is controlling fraud or malpractice, the main defence for the shareholder in the presentation of the figures and accounts is the appointment of a good independent auditor. It is for good reason that that is a shareholder power in all companies. The auditor has a close relationship with a company, but he must be genuinely independent and must answer to shareholders. Modern audit is time consuming.

The hon. Member for Workington (Mr. Campbell-Savours) asked if there could be delay. The answer is no, because if the audit is of systems the auditor is trying to satisfy himself that the company has systems that usually work well and guarantee honesty and accuracy of reporting. Much modern audit is systems audit and not counting the figures in each of the books.

For those reasons, but with some reluctance, I urge the House to vote against the new clause. I am a strong believer in spreading the gospel of non-executive directors, but these proposals are not constructive in the right way and there are good signs that shareholders, bankers and other financial market people are moving companies in that direction. I welcome that.

Mr. Campbell-Savours: I understand the hon. Gentleman when he talks about systems in so far as he is putting to the House that the auditors he talks about are ensuring that the systems are in place when they come in perhaps once a year. Things can happen fast. A large shareholder who is a director of a company and whose holding might be worth hundreds of millions—we know that there are such directors—may well in a matter of months be able to manipulate the accounts in order to misappropriate large sums or engage in fraud. How would he be caught? Perhaps systems could be modified before the auditors about which the Minister spoke examined the accounts. Surely to some extent there is a case for having this more permanent role.

Mr. Redwood: That is not a strong argument. Someone who tries to mislead or carry out fraud and is in a powerful position could surely hoodwink the auditors and would most surely be able to hoodwink the non-executive directors who might meet in audit committee three or four times a year. Those non-executive directors depend primarily for their information and for the agenda of their committee on matters brought to their attention by the auditor. Anyone who looks at the structure of an audit committee will conclude that the main line of protection against fraud or malfeasance or twisting of the figures lies in accurate and clear auditing by a good independent auditor.

Mr. John Garrett: This has been a sensible and reasonable debate. The arguments in favour of our new clause were put as well by the hon. Members for Chichester (Mr. Nelson) and for Beaconsfield (Mr. Smith) as by any Opposition Member. The arguments are becoming unanswerable. The middle of the Minister's speech was an endorsement of the concept of independent directors and could well have ended with an acceptance of the new clause—until we reached his objections to independent directors being enshrined in statute.

The Minister had three objections. He spoke of the unforeseen consequences of the clause, having foreseen the same consequences happening naturally. He had already said that if——

Mr. Redwood *rose*——

Mr. Garrett: Let me explain before the Minister jumps up. He said that the consequences of the clause are unforeseen yet it encourages the development of independent directors. He then advocated the spreading of independent directors as they have spread in the past. In other words, he accepted the principle but denied the means.

Mr. Redwood: There is an important legal distinction here. I welcome the principle of more non-executive directors being appointed to boards, but each of those directors would serve on those boards with full collective responsibility and would be recognised in law as being entirely the same as executive directors in terms of their responsibilities. The new clause introduces the idea that there would be a group of people called independent

[Mr. Redwood]

directors. I cannot accept that tonight, because I have to think through the consequences of that for the rest of company law. My advice is that it could cause difficulties.

9 pm

Mr. Garrett: Our advice is that it would not cause the difficulties that the Minister fears.

In the Minister's second objection, he spoke of the impact on collective decision-taking. We propose leavening the wisdom of the collective with independent minds. He said that the proposals would not guarantee that the directors would be independent. That is true, but it would increase the likelihood of having independent advice on a board of directors. Once again, he has willed the end but denied the means.

I have tried to develop the argument that good independent objective audit would be facilitated by the existence of audit committees and I tried to explain the relationship between audit committees and the outside auditors. Given the history of the matter, it is time that the opinion of the House was tested. I ask those of progressive mind on both sides of the House to vote for the new clauses.

Question put, That the clause be read a Second time:—

The House divided: Ayes 159, Noes 200.

Division No. 340] **[9.01 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Flannery, Martin
Flynn, Paul
Foster, Derek
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hardy, Peter
Harman, Ms Harriet
Heffer, Eric S.
Hinchliffe, David
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
Nelson, Anthony
Oakes, Rt Hon Gordon
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Steinberg, Gerry
Straw, Jack
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ken Eastham.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Couchman, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles

Gow, Ian
Grant, Sir Anthony (CambsSW)
Greenway, Harry (Ealing N)
Griffiths, Peter (Portsmouth N)
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil (Tatton)
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen (Wolv' NE)
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hordern, Sir Peter
Howard, Michael
Hunt, David (Wirral W)
Hunt, Sir John (Ravensbourne)
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym (Cardiff N)
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg (Derby North)
Knight, Dame Jill (Edgbaston)
Knox, David
Lang, Ian
Latham, Michael
Leigh, Edward (Gainsbor'gh)
Lester, Jim (Broxtowe)
Lilley, Peter
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew (E Berkshire)
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John (Hendon S)
Marshall, Michael (Arundel)
Martin, David (Portsmouth S)
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Miscampbell, Norman
Morrison, Sir Charles
Nicholls, Patrick
Nicholson, David (Taunton)
Nicholson, Emma (Devon West)
Norris, Steve
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David (Waveney)
Powell, William (Corby)
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rossi, Sir Hugh
Rost, Peter
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David (Dover)
Shaw, Sir Giles (Pudsey)
Shephard, Mrs G. (Norfolk SW)
Shepherd, Richard (Aldridge)
Shersby, Michael
Smith, Sir Dudley (Warwick)
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim (Dorset W)
Spicer, Michael (S Worcs)
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Andy (Sherwood)
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Teddy (S'end E)
Thompson, D. (Calder Valley)
Thompson, Patrick (Norwich N)
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John (Bridlington)
Townsend, Cyril D. (B'heath)
Tracey, Richard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walker, Bill (T'side North)
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles (Bexhill)
Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy

Tellers for the Noes:
Mr. Michael Fallon and
Mr. John M. Taylor.

Question accordingly negatived.

Clause 3

A COMPANY'S FINANCIAL YEAR AND ACCOUNTING REFERENCE PERIODS

9.15 pm

Mr. Redwood: I beg to move amendment No. 7, in page 4, line 44, leave out 'Part I' and insert 'section 3'.

The Deputy Speaker (Sir Paul Dean): With this we shall discuss Government amendments Nos. 8, 9, 11, 12, 16, 18 to 21, 24, 30 and 32 to 67.

Mr. Redwood: These amendments make a number of minor changes to part I. Nos. 7 and 8 replace a reference to the commencement of part I of the Bill with a reference to the specific provision in question, to allow for the possibility that different provisions in the part are brought into force at different times. Nos. 9 and 10 simply improve the clarity of the part, No. 12 corrects a reference, No. 20 corrects a minor error and No. 24 makes it clear how references to the day on which accounts are sent to shareholders and others are to be interpreted. Nos. 33 and 34 make a minor change to the order-making power in new section 257. They put it beyond doubt that the power includes the power to make consequential amendments elsewhere in the 1985 Act and in other enactments and to make transitional provisions.

The other amendments are all consequential amendments of one form or another.

Question put, That the amendment be made:—

The House divided: Ayes 191, Noes 62.

Division No. 341] **[9.17pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkins, Robert
Atkinson, David
Baker, Nicholas (Dorset N)
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas (Pembroke)
Benyon, W.
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael (Brigg & Cl't's)
Bruce, Ian (Dorset South)
Bruce, Malcolm (Gordon)
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies (Fife NE)
Carlile, Alex (Mont'g)
Carlisle, John, (Luton N)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Sir W. (Croydon S)
Coombs, Anthony (Wyre F'rest)
Coombs, Simon (Swindon)
Cormack, Patrick
Currie, Mrs Edwina
Curry, David
Davies, Q. (Stamf'd & Spald'g)
Davis, David (Boothferry)
Day, Stephen
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Favell, Tony
Fearn, Ronald
Field, Barry (Isle of Wight)
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael (Stirling)
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, Harry (Ealing N)
Griffiths, Peter (Portsmouth N)
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil (Tatton)
Hampson, Dr Keith
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen (Wolv' NE)
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hordern, Sir Peter
Howard, Michael
Howells, Geraint
Hunt, David (Wirral W)
Hunt, Sir John (Ravensbourne)
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym (Cardiff N)
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
Knapman, Roger
Knight, Greg (Derby North)

Knight, Dame Jill (Edgbaston)
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Leigh, Edward (Gainsbor'gh)
Lilley, Peter
Livsey, Richard
Lord, Michael
Lyell, Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew (E Berkshire)
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Mans, Keith
Maples, John
Marland, Paul
Marshall, John (Hendon S)
Martin, David (Portsmouth S)
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Miscampbell, Norman
Morrison, Sir Charles
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma (Devon West)
Norris, Steve
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Powell, William (Corby)
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Sainsbury, Hon Tim
Shaw, David (Dover)
Shaw, Sir Giles (Pudsey)
Shephard, Mrs G. (Norfolk SW)
Shepherd, Richard (Aldridge)
Shersby, Michael
Smith, Sir Dudley (Warwick)
Smith, Tim (Beaconsfield)
Speller, Tony
Spicer, Sir Jim (Dorset W)
Spicer, Michael (S Worcs)
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Andy (Sherwood)
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M (Solihull)
Thompson, D. (Calder Valley)
Thompson, Patrick (Norwich N)
Thorne, Neil
Thurnham, Peter
Townend, John (Bridlington)
Townsend, Cyril D. (B'heath)
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walker, Bill (T'side North)
Wallace, James
Walters, Sir Dennis
Ward, John
Wardle, Charles (Bexhill)
Watts, John
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Michael Fallon.

NOES

Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry (Derbyshire NE)
Barron, Kevin
Bermingham, Gerald
Bradley, Keith
Campbell, Ron (Blyth Valley)
Campbell-Savours, D. N.
Canavan, Dennis
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Ewing, Mrs Margaret (Moray)
Flynn, Paul
Fyfe, Maria
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Hinchliffe, David
Hoey, Ms Kate (Vauxhall)
Home Robertson, John
Hughes, John (Coventry NE)
Illsley, Eric
Janner, Greville
Jones, Barry (Alyn & Deeside)
Lewis, Terry
Livingstone, Ken
Lofthouse, Geoffrey
McCartney, Ian
Madden, Max
Mahon, Mrs Alice
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill (Sheffield Heeley)
Morgan, Rhodri
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray (Ogmore)
Primarolo, Dawn
Ross, Ernie (Dundee W)
Short, Clare
Skinner, Dennis
Steinberg, Gerry
Vaz, Keith
Watson, Mike (Glasgow, C)
Welsh, Andrew (Angus E)
Williams, Rt Hon Alan
Wray, Jimmy

Tellers for the Noes:
Mr. George J. Buckley and
Mr. Michael Welsh.

Question accordingly agreed to.

9.30 pm

Amendment proposed: No. 8, in page 4, line 47, leave out 'Part' and insert 'section'.—*[Mr. Redwood.]*

Question put, That the amendment be made:—

The House divided: Ayes 168, Noes 49.

Division No. 342] **[9.29 pm**

AYES

Alexander, Richard
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas (Dorset N)
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas (Pembroke)
Benyon, W.
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael (Brigg & Cl't's)
Bruce, Ian (Dorset South)
Bruce, Malcolm (Gordon)
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Campbell, Menzies (Fife NE)
Carlile, Alex (Mont'g)
Carlisle, John, (Luton N)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Sir W. (Croydon S)
Coombs, Anthony (Wyre F'rest)
Coombs, Simon (Swindon)
Cormack, Patrick
Currie, Mrs Edwina
Curry, David
Davies, Q. (Staml'd & Spald'g)
Davis, David (Boothferry)
Day, Stephen
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Field, Barry (Isle of Wight)
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael (Stirling)
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, Harry (Ealing N)
Griffiths, Peter (Portsmouth N)
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil (Tatton)
Hanley, Jeremy
Haselhurst, Alan
Hayward, Robert
Hicks, Mrs Maureen (Wolv' NE)
Higgins, Rt Hon Terence L.
Hind, Kenneth
Howard, Michael
Howells, Geraint
Hunt, David (Wirral W)
Hunt, Sir John (Ravensbourne)
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym (Cardiff N)
Key, Robert
Kilfedder, James
Knapman, Roger
Knight, Greg (Derby North)
Knight, Dame Jill (Edgbaston)
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lester, Jim (Broxtowe)
Lilley, Peter
Livsey, Richard
Lord, Michael
Lyell, Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Mans, Keith
Marland, Paul
Marshall, John (Hendon S)
Martin, David (Portsmouth S)
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Morrison, Sir Charles
Nelson, Anthony
Nicholls, Patrick
Nicholson, Emma (Devon West)
Norris, Steve
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Powell, William (Corby)
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Shaw, David (Dover)
Shaw, Sir Giles (Pudsey)
Shephard, Mrs G. (Norfolk SW)
Shersby, Michael
Smith, Tim (Beaconsfield)
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim (Dorset W)
Spicer, Michael (S Worcs)
Steen, Anthony
Stevens, Lewis

Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Wallace, James
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. David Heathcoat-Amory and
Mr. Tom Sackville.

NOES

Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clwyd, Mrs Ann
Corbyn, Jeremy
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Galloway, George
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Howarth, George *(Knowsley N)*
Hughes, John *(Coventry NE)*
Illsley, Eric
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Lofthouse, Geoffrey
McCartney, Ian
Mahon, Mrs Alice
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Ross, Ernie *(Dundee W)*
Salmond, Alex
Sheerman, Barry
Skinner, Dennis
Steinberg, Gerry
Vaz, Keith
Welsh, Andrew *(Angus E)*
Williams, Rt Hon Alan
Wray, Jimmy

Tellers for the Noes:
Mr. Michael Welsh and
Mr. George J. Buckley.

Question accordingly agreed to.

Clause 4

INDIVIDUAL COMPANY ACCOUNTS

Amendment proposed: No. 9, in page 7, line 9, at end insert 'to this Act'.—*[Mr. Redwood.]*

Question put, That the amendment be made:—

The House divided: Ayes 162, Noes 42.

Division No. 343] **[9.42 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Favell, Tony
Fearn, Ronald
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Howard, Michael
Howells, Geraint
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
Kirkwood, Archy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Livsey, Richard
Lyell, Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Morrison, Sir Charles
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Powell, William *(Corby)*
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Steen, Anthony

Stevens, Lewis	Walters, Sir Dennis
Stewart, Andy *(Sherwood)*	Ward, John
Stradling Thomas, Sir John	Wardle, Charles *(Bexhill)*
Summerson, Hugo	Watts, John
Taylor, John M *(Solihull)*	Wheeler, John
Thompson, D. *(Calder Valley)*	Widdecombe, Ann
Thompson, Patrick *(Norwich N)*	Wiggin, Jerry
Thorne, Neil	Winterton, Mrs Ann
Thurnham, Peter	Winterton, Nicholas
Townsend, Cyril D. *(B'heath)*	Wolfson, Mark
Tracey, Richard	Wood, Timothy
Twinn, Dr Ian	
Waddington, Rt Hon David	Tellers for the Ayes:
Wakeham, Rt Hon John	Mr. Greg Knight and
Wallace, James	Mr. Michael Fallon.

NOES

Ashton, Joe	Jones, Barry *(Alyn & Deeside)*
Barnes, Harry *(Derbyshire NE)*	Lofthouse, Geoffrey
Barron, Kevin	McCartney, Ian
Campbell, Ron *(Blyth Valley)*	Mahon, Mrs Alice
Campbell-Savours, D. N.	Meale, Alan
Clwyd, Mrs Ann	Michael, Alun
Corbyn, Jeremy	Michie, Bill *(Sheffield Heeley)*
Cousins, Jim	Parry, Robert
Cox, Tom	Patchett, Terry
Cryer, Bob	Pike, Peter L.
Cummings, John	Powell, Ray *(Ogmore)*
Cunliffe, Lawrence	Primarolo, Dawn
Davies, Rt Hon Denzil *(Llanelli)*	Skinner, Dennis
Ewing, Mrs Margaret *(Moray)*	Spearing, Nigel
Fatchett, Derek	Steinberg, Gerry
Flynn, Paul	Vaz, Keith
Galloway, George	Wall, Pat
Gilbert, Rt Hon Dr John	Welsh, Andrew *(Angus E)*
Golding, Mrs Llin	Williams, Rt Hon Alan
Hardy, Peter	
Haynes, Frank	Tellers for the Noes:
Hinchliffe, David	Mr. Michael Welsh and
Hughes, John *(Coventry NE)*	Mr. George J. Buckley.

Question accordingly agreed to.

Schedule 1

Form and Content of Company Accounts

Mr. Redwood: I beg to move amendment No. 10, in page 200, line 28, leave out from beginning to end of line 31.

Mr. Speaker: With this it will be convenient to discuss Government amendments Nos. 31 and 258.

Mr. Redwood: These amendments concern the Dearing report on the making of accounting standards. The House might like to know that, earlier today, in answer to a question from my hon. Friend the Member for Pembroke (Mr. Bennett) I announced that Sir Ronald Dearing has accepted an invitation to become chairman designate of the Financial Reporting Council—*[Interruption.]* There are some hon. Members who would like to hear this announcement.

Sir Ronald's initial task will be to negotiate with interested parties so that the new arrangements for making and enforcing accounting standards are in place by next summer. Once the body is established, it is the intention of my right hon. Friend the Secretary of State for Trade and Industry, acting jointly with the Governor of the Bank of England, to appoint Sir Ronald formally—*[Interruption.]*

Mr. Speaker: Would those hon. Members who are below the Gangway and do not want to participate in this debate please leave the Chamber quietly?

Mr. Redwood: I shall make that last sentence available to the House again. Once the body is established, it is the intention of my right hon. Friend the Secretary of State for Trade and Industry, acting jointly with the Governor of the Bank of England, to appoint Sir Ronald Dearing formally as chairman of the council.

Clear unambiguous accounting standards, effectively enforced, are essential to the good workings of a market economy. The report of the committee chaired by Sir Ronald has been widely welcomed as identifying the way to enhance the authority and general acceptability of accounting standards. I can think of nobody better qualified to carry through the important task of setting up the new arrangements. I am delighted that Sir Ronald has agreed to undertake that role. I have always been most impressed by the work that he has done in his various jobs.

Mr. Skinner: We should get this matter straight because we have had a lot of trouble about Alan Walters. We should be sure about where this fella stands before going any further. Will he support the Department of Trade and Industry? Will he support the Chancellor of the Exchequer or will he support the Prime Minister? Is he "one of us?" Have all those questions been answered in the positive, because if not, the Tory Government will have a lot of trouble with him. I am not worried about that and, frankly, I should like the Government to appoint somebody who would cause them a bit of trouble. However, I should like an explanation. Where does this man stand politically?

Mr. Redwood: Sir Ronald will defend the public interest as he did as a civil servant and subsequently as chairman of the Post Office. He has a fine record of public service and this job is not connected in any way with the party political dogfight in the way in which the hon. Gentleman has tried to suggest.

Amendment No. 10 changes the way in which the Bill gives effect to one of the central recommendations of the Dearing report—that directors should state in their accounts whether those accounts have been drawn up in accordance with applicable accounting standards. It implements the Committee's wish that any company departing from accounting standards should give reason why. It does not, however, also require the financial effects to be shown, as that is tantamount to saying that companies can never deviate from accounting standards narrowly defined.

Anyone concerned about the accounting practices is free to question the company at the AGM before which the accounts are laid. The Financial Reporting Council will have a duty to stop departures from accounting standards becoming a scandal. It will also be the responsibility of auditors to draw attention to any departure which causes the accounts not to give a true and fair view.

There are other reasons why the Bill in its present form is not acceptable on this point. We have argued consistently in relation to Dearing that it is important that at the end of the day standards are not given legal effect. The strength of accounting standards is that they offer a more flexible system of rules than statute can provide. We believe that a requirement to show financial effects would result in standards increasingly written and interpreted as a piece of statute law—with greater emphasis on meeting the letter rather than the spirit. Whilst we all want standards to have authority—indeed, the whole thrust of

the Dearing proposals has that end in view—I do not believe that the way to do this is to encourage greater legalism. This could all too easily shift the emphasis of accounting away from the objective of producing true and fair accounts.

The related amendment, No. 31, simply ensures that the equivalent provision for banking and insurance companies is in step.

Mr. Campbell-Savours: The Minister said that anyone has the right to question the accounting arrangements and standards of a company at its annual general meeting. Will the Minister turn his attention to the case of Mr. George and Mrs. Liz Davies, the husband and wife team who were ousted from the board of Next, the high street retailer, last December? At the annual general meeting of that company, the chairman refused to tell his shareholders about the golden handshake that was being paid to those two people, despite being pressed to do so by the shareholders. Indeed, a resolution calling for the sacking of the directors was tabled. What is the Minister's view of that case? What is the position on such a case as a result of the appointment of this gentleman who will obviously be setting new standards? Would the board of that company have been required to declare how much those two people were being paid as part of their golden handshake? What would happen now?

Mr. Redwood: We shall have to let Sir Ronald set up his Financial Reporting Council and review and establish the accounting standards that he wants. Then I would be able to answer the question whether any new provision with which he might come forward would have a bearing on that case—were history to repeat itself, which is extremely unlikely.

Amendment No. 258 would delete clause 198 from the Bill. Clause 198 was inserted in Committee——

Mr. Campbell-Savours: Will the Minister give way?

Mr. Redwood: No, I have answered the question.

Mr. Campbell-Savours *rose——*

Mr. Speaker: Order. The Minister is not giving way.

Mr. Campbell-Savours *rose——*

Mr. Speaker: Order. The Minister is not giving way.

Mr. Redwood: Clause 198 was inserted in Committee against the advice of my hon. Friend the then Parliamentary Under-Secretary of State for Corporate Affairs. It was put to the Committee with passion and eloquence by my hon. Friend the Member for Beaconsfield (Mr. Smith), but everyone would accept that it does not work in its present form——

It being Ten o'clock, further consideration of the Bill stood adjourned.

Question put,

That, at this day's sitting, the Companies Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Dorrell.]*

The House divided: Ayes 157, Noes 54.

Division No. 344] **[10 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hind, Kenneth
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lyell, Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Major, Rt Hon John
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mayer, Sir Anthony
Mills, Iain
Morrison, Sir Charles
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Pawsey, James
Powell, William *(Corby)*
Redwood, John
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rumbold, Mrs Angela
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Irvine Patnick.

NOES

Ashton, Joe	Illsley, Eric
Barnes, Harry *(Derbyshire NE)*	Jones, Barry *(Alyn & Deeside)*
Barron, Kevin	Kirkwood, Archy
Brown, Ron *(Edinburgh Leith)*	Livsey, Richard
Campbell, Menzies *(Fife NE)*	Lofthouse, Geoffrey
Campbell, Ron *(Blyth Valley)*	McCartney, Ian
Campbell-Savours, D. N.	Mahon, Mrs Alice
Carlile, Alex *(Mont'g)*	Meale, Alan
Clwyd, Mrs Ann	Michael, Alun
Corbyn, Jeremy	Michie, Bill *(Sheffield Heeley)*
Cousins, Jim	Morris, Rt Hon A. *(W'shawe)*
Cox, Tom	Parry, Robert
Cryer, Bob	Patchett, Terry
Cummings, John	Pike, Peter L.
Cunliffe, Lawrence	Powell, Ray *(Ogmore)*
Cunningham, Dr John	Prescott, John
Dixon, Don	Primarolo, Dawn
Ewing, Mrs Margaret *(Moray)*	Salmond, Alex
Fearn, Ronald	Skinner, Dennis
Flynn, Paul	Spearing, Nigel
Fraser, John	Steinberg, Gerry
Galloway, George	Vaz, Keith
Gilbert, Rt Hon Dr John	Wall, Pat
Golding, Mrs Llin	Wallace, James
Hardy, Peter	Welsh, Andrew *(Angus E)*
Haynes, Frank	
Hinchliffe, David	Tellers for the Noes:
Home Robertson, John	Mr. Michael Welsh and
Hughes, John *(Coventry NE)*	Mr. George J. Buckley.

Question accordingly agreed to.

Bill, as amended, (in the Standing Committee), again considered.

Mr. Redwood: I should explain to the hon. Member for Workington (Mr. Campbell-Savours) that Sir Ronald Dearing could make changes to accounting standards once the council is up and running. There is also a legal requirement to reveal compensation to directors who lose office, and that would appear in the accounts following the events in question.

Amendment No. 258 will delete clause 198. As most accept, the clause does not work in its present form and must either be deleted or substantially revised. Clause 198 is directed at enabling the Secretary of State to delegate his power to order accounting provisions in the Act by regulation through a statutory financial reporting council. I acknowledge that the new clause does not require the Secretary of State to delegate his powers. None the less, it would be wrong in principle for the Government to support the inclusion of such a provision unless they thought it right to devolve such powers. Therefore, I ask the House to remove it from the Bill.

Mr. Campbell-Savours: In the light of that reply, does the Minister think that legal action should be taken in the case of a company that refuses to reveal how much was paid? What is the position legally?

Mr. Redwood: There is already a legal requirement that the information be published in the report and accounts concerning the year in which the events took place.

Mr. Hanley: I should declare my interest as the parliamentary adviser to the Institute of Chartered Accountants in England and Wales. I add to the words of welcome to my hon. Friend the Member for Wokingham (Mr. Redwood). He may feel as if he has already been in the post for years and years. He brings a wealth of experience to his task, which he has already shown this evening, and he has approached his task in a most constructive way. It is a great shame that activities completley unconnected with the Bill are proving more than a hiccup.

10.15 pm

I welcome the success of my hon. Friend the Minister in securing the appointment of Sir Ronald Dearing. We are all extremely fortunate to have secured him for such an important task. We look forward to observing the way in which he tackles the job in the months ahead.

Paragraph 7 of schedule 1 introduces a requirement for companies to disclose and explain any material departure from accounting standards. That requirement is imposed in the explanatory foreword to "Accounting Standards". Its incorporation in statute implements one of the recommendations of Sir Ronald Dearing's report.

New paragraphs 36A(2) and (3) bring into statute further requirements of the explanatory foreword. These are to disclose the financial effects of any departure from standards, unless this would be impracticable, and to explain any non-disclosure. Unfortunately, Government amendment No. 10 removes these requirements. I feel that that is a step backwards. If the requirements of the explanatory foreword are deliberately removed from the Bill while others are left standing, it may be difficult to enforce compliance in future. The status of accounting standards will thereby be reduced. Users of accounts will also be deprived of helpful information that would enable them to calculate what the figures would have looked like had the company followed accounting standards.

It follows from what my hon. Friend the Minister said that he should consider in the months ahead—I do not feel that this is a matter that should divide the House—whether the extra information, which according to "Accounting Standards" should be provided for shareholders so that they are able to consider whether the departure was valid and to quantify exactly what the accounting might have been had accounting standards been adhered to, should be made available. I feel that the information is important and should be included in future. Opportunities for comparisons with other companies will be reduced if the requirements are removed. After all, it is the removing of disparity of accounting treatment that has created the accounting standards programme. The removal of disparity is best able to be seen if we can quantify the departures from accounting standards.

Mr. John Garrett: The Opposition also welcome the appointment of Sir Ronald Dearing. He has been a most distinguished public servant both in the Civil Service and as the head of the Post Office. I understand that he is also the chairman of the Durham development corporation. That must be another reason for giving preferment.

The amendments embody our proposals that the reasons for any departures from accounting standards in company accounts must be stated in the annual report and accounts. They delete, however, the necessity to state the financial effects of departures. We fear that in the long run this may prove to be a weakness. In the explanatory foreword to "Statements of Standard Accounting Practice" it is required that the auditors should state the financial effects of departures if that is the decision of the accounting standards board. On the whole, it will be a weaker requirement than we would have wished for, but at least the amendment goes a significant way towards opening up the whole question of departures from

accounting standards. We are willing to put up with that inconsistency until Sir Ron, in the fullness of time, produces new directives.

Amendment No. 258 deletes the amendment successfully proposed by the hon. Member for Beaconsfield (Mr. Smith) about the formation of the Financial Reporting Council. As the Minister said, the amendment was faulty because the schedule accompanying it, which set out the constitution of the FRC, was not accepted by the Committee. The hon. Gentleman's proposals were weaker than those that we had in mind, which were for a statutory body concerned with the supervision both of accounting standards and the auditing profession—something that will come in the fullness of time. We were not entirely sold on the amendment. Eventually there will have to be some regulation covering the auditing profession. It is a large, multinational business; it no longer consists of a cottage industry with small groups of Scottish accountants, as it did when it started the better part of 100 years ago. They are enormous companies, they do not provide accounts, they are secretive in the way that they go about their business and we know little about them.

The appointment of Sir Ron is a reasonable start and we wish him well. We look forward to—

Mr. Skinner: I am just beginning to piece together what my hon. Friend has been saying about accounting and auditing. As the Bill began its passage some time ago, before the Ferranti-International Signal and Control fraud with the £200 million rip-off by the company and Mr. James Guerin, I wonder whether the new provisions —and my hon. Friend is not too happy with them—will help such companies to ensure that they are not ripped off. My guess is that some taxpayers' money could be used, through inflated contracts or some other method, to assist those companies through their problems. Can my hon. Friend inform us whether the conditions for auditing and accounting would fit the bill or whether the passage of time means that they need to be even stronger?

Mr. Garrett: My understanding is that the case currently being investigated by the serious fraud office relates to the gullibility of the Ferranti board in connection with certain contracts entered into by a company that it acquired in another country. To that extent, I do not think that the question of accounting standards is involved. In the initial stages, we cannot put these issues before Sir Ron and his Financial Reporting Council.

Mr. Skinner: I understand that a set of accountants were advising Ferranti, that those accountants were resident in this country and that they told Ferranti that ISC had a clean bill of health. If that is the case, those accountants were seriously at fault in telling Ferranti that it could go ahead. If that is proved by the investigations of the serious fraud office, it shows that there is something wrong with the way in which so-called professional auditors go through a company's books very quickly and enable a company, which attracts a great deal of taxpayers' money through defence contracts, to be milked by a bogus company in America. A British set of accountants, albeit acting at a multinational level, gave Ferranti very bad advice.

Mr. Garrett: My hon. Friend is putting me in the position of a Minister having to answer for the conduct of Government policy on the question of accountants——

Mr. Skinner: My hon. Friend will be in that position soon.

Mr. Garrett: Perhaps I will, but these matters should be addressed to the Minister. Perhaps my hon. Friend can ask his questions in a subsequent debate that will arise shortly. I cannot tell him whether the valuation of ISC was carried out by auditors at the request of the Ferranti board and whether those auditors behaved improperly. Perhaps the Minister has a view on that matter as it has been referred to the serious fraud office. I cannot pass an opinion on that.

I think that, eventually, the council that Sir Ron will head will have to take into account the conduct, behaviour and practice of auditing in general, in addition to the supervision of accounting standards with which it is presently charged. However, that is not the subject of this part of the Bill. If my hon. Friend wishes to raise the question of fraud, there is another part concerned with investigation: no doubt the Minister will be able to give an answer when we deal with that. I hope that that puts my hon. Friend's mind at rest for the time being.

Mr. Skinner: The more I think about it, the more I recognise the Bill's importance in connection with another company in Britain that has run into serious trouble connected with homes. The ex-chairman of the 1922 Committee, Sir Edward du Cann, was involved: he was a non-executive director who ran away from the firm very quickly when he could see the so-and-so hitting the fan, as did many others.

It seems to me that the auditors are not doing their job very well. I wonder whether my hon. Friend believes that these clauses, and Ron Dearing's appointment, can ensure that those abscesses on the body politic—or the company politic—can be cleaned up by the new provision.

I hold the simplistic view that they cannot be cleaned up. This is all about making money, exploiting someone else, doing it as fast as possible and using a shady set of accountants to get it through. What worries me is whether, when the legislation is passed, it will be any good: will we have sorted out the accountants, or will it be in the pocket of companies which seem not to pay a blind bit of notice to all the corruption that is taking place in the City?

Mr. Garrett: The short answer is no. The Financial Reporting Council and its chair, Sir Ron Dearing, will not have any jurisdiction over auditors or auditing. What they are trying to do is improve the quality of information given to company shareholders in company accounts, under a set of rules that govern the way in which such things are calculated. The idea is to clarify company accounts. That is the relatively narrow front on which we are operating at present.

My hon. Friend invites me to go further. The point behind our proposal that the council should cover not only accounting and accounting standards but the conduct of the auditing profession would, I think, enable at least the public—the investors, consumers, banks and creditors—to establish rather better the performance of the auditing profession, which is relatively unregulated and very secretive.

Mr. Hanley: It is self-regulation.

Mr. Garrett: The spokesman for the Institute of Chartered Accountants says that it is self-regulation. That is not satisfactory, as we know from the number of actions

[Mr. Garrett]

taken against auditors. I believe that the Government themselves are taking action against the auditors of De Lorean. These scandals are becoming more common, and this part of the Bill does not address them.

Mr. Tim Smith: I, too, support and welcome the appointment of Sir Ron Dearing as chairman of the Financial Reporting Council. It is now 13 months since he published his report on the making of accounting standards, and I commend the Department on the way in which it has responded all the way along—first with its consultative document in January, and now with Sir Ron's appointment.

There is scope for improvement in the quality of financial reporting. The hon. Member for Norwich, South (Mr. Garrett) is quite right: the difficulty in the past has been securing compliance with accounting standards when the whole process was largely one of self-regulation. The great step forward was the new paragraph 36A, which appears on page 200 of the Bill and states for the first time in statute law that companies must state whether accounts have been prepared

"in accordance with applicable accounting standards".

It goes on to say:

"particulars of any material departure from those standards . . . shall be given."

As a result of the change that was made in Committee, not only the particulars but the reasons will now have to be given. My hon. Friend the Minister explained why he could not go all the way and accept the full import of that. I understand that there is concern that we would be giving accounting standards legal form. Giving them legal recognition is a great step forward, and, in due course, with the new Financial Reporting Council, under Sir Ronald Dearing's chairmanship, that will lead to an improvement in financial reporting, which is the subject of our debate.

10.30 pm

Of course I am sorry that the Government could not accept my proposal that the Secretary of State should send a delegation to the FRC, but I recognise that the clause as drafted is defective because it should have been accompanied by a schedule, so I understand why my hon. Friend has decided that it should be left out.

I said in Committee that, in the long run at any rate, it might be sensible to ask the same body to look after, supervise and regulate not only accounting standards but the content of company accounts. In practice, the dividing line between the two is not particularly clear cut. Perhaps my hon. Friend should consider the possibility of giving the same body responsibility for the entire contents of a company's accounts.

Mr. Cousins: I add my congratulations to Sir Ronald Dearing on his new appointment. Many of us remember him at the DTI in Newcastle as regional director for the Northern region back in the 1970s. He was subsequently exiled to the Post Office and we welcome his return to a more normal existence and to the position he holds in County Durham. My personal hope is that he will end his career as a member of Durham county council, which, as some of us recognise, is the most august elected body in the United Kingdom.

The Minister is making a grave mistake in attempting to unpick the compromise that was made in Committee. He would have been far wiser had he fleshed out the free-standing clause giving the Financial Reporting Council the power that he is now removing. We all accept that the necessary additions were not made to make the clause operative. Nonetheless the Minister had that option and it is a great pity that he did not exercise it. It is quite certain that when the Financial Reporting Council under the leadership of Sir Ronald Dearing gets into business many of the pressures towards rationalising the mixed economy of regulation in accountancy and accounting standards will prove quite unstoppable.

The current position is extremely confused. At various points in the Bill review bodies are set up by statute which have, if not legal force, quasi-legal powers which substitute for previous powers that were actionable in court.

Tonight's attempt to unpick the compromise made in Committee will prove unfortunate. It does not get the Minister off to a particularly good start, although, obviously, we wish him well in the short time that remains to him and his colleagues. This matter will not stand still. The attempt to reverse the process that started in Committee of providing a properly-regulated authority over accountancy, accountancy practices and accountancy standards cannot be held up.

The Government's amendment is particularly unfortunate as it does not reflect the spirit of our discussions in Committee. If the Government's amendments are carried tonight, the Bill will be an even bigger mess containing various streams of thought about how to deal with the problem, none of which is carried to a perfect, well-elaborated solution.

It is a great regret that the Government have chosen to unpick the work carried out in Committee. I do not believe that their attempts to hold up the irresistible movement towards proper regulation of accountancy and accounting standards will be effective, and in a very short time we shall be back here discussing precisely the same problems with a further trail of incidents such as the one to which my hon. Friend the Member for Bolsover (Mr. Skinner) referred tonight, and we shall have to consider the matter again. It would have been far better and wiser if the Minister had rolled with the punch and reflected the consensus of the Committee by accepting the amendments that were passed with the support of Conservative and Opposition Members. To attempt to unpick the compromise that was achieved in Committee is to retreat on something that ultimately will prove unstoppable.

Mr. Campbell-Savours: I wish to add my congratulations to Sir Ronald Dearing on his new appointment.

I want to follow the remarks of the hon. Member for Beaconsfield (Mr. Smith), who, as I understand it, argued that Sir Ronald Dearing's remit should be extended beyond an examination of accountancy practices and standards to the wider question of financial reporting of company accounts and the form that those accounts take when they are presented at annual general meetings.

In an intervention, I raised the case of a company that was reported in the *Financial Times* on 26 May. I wish to comment on the article because I believe that it goes to the heart of the debate. It shows deficiencies in how accounts are presented at annual general meetings. I should like a ministerial assurance that these matters will be dealt with by Sir Ronald Dearing when he takes over his new role. The article refers to a settlement for

"Mr. George and Mrs. Liz Davies, the husband-and-wife team ousted last December from their positions of chairman and product director at Next",

which I understand is a retail group that sells clothes—*[Interruption.]* Some of us do not spend our time shopping in the west end—*[Interruption.]* Next has not made my patch yet, although I am sure that it will come in time—*[Interruption.]* I am prepared to take interventions if hon. Members wish to intervene and formalise matters for the *Official Report*. The article continues:

"Mr. Murray Gordon, executive chairman of Combined English Stores until its takeover by Next and now chairman of Era Group, asked about the amount"—

the amount of compensation paid to Mr. and Mrs. Davies—

"to be told that a settlement had indeed been made but would not be disclosed as it was subject to a confidentiality agreement.

Furthermore, shareholders were told that no provisions would be made"—

this answers the point that the Minister was making about matters not having to be reported in the current financial year—

"in the 1989, 1990 or 1991 group accounts in respect of any settlement."

Obviously, there was no intention to publish information about the compensation paid, which runs to quite a substantial sum of money.

The article continues:

"Mr. Robin Adshouse, an analyst at Kitkat and Aitken, suggested that Next had settled with Mr. Davies within his contract of employment, and that that kind of non-disclosure was the 'thin end of the wedge for shareholders' democracy'.

Mr. Gordon and Mr. Pat Hammond-Turner, one-time assistant managing director of CES, both voted against the re-election of the directors."

It is significant that the journalist draws attention to that, because earlier this evening I argued that voting against the re-election of directors did not meet the concerns being expressed by my hon. Friends. In the case of Next, such voting does not appear to have had any effect.

If Sir Ronald Dearing's remit can be extended in the way that the hon. Member for Beaconsfield suggested, will it be possible to ensure that such information is published in the accounts that are presented at annual general meetings? Shareholders at annual general meetings are entitled to know what large sums of money are being paid in what, in effect, are golden handshakes to departing directors. In the case I mentioned, the directors may have been required to leave or left for perfectly decent and honourable reasons, but there are occasions on which people leave companies or are required to leave for what I can only describe as dishonourable reasons. They may have had their hands in the till and the shareholders or the directors want rid of them. Clearly, that did not happen in this case. I should like to be assured that shareholders have the right to know the facts.

Mr. Redwood: I might be able to speed up proceedings by pointing out to the hon. Gentleman that in the Companies Act 1985 there is a clear requirement to show the aggregate amount of any compensation to directors or past directors in respect of loss of office. If the hon. Gentleman thinks that any accounting violation has occurred in reports and accounts filed for the relevant year in which that happened, he should let me know at my office and we will obviously see what the facts are.

Mr. Campbell-Savours: In the light of what the Minister has said, perhaps it will be noted by the shareholders of that company that I have raised this matter on the Floor of the House tonight. Perhaps they will note also that the Minister has replied to me and expressed an interest in so far as if it is true that the directors of the company have made it clear that they do not intend to reveal the information in the years 1989, 1990 and 1991 they would have a case to draw to the attention of the Department and may have the basis for a legal action.

Mr. Hanley: We had a discussion about this matter in Committee. I raised the point that if benefits in kind, such as occupation of property and so on, form part of compensation, there is a current loophole in the law. The then Minister said that he would plug that loophole. The Government have done so in an amendment which we hope that we will be able to discuss one day. That applies to compensation in benefits in kind other than money. The clause is not only already tight and prescribed in the existing statute, it is made even tighter by our discussions on this Bill. I am sure that the newspaper report must be wrong, and, if not, action should be taken.

Mr. Campbell-Savours: It might be wrong, but I have another report from *The Independent* of 27 May this year. It states:

"The conflict between the two sides"—

that being clearly the representatives of the shareholders, that is to say the board of the company, and the two departing directors—

"has been resolved but neither side has any intention of disclosing the details of the settlement and have sworn each other to secrecy as a condition of the deal."

From what the Minister is saying, that is not possible, and he is being backed by his hon. Friend the Member for Richmond and Barnes (Mr. Hanley). The article goes on to state:

"The Companies Act 1985 states clearly that it is unlawful for a company to make to a director any payment by way of compensation for loss of office without disclosing information on the proposed payment including its amount to shareholders.

Michael Stoddard, the new chairman of Next, told shareholders at the annual general meeting on Thursday that no provision in connection with the settlement of the Davies affair had been made in the accounts for the year ended 31 January and none was required for the current year.

If Slaughter and May, advising Next, have discovered some way around the provisions of company legislation—assuming something of value is changing hands which seems likely"—

which is what the hon. Member for Richmond and Barnes was coming to—

"then Next shareholders are right to be unimpressed by such a display of legal ingenuity. And they should be concerned about the quality of information they are receiving."

I am trying to establish that Sir Ronald Dearing, whose experience is eminent and impressive, will make it clear to all companies that that conduct is quite unacceptable. When shareholders demand that kind of information, they should receive it. They should not be misled at annual general meetings. They are entitled to know what is happening. The money being paid out is, in effect, theirs—unless it should otherwise have been paid to the work force for some reason. In effect, the money is the property of the company. The Minister has clarified the position tonight. I hope that Sir Ronald Dearing impresses that principle upon the auditors and the accounting profession generally to ensure that reports like those to which I have referred do not appear in national newspapers and cause great concern to shareholders.

10.45 pm

Mr. Bob Cryer (Bradford, South): I want to comment on this appointment. No doubt Ron Dearing has what is generally regarded to be an eminent record. I am not sure whether eminent people should be members of scrutiny bodies. Eminent people have been members of councils throughout the land. We hear that Ron Dearing is OK and that he has done a good job at the Post Office. He was a senior civil servant at the Department of Trade and Industry for several years when Sir Keith Joseph was at that Department. Sir Keith is now an eminent Member of the other place and he appointed Ron Dearing as chairman of the Post Office.

I am not sure whether people who spend their lives among the councils and behind the closed doors of Whitehall will scour out information and cause a fuss when things go wrong. Their lives have not been like that. They are more used to saying to Ministers, "Look Minister, there's going to be a bit of trouble here unless you take evasive action". I am not overwhelmed by the notion that Sir Ron Dearing will bring some fire and brimstone to this office following the repeated scandals that have erupted in the City of London week in week out over the past few years.

I believe that Ron Dearing would be better than someone like Sir Peter Carey who was permanent secretary at the DTI when Ron Dearing was there. As soon as Sir Peter Carey left the DTI, he cleared off to as many boards as he could lay his hands on. At least Ron Dearing has kept some sense of public service, unlike many other senior civil servants who clear off to as many boards as possible in a way that raises questions as to what they were doing before they were appointed to those boards. Questions have been raised about that.

Before the Government came to office in 1979, they said that they would end the quangos. I believe that if we are to have those quangos, they should comprise people who will pay attention to irregularities where they happen. The members of the Financial Reporting Council have not yet been appointed. They are the Secretary of State's appointees and they are not likely to be radical members of our community. Indeed, they are produced by the Civil Service in any case from a list of the great and the good. When I was a Minister, I tried to get hold of that list and held inquiries with civil servants to find out where they got the names from and I came up against a blank wall. It was impossible to define how people received that patronage. The patrons are the senior civil servants who suggest things to Ministers and they make the appointments.

Why not advertise for applicants for those jobs? What is wrong with that? By all means there could be a board within the Civil Service with the Minister present to make a judgment. All the other high quality jobs elsewhere in the

giant corporations are advertised and interviews are held. If we are appointing national bodies, even if they are quangos, we should adopt a different technique from the civil servants simply suggesting names to the Minister.

The company report published by *Private Eye* could provide the advice needed. In issue after issue that magazine publishes information of great value. In 1973-74, when the Poulson scandal was bubbling, it was *Private Eye* that dared to set it all out although other papers tried to take the credit. That magazine has a good track record of exposing the seamier side of the City and it could be of great help.

What about Paul Foot of the *Daily Mirror*?

Mr. Nicholas Winterton (Macclesfield): Thank you very much.

Mr. Cryer: Of course "Thank you very much". We want someone at whom Tory Members will raise their eyebrows. We want them to say, "Oh. Isn't it a shocking affair appointing someone like that." But like what? Paul Foot exposes scandals in the *Daily Mirror* and I should have thought that that was a good background for the job. Concern for the public good is his motivating force.

What about Norman Atkinson who was a distinguished Member of this House for many years? He has a good track record of questioning and probing Ministers and has the public concern at heart.

Mr. William Cash (Stafford): What about Eric Varley?

Mr. Cryer: He is not a suitable person. I know that he is resting at the moment—he has been deselected—but he has been too close to the Establishment. I mentioned Norman Atkinson on the basis that he was a Back Bencher who spent his life probing and cross-examining.

Perhaps the Minister will be able to tell us who is up for consideration. They are likely to be pillars of the Establishment who will opt for a quiet life. If they cause a few ripples, that will upset the Establishment of which they are a part. If I have suggested a few names that have raised eyebrows that is all well and good.

Mr. Cash: Does the hon. Gentleman acknowledge that just lurking in the background, behind the pillars of the establishment of the Labour party, there is a degree of patronage in the recommendation of Norman Atkinson rather than Eric Varley? Are their credentials determined by the degree to which they move leftwards towards Marxism?

Mr. Cryer: That is a legitimate question and I shall not make a judgment. The Secretary of State, however, will make such a judgment behind closed doors in Whitehall. In what sense will the right hon. Gentleman be accountable to the House and to the public?

Anyone who feels that he is able to do the job and has the qualifications needed should apply. If Eric Varley or Norman Atkinson want to apply, so be it. I suggested the sort of people who would be overlooked and ignored because of their background of challenging the Establishment.

Mr. Nicholas Winterton: What about me?

Mr. Cryer: After the next election the hon. Gentleman will be looking for a job and he may want to apply. The hon. Gentleman displays an anti-Establishment attitude, which is certainly not confined to the Labour Benches, but I like to think that there are many more people who hold anti-Establishment attitudes on the Labour Benches. The parliamentary Labour party has as its driving force the public good.

The Secretary of State will make the appointments and no doubt he will receive a report, but there will be no statutory obligation on the right hon. Gentleman to make a report to the House. However, there should be such a report so that we can have an opportunity to debate it, because that in itself is an element of accountability. We often push to one side and forget that Parliament is an important element in public accountability. The fact that there is a requirement to produce a report will be at the back of the council's mind and it will be speeded on in its task by the knowledge that its work will be subject to dissidence in the House of Commons. That will help it to ensure that it is doing its job, which is no bad thing. Indeed, it is part of the job that this place is supposed to carry out.

I hope that the Minister will be able to say that the reporting council will report to the Secretary of State and that those reports will be placed before us for proper scrutiny, debate and examination.

Mr. Redwood: I am glad that with only one dissenting voice the House has accepted that Sir Ronald Dearing is a good choice for this post. I am sure that he will be delighted to read later this week that he has received the acclaim of the Government, Conservative Back Benchers and the official Opposition. Sir Ronald commands great respect for the work that he has done in the past. I am sure that he will bring to this task a great deal of energy, objectivity and independence of mind. My memory may be playing tricks, but I believe that he started in the Civil Service with a humble role as a clerical officer and worked his way up. I hope that in all ways his credentials will meet with approval from Opposition Members.

The House has welcomed the Government's move towards the position identified in Committee by Opposition and Conservative Back-Bench Members in wanting to state the reasons for any departures from accounting standards. I offer that because the Commitee produced some good points and the case was well argued. That is the purpose of this amendment.

However, I hope that the House will understand my belief that quantifying the departures would be going too far as it would give legal form to standards, which we do not wish to do, and would make departures from standards impossible. What would be the point of ever departing from standards if one had to quantify the exact consequence of so doing?

The safeguard for the shareholders and others who are interested in the matter are that the reasons for departing will have to be stated. That means that the matter will be highlighted and come out in debate at the annual general meeting before the approval of the accounts if people feel that is a matter of concern. Of course, it would also be a matter for debate between analysts in the company and the large investors and the company if it is felt that the company is beginning to depart too far from those agreed standards.

I turn now to the point made by my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) about comparisons being difficult if some companies choose to depart from the standards. It is a matter of degree rather than a black and white issue. The application of standards

[Mr. Redwood]

is already difficult. Many areas require the exercise of judgment, as many hon. Members with accounting experience will know. The valuation of stock is always difficult. Provisions on long-term contracts in particular are hazardous to get right and funding pension rates can be difficult to get right actuarially in the light of changing market circumstances. There are a number of areas in which there are standards, but where it is difficult to make judgments. Therefore, it is always tricky to compare one company with another because some companies are more prudent and others less prudent in their calculations of profit or balance sheet values, which is quite permissible even in the framework of standards.

I should be reluctant to delegate law-amending powers to the FRC. It would be unprecedented to give a private body the power to amend legislation. That should remain a matter for debate between the Government and Opposition in the House and it should be for the Government to propose any changes in the legislative framework affecting accounts that may be deemed necessary in future.

Ferranti has been mentioned several times. I do not think that that is a standards issue, or that it relates to this debate. I agree with the views expressed by the hon. Member for Norwich, South (Mr. Garrett).

I turn finally to the issue of Next, which was raised by the hon. Member for Workington (Mr. Campbell-Savours). I was surprised that he had never seen a Next shop as Next was one of the most successful chains of stores in the early and middle '80s and can be seen in most high streets. I stand by what I said to him earlier. If the hon. Gentleman thinks that a problem has arisen in the accounts, as published, in the light of the nature of the statute concerning the requirements, he should write to my office and we will look into it.

Mr. Campbell-Savours *rose*——

Madam Deputy Speaker: Order. I cannot call the hon. Gentleman a second time, as he appreciates.

Question put, That the amendment be made:—

The House divided: Ayes 137, Noes 27.

Division No. 345] **[10.59 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beith, A. J.
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Bitten, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Brown, Michael *(Brigg & Cl'ts)*
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Curris, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayes, Jerry
Hayward, Robert
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Livsey, Richard
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Pawsey, James
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy

Tellers for the Ayes:
Mr. Irvine Patnick and
Mr. David Heathcoat-Amory.

NOES

Barnes, Harry *(Derbyshire NE)*
Campbell-Savours, D. N.
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Davies, Rt Hon Denzil *(Llanelli)*
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Godman, Dr Norman A.
Hardy, Peter
Haynes, Frank
Hinchliffe, David
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Mahon, Mrs Alice
Michie, Bill *(Sheffield Heeley)*
Neillist, Dave
O'Neill, Martin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Salmond, Alex
Skinner, Dennis
Smith, Rt Hon J. *(Monk'ds E)*
Welsh, Andrew *(Angus E)*

Tellers for the Noes:
Mr. Michael Welsh and
Mr. Ronnie Campbell.

Question accordingly agreed to.

Amendment proposed: No. 11, in page 200, line 35, at end insert—

'Loans in connection with assistance for purchase of company's own shares

8A. In paragraph 51(2) (disclosure of outstanding loans in connection with certain cases of financial assistance for purchase of company's own shares), after "153(4)(b)" insert ",(bb)".'.—*[Mr. Redwood.]*

Question put, That the amendment be made:—

The House divided: Ayes 128, Noes 34.

Division No. 346] **[11.12 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beith, A. J.
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Currie, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Favell, Tony
Fearn, Ronald
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Livsey, Richard
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Irvine Patnick and
Mr. Michael Fallon.

NOES

Barnes, Harry *(Derbyshire NE)*
Buckley, George J.
Campbell-Savours, D. N.
Cousins, Jim
Cryer, Bob
Cunliffe, Lawrence
Dewar, Donald
Dixon, Don
Dobson, Frank
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Haynes, Frank
Hinchliffe, David
Hughes, John *(Coventry NE)*
Illsley, Eric
Jones, Ieuan *(Ynys Môn)*
Lofthouse, Geoffrey
Mahon, Mrs Alice
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Pike, Peter L.
Prescott, John
Salmond, Alex
Skinner, Dennis
Spearing, Nigel
Vaz, Keith
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Wray, Jimmy

Tellers for the Noes:
Mr. John Cummings and
Mr. Ronnie Campbell.

Question accordingly agreed to.

Clause 5

Group Accounts

Amendment proposed: No. 12 in page 7, line 21, leave out 'and' and insert 'or'.—*[Mr. Redwood.]*

Question put, That the amendment be made:—

The House divided: Ayes 129, Noes 30.

Division No. 347] **[11.23 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beith, A. ↓
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Curry, David
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Livsey, Richard
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*

Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Irvine Patnick and
Mr. David Heathcoat-Amory.

NOES

Barnes, Harry *(Derbyshire NE)*
Buckley, George J.
Campbell-Savours, D. N.
Cousins, Jim
Cryer, Bob
Cunliffe, Lawrence
Davies, Ron *(Caerphilly)*
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Haynes, Frank
Hinchliffe, David
Hughes, John *(Coventry NE)*
Illsley, Eric
Jones, Ieuan *(Ynys Môn)*
Lofthouse, Geoffrey
Mahon, Mrs Alice
Meale, Alan
Nellist, Dave
Pike, Peter L.
Prescott, John
Skinner, Dennis
Spearing, Nigel
Vaz, Keith
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wray, Jimmy

Tellers for the Noes:
Mr. John Cummings and
Mr. Ronnie Campbell.

Question accordingly agreed to.

Schedule 2

[SCHEDULE 4A TO THE COMPANIES ACT 1985]
FORM AND CONTENT OF GROUP ACCOUNTS

Mr. Redwood: I beg to move amendment No. 13, in page 204, line 2, leave out 'nominal value' and insert 'appropriate amount in respect'.

Madam Deputy Speaker: With this we may take Government amendments Nos. 14 and 15.

Mr. Redwood: The amendments fine-tune the provisions in schedule 2, which prescribe rules derived from the seventh directive for the accounting treatment of mergers and acquisitions. Amendments Nos. 13 and 14 are brought forward in response to a point made in Committee by the hon. Member for Norwich, South (Mr. Garrett); they make a technical change to the provisions on merger accounting to ensure that present accounting practice can continue. Amendment No. 15 makes it clear how the rules on accounting for mergers and acquisitions apply when a group of companies is acquired—that is, a parent company and its subsidiary undertakings.

Question put, That the amendment be made:—

The House divided: Ayes 129, Noes 24.

Division No. 348] **[11.36 pm**

AYES

Alexander, Richard
Allason, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Spencer
Batiste, A. J.
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Bitten, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Curry, David
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jarman, Tim
Jessel, Toby
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Livsey, Richard
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Irvine Patnick and
Mr. John M. Taylor.

NOES

Buckley, George J.
Campbell, Ron *(Blyth Valley)*
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Godman, Dr Norman A.
Golding, Mrs Llin
Haynes, Frank
Hinchliffe, David
Jones, Ieuan *(Ynys Môn)*
Lofthouse, Geoffrey
Mahon, Mrs Alice
Nellist, Dave
Pike, Peter L.
Salmond, Alex
Skinner, Dennis
Vaz, Keith
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian

Tellers for the Noes:
Mr. Harry Barnes and
Mr. Eric Illsley.

Question accordingly agreed to.

Amendment proposed: No. 14, in page 204, line 12, leave out from 'means' to end of line 14 and insert—

'—

(a) shares in relation to which section 131 (merger relief) applies, in respect of which the appropriate amount is the nominal value; or

(b) shares in relation to which section 132 (relief in respect of group reconstructions) applies, in respect of which the appropriate amount is the nominal

value together with any minimum premium value within the meaning of that section.'.—*[Mr. Redwood.]*

Question put, That the amendment be made.

The House divided: Ayes 123, Noes 25.

Division No. 348] **[11.49 pm**

AYES

Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boswell, Tim
Bowis, John
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Curry, David
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Favell, Tony
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lilley, Peter
Livsey, Richard
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Patnick, Irvine
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Michael Fallon and
Mr. Sydney Chapman.

NOES

Buckley, George J.
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Golding, Mrs Llin
Haynes, Frank
Hinchliffe, David
Hughes, John *(Coventry NE)*
Lofthouse, Geoffrey
Mahon, Mrs Alice
Meale, Alan
Nellist, Dave
Pike, Peter L.
Skinner, Dennis
Spearing, Nigel
Vaz, Keith
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wray, Jimmy

Tellers for the Noes:
Mr. Harry Barnes and
Mr. Eric Illsley.

Question accordingly agreed to.

12 midnight

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): On a point of order, Madam Deputy Speaker. I beg to move, That further consideration of the Bill be now adjourned.

With permission I shall couple that with a short statement about changes in the business announced for this week:

THURSDAY 26 OCTOBER—Timetable motion on the Companies Bill *[Lords]* and Children Bill *[Lords]*.

Followed by completion of remaining stages of the Companies Bill *[Lords]*.

FRIDAY 27 OCTOBER—Ways and means resolution relating to the Football Spectators Bill *[Lords]*.

Followed by completion of remaining stages of the Children Bill *[Lords]*.

That should provide for the House time to consider the Bills that are now before it, which I have identified, comparable in scale to the time visualised in the arrangements made through the usual channels and will ensure that the business is handled expeditiously in the remainder of the week.

Mr. Cryer: On a point of order, Madam Deputy Speaker. The Leader of the House has used the opportunity of moving the adjournment of the debate to make a business statement. Surely it would be the proper procedure to have questions on the business statement, as is the usual case, to disentangle the business statement from the justification for moving the adjournment of the present Bill. The Leader of the House did not actually move the adjournment of the debate. Therefore, I believe that we should be given the opportunity to ask business questions about the guillotine motions.

Madam Deputy Speaker: The hon. Gentleman knows, and I should remind the House, that the motion is debatable.

Mr. Skinner: In common with my hon. Friend the Member for Bradford, South (Mr. Cryer) I want to object as this is the first time that I have heard a Leader of the House move the adjournment of a debate and, at the same time, indicate a change in the business by introducing a guillotine.

I know that the right hon. and learned Gentleman is new to the job, that he has not been around a great deal and that he has a lot of trouble with the Prime Minister. He should explain, however, where in "Erskine May" this practice is allowed. I note that the Clerk is having a word with Madam Deputy Speaker and I suppose that he is trying to square it for the Leader of the House.

This is an indication of the way in which the Government have got their business into a shambles *[Interruption.]*

Madam Deputy Speaker: Order. I must hear the hon. Member for Bolsover (Mr. Skinner).

Mr. Skinner: Here we have a Government with a 150 majority——

Hon. Members: At the next election.

Madam Deputy Speaker: Order.

Mr. Skinner: If I can just correct the lager louts who have come straight from the Bar—mind you, it is not only lager.

The Government have a majority over the Labour party of approximately 150 hon. Members. I do not count the rag, tag and bobtails. I just subtract the number of Labour Members from the number of Conservatives because tonight, for example, the Liberals—or whatever they call themselves—have not been voting with us; they have been voting with the Government. That means that the Government majority has been even greater than 150. So the Government have a majority of 150 over the Labour party, but in the Lobbies, on the last two or three votes, the Government have been able to muster only 120-odd hon. Members—and that includes my hon. Friend the Member for Workington (Mr. Campbell-Savours) who, on occasions, goes into the Tory Lobby to try to confuse them—at least, that is what he tells me.

We have a Government with a massive majority but at the fag end of a Session they cannot get 150 hon. Members into the Lobby to get their business through. It is not the job of a Labour Opposition to get more than 20 or 30 hon. Members in our Lobby. It is the job of the Labour Opposition to make sure that we occupy Government time, especially when the Government are up against the wall at the end of a parliamentary Session. It is indicative of this state of affairs that the Leader of the House had had to come to the House to introduce two guillotine motions at five past 12 in the morning for two Bills, each of which has several hundred amendments. There is something wrong with a Government who have two Bills—with 400 amendments on one, and about 800 on the other—who do not know whether they are on this earth or Fullers. That shows not only that the Government are in a shambles, but that the Cabinet are beginning to lose their grip on the House——

Mr. James Wallace (Orkney and Shetland): Perhaps the hon. Gentleman would care to contemplate the fact that in another place the Government have introduced more than 400 amendments to the Local Government and Housing Bill which at some time will no doubt have to come back to this House.

Mr. Skinner: What can you expect? On the one hand, the Prime Minister is gallivanting around the world. She does not know what is happening in this place. She just flits in, has a photo opportunity outside, and is then off to Japan and Kuala Lumpur. She is falling out with the Commonwealth, and the Front Bench are getting the business cocked up. What does the hon. Gentleman expect? I am not surprised that the Government are in this shambles, but I should like to know what will happen when she comes back. I should like to be a fly on the wall at the Cabinet meeting tomorrow morning when she says, "What the hell's going on? I've been holding things up out there in Kuala Lumpur against 48 other Ministers, but this lot have been allowing 20-odd Labour members to run rings round the Government and keep the House sitting until the middle of the night, losing Bills left right and centre."

Mr. Campbell-Savours: The Prime Minister has sacked the Leader of the House once.

Mr. Skinner: Yes, she did sack him—and she took his house off him and gave it to the Foreign Secretary, a man with some kids; then the Leader of the House complained because he wanted a mansion, so she kicked the Chancellor of the Exchequer out of his house—he has kids—and put in a man without any kids. The Government really have got themselves into a mess in the past few months.

So I am pleased that Labour is 26 points ahead in the polls. All this disarray started when I became chairman of the Labour party. We were six points behind in the polls when I took over the chairmanship at the back end of 1988 and by the time I have finished we are 26 points in front. Some people are suggesting that I should carry on, but I do not believe in patronage. I believe in the system of elections. I have done my stint and am happy to look at the Government Front Bench—incidentally, the Secretary of State for Trade and Industry is now here. He had the job of selling water privatisation and the poll tax. According to all the communiqués from Bernard Ingham——

Madam Deputy Speaker: Order. The hon. Gentleman makes amusing speeches, but I am sure that he will keep to the terms of the motion before us.

Mr. Skinner: I am trying to say that the Government have lost their way. They had the reshuffle to try to present a different image, so they shifted the right hon. Gentleman to the Department of Trade and Industry. He could not sell water privatisation and the poll tax, and now he has to sell £20 billion worth of goods abroad. That shows the disarray in the Cabinet.

Yesterday, the Chancellor spoke, and about two Cabinet Ministers turned up to hear him. Is it any wonder that Members were saying in the Lobbies tonight that they would not stop here to carry the Companies Bill through? If Ministers, they said, did not turn up for major debates, why should they turn up and vote for them in the Lobbies? That shows that the Government are now at the tether end.

I hope that we shall have the opportunity to vote against the guillotine tomorrow, to show that we are going to fight the Government to the bitter end. I hope, too, that the Government will have the sense to pull off the Associated British Ports (No. 2) Bill—*[Interruption.]*

Madam Deputy Speaker: Order. The hon. Gentleman knows as well as I do that that is not part of the motion, to which I refer him.

Mr. Skinner: The Leader of the House made a business statement, and if I had asked him a question—as opposed to taking part in this debate—I would have told him that now that he is changing the business for Thursday and Friday I could legitimately ask him to get rid of that so-called private Bill. It is a political Bill which will allow 15 million tonnes of coal to be imported to Britain at a time when we have a £20 billion balance of payments problem.

It is legitimate to say this in this debate because it is partly a business motion. The private Bill should be

withdrawn. It is just conceivable—although I cannot guarantee it—that if the Bill is withdrawn, we might get to the end of the parliamentary Session with less fuss and bother. If 15 million tonnes of coal are to be brought here through these ports, they will add to the massive balance of payments problem.

I suggest that, in these last few weeks of the Session, the Leader of the House consult Back Benchers, as the last Leader of the House did. He met us in July in the Leader's room. We had a nice little discussion about the Associated British Ports (No. 2) Bill. It is important that other hon. Members know that. The Government decided to take the Bill off in July, using various methods of getting rid of it. It is legitimate to suggest that the new Leader of the House get rid of it altogether. Why should there be a carry-over motion for the Bill? It was flawed. Not only did the Chairman——

Madam Deputy Speaker: Order. I have called the hon. Gentleman to order now on more than one occasion. He knows our procedures. I refer him to our Standing Orders —to Standing Order No. 33, to be precise, which lays down that he can debate only what is in the motion before us. The hon. Gentleman is a clever parliamentarian, and I hope that he will now return to the motion.

Mr. Skinner: As I said earlier, that would have applied had the Leader of the House only moved the adjournment of the debate. But he did not. He came here with a hybrid motion which included a business statement and a motion to adjourn proceedings on the Companies Bill. You, Madam Deputy Speaker, and the authorities in the House, heard it all. It was a remarkable proposition——

Madam Deputy Speaker: Order. Certainly the procedure on the two Bills to which the Leader of the House referred are open for debate.

Mr. Skinner: Of course they are. When the Leader of the House makes a business statement, anyone can stand up and, if called by the Speaker, ask why certain other matters should not be dealt with in the statement. It is legitimate for any hon. Member to raise any subject he or she likes. I am saying that, in view of the two guillotines that are being proposed, the Leader of the House should follow the example of his predecessor—the present Secretary of State for Energy—and consider the proposition that we should get rid of that Associated British Ports (No. 2) Bill so that we can proceed.

Madam Deputy Speaker: Order. I have referred the hon. Gentleman to our Standing Orders. I refer him to Standing Order No. 33, which is very germane to this debate. He can of course refer to the business that the Leader of the House has referred to, which are the two Bills, the Companies Bill and the Children Bill.

12.15 am

Mr. Skinner: As a matter of fact, the Children Bill, although it has been referred to, was not a matter for us. I came in here last night and listened to a very good debate on that Bill. About 10 hon. Members on both sides of the House took part. There were several of my hon. Friends who had served on the Standing Committee, and two or three Tories joined in. One or two Tories made comments on points of order today, but they had gone to bed, so they did not know what had happened.

A lot of Opposition Members are quite happy with the Children Bill and how it is being dealt with. We do not believe in guillotines and would much prefer it if it were dealt with properly, but nobody should assume that we can lump the Children Bill and the Companies Bill together. The Companies Bill is all about fraud and how to tighten up on it.

I said earlier that we ought to be discussing the fraud involving Ferranti. Now that we are to have a guillotine on the debate on the Companies Bill, it is conceivable that some of my hon. Friends will not have an opportunity to talk about the massive fraud that has taken place. We shall not be able to talk about that company of which Edward du Cann was a non-executive director.

Mr. Cryer: Tell us what happened.

Mr. Skinner: He ran away. Just before a certain housing company went to the wall, Edward du Cann decided to pack in as a non-executive director saying, "I think there is summat smelly here. I've been taking the money all this time, but now it looks as if it is going down the pan, I am getting out of the way."

If debates on the Companies Bill were not guillotined, it would be a good idea for hon. Members to talk about that issue. Why can non-executive directors leave firms in a hurry like that and leave someone else holding the baby, because that is roughly what happened?

I do not think that we shall be able to discuss the Ferranti issue properly if there is a guillotine. Ferranti got into bed with this company called ISC and a fellow called James Guerin. He was a funny sort of fellow. They could not find him for a while. It is known that, by and large, Ferranti gets its money from the British taxpayer because it has large defence contracts. The auditors' inspection of the books could have been debated in the debate on the Companies Bill if there had not been a guillotine. The auditors obviously did not know what they were doing. The Companies Bill is designed to get auditors to look at these things properly.

Mr. Campbell-Savours: What happened?

Mr. Skinner: With Ferranti, the auditors examined the company and said, "Oh, it's all right. You can join forces with ISC. They are clean." It turned out that ISC was guilty of about a £200 million fraud. Imagine if it had been someone on social security. There are people in Britain who are locked up in gaol because they have been found guilty of a minor social security fraud, yet somehow the fraud squad has not got round to dealing properly with this matter.

If there is a guillotine, it will be difficult to deal with issues concerning fraud in the City and elsewhere. That is why I think that some of my hon. Friends may want to speak in this short debate—they may want to reveal some of the details before the guillotine falls tomorrow.

Mr. Campbell-Savours: What about clause 72?

Mr. Skinner: Indeed. There is just a chance that, under the guillotine, debate on clause 72 will not be reached. The chopper will fall.

The Government have run out of steam and the Cabinet is in total disarray. At the end of the Session the Government have piled up 400 amendments to the Children Bill and 800 amendments to the Companies Bill. They have lost their way. They cannot keep their troops

[Mr. Skinner]

here at night. They were down to 120 hon. Members at 12 o'clock and that is the sign of a Government in retreat. I am pleased about that, but people outside the House should know. For those reasons I hope that——

Mr. Campbell-Savours: Has my hon. Friend seen clause 67 which deals with investigations into insider dealing? The debate may be curtailed on that matter.

Mr. Skinner: We may not be able to deal with that so perhaps we should mention it now. Is that clause about Alan Walters? The Chancellor of the Exchequer says that he is the man doing the insider dealing at No. 10. The Chancellor has a connecting door to No. 10, but he cannot get in because Alan Walters has locked it. We should be able to discuss such matters, but we will probably not be able to because of the guillotine motion.

We will not be able to deal with Guinness. However, to be fair, the Guinness issue is now before the courts and is what we call in Latin, sub judice. Therefore, I will not discuss it now. However, as I have said, we will not be able to discuss Alan Walters, his position on the EMS and his role in the conflict between the Prime Minister and the Chancellor of the Exchequer.

I do not know who will go first, the Prime Minister or the Chancellor. I know that many of my hon. Friends do not agree with my view, but I have money on the fact that the Prime Minister will not lead the Tory party in the next general election. Some people laughed at me when I said that on the radio 12 months ago. However, as a result of the problems with Alan Walters, the insider-dealing man, more people think it is a decent bet. They are asking me to lay off some of my money so that they can get a slice of it. It is a toss up who will go first.

There are people within the Establishment who would like an extended debate on the Companies Bill. Those people are now saying that it is time for the Prime Minister to go. We have only to read some of the posh newspapers to see that. They are suggesting that the Prime Minister is at the tether end of her term of office. My guess is that the Prime Minister might suffer a diplomatic illness during the next parliamentary Session and that will be the end of it. If that happens, in will come the Leader of the House. He will not be moving guillotine motions then because he will be hoping that somebody else will do that for him. However, there is another bloke in the running, the right hon. Member for Henley (Mr. Heseltine). We cannot rule out the possibility of a ballot in November. Traditionally, the Tory party can have a ballot in November but we do not get a vote.

Madam Deputy Speaker: Order. I remind the hon. Gentleman once again that he must make his comments germane to the motion before us. He is straying far from that now.

Mr. Skinner: I was trying to say that if more Tory Members had turned up tonight, including the right hon. Member for Henley, the Leader of the House would not have been placed in this predicament. Many Cabinet Ministers have left the sinking ship as have many of the junior Ministers who usually turn up. In any other part of the parliamentary year the Division bells are rung, the Whips get on the telephone and all the junior Ministers and Cabinet Ministers turn up. They have not turned up tonight because they think that it is the beginning of the end. If all those people had turned up, the Leader of the House would not have had to move the guillotine motion because there would have been no need for it.

Mr. Campbell-Savours: I do not understand why.

Mr. Skinner: There would have been 250 or 300 Tory Members in the Lobby and some Opposition Members —not me—may have felt a little cowed by the massive majorities piling up against us. My hon. Friend knows that when we came into the Chamber after the Division we heard that the Government had started with 190 and that it had come down to 183. In the next Division it came down to 160. That makes us feel buoyed and confident because we know that we are on a winning streak.

The Government got into such a sorry state that my hon. Friend the Member for Workington (Mr. Campbell-Savours) bailed them out in a Division by voting with them. The Liberals or whatever they call themselves also voted with them. When we see that, it becomes clear that the Leader of the House has got a telephone call from somebody who said to him, "Hey up, Geoff, we are losing our troops. There is a gang of Labour MPs, one of whom has voted with us, causing trouble. They are acting like an Opposition." The Leader of the House is brought in and has to cobble together a guillotine motion on the Companies Bill and the Children Bill in order to get them through.

The Government started the Session last October and have a massive majority of about three or four to one in the House of Lords—when they can get the Lords to work. Some of them turn up and pick up £100 a day tax free straight away. Even with that massive majority the Government cannot organise their business. The ship is beginning to sink. When I reflect upon events in the House yesterday and especially those of today, I begin to understand the opinion polls. I can understand why Labour has 48 or 49 per cent. and the Conservatives are down to 36 or 37 per cent.

That is easy to understand when we remember that the Government are taking on the ambulance crews. That is wicked and shows that the Government are losing their touch. They should pay those people the kind of money they deserve. In our society top company directors have had 26 per cent. increases in the last 12 months, but the ambulance crews are being offered only 6·5 per cent.

Madam Deputy Speaker: Order. I am sure that the hon. Gentleman is about to bring his remarks to a conclusion.

Mr. Skinner: The reason for the Government losing their touch is an amalgam of all those things. They are losing their MPs in the middle of the night and are unable to hold them. When the Conservatives are down to 120 hon. Members at 12 o'clock it means trouble. Everybody knows that, and that is why the Leader of the House is here. He is not here because of any filibuster. I have not heard any filibuster. We have been voting legitimately on matters pertaining to the Bill.

Mrs. Alice Mahon (Halifax): On a point of order, Madam Deputy Speaker. I hope that the 999 service is working tonight because it looks as if we might have two casualties in the House.

Mr. Skinner: I do not know whether to continue. I can understand the hon. Member for Calder Valley (Mr.

Thompson) dropping off to sleep. He got sacked in the big shuffle. He probably thought, "Why should I bother?" and went to sleep. He could have stayed away altogether.

Mr. Keith Vaz (Leicester, East): I am sorry to interrupt my hon. Friend in mid flow. Does he agree that hon. Members in all parts of the House who served diligently on the Standing Committee on the Children Bill—hon. Members such as the hon. Member for Stockton, South (Mr. Devlin) and I—were concerned when we heard from the Leader of the House that the Bill is to be guillotined? Does he accept that the Bill is a consensus matter and that Members from all parties sought negotiations and amendments to make sure that it went through? Does he also agree that people outside who have been waiting for many years for that legislation will be deeply offended at the decision to guillotine this important measure?

Mr. Skinner: Only today Tory Members were weeping about how we did not make as much progress as they wanted to last night, when my hon. Friends were complaining about the licensing and inspection charges on pre-school playgroups, and we had some healthy debates. It is strange that the Government will now introduce a guillotine to stop my hon. Friends from speaking about these matters.

We can regard this little episode of the Leader of the House being dragged here as healthy for us. The Government have lost their troops. The Cabinet do not know which way to turn. The monetarist philosophy is in ruins. The Government are intervening at every possible stage. The Labour party is much more confident. The rag, tag and bobtail party does not matter any more. I think that we shall look back on this night, when the Government caved in at the tail end of the Session, as indicative of a Government on their last legs. I look forward to the end of them.

12.30 am

Mr. Teddy Taylor (Southend, East): I have some brief questions for my right hon. and learned Friend the Leader of the House. We all welcome the motion because it is clear that hon. Members are far too tired, after a busy day, to consider this important Bill. It would be an outrage if people were not to hear about the important work that we are doing on the Companies Bill.

Does the motion moved by my right hon. and learned Friend mean that we shall stop now, or does it mean that we shall stop talking about the Companies Bill, and go on to talk about the merchant shipping order? It would be an outrage if we followed the second route. The order overturns a proposal that, last year, both the Minister in charge and his Parliamentary Private Secretary said was vital for the future of British shipping. Surely we will not stop debating the Companies Bill as a result of the closure motion, and then have to talk about the order.

Secondly, my right hon. and learned Friend the Leader of the House will be aware that if we are to do our job properly we need to have parliamentary papers. Through the good offices of Mr. Speaker, and nobody else, we got an assurance that papers would be provided in the Vote Office, outlining the judgment of the European court. Hon. Members who have it will see that unfortunately —probably because of the speed with which it was produced—a page is missing. That page could be provided if the debate were delayed. The page shows that the document did not reach the Treasury solicitors until 18 October, which happens by chance to be the day after it was presented to the House of Commons, and it was printed in the Order Paper that these items were available in the Treasury Solicitor's office. That is unusual.

The third reason why we should not hurry with this order is that, as my right hon. and learned Friend, with his long experience of the EEC will be aware, if we vote for this order, which will allow foreign ships to be British ships as from now, it will apply only to Britain. This order does not apply to other countries. When we have all this work to do, and people want to hear about the work that we are doing, it would be an outrage to rush through, at great speed and at a late hour when no one will hear, something that will apply only to us.

The treaty of Rome, of which I am sure my right hon. and learned Friend is well aware, says that all countries should be treated equally. Why the blazes, at half past 12 at night, we have to debate this, I do not know. Sadly, we deal with controversial, horrible, nasty and undemocratic matters about which people do not hear at 1, 2 and 3 o'clock in the morning.

I support the motion, but I hope that my right hon. and learned Friend the Leader of the House will say that we are too tired to do important work and that it is an outrage that the debate should take place at this hour. Surely my right hon. and learned Friend will be the great democrat and protector of liberty that I know he is. I trust that he will say that we can defer for a few days something that will overturn and wreck a measure which only last year was recognised by Ministers and Back Benchers as crucial and vital if we were to support British fishermen. Let us not be dirty to our fishermen at 12.30 am. Let us stand firm by democracy. Let us for once have a real debate on a vital issue in prime time.

Mr. Cryer: I cannot recall an announcement by a Leader of the House that sought, in effect, to move progress and, at the same time, to announce a business statement. Such a move shows the contempt that the Government have for the House. Why were not the rights of hon. Members protected by an announcement being made on the screens throughout the House that a business statement was to be made? It is a convention of the House that when a business statement is made and changes are to be announced Members have right of access to the Chamber so that they can ask questions about the statement. It is a long hallowed tradition that Members should be given the opportunity to raise pressing issues that concern them that they believe should take priority over the changes to business that the Leader of the House has made. No opportunity has been given to those hon. Members who are working in their offices to come to the Chamber to express their points of view. I would judge that the annunciator operators have merely been presented with an announcement that there is to be a debate on the adjournment of progress on the Companies Bill. That means that the traditional position of Back Benchers has been deliberately undermined by the Government not announcing a business statement.

Mr. Nigel Spearing (Newham, South): I invite my hon. Friend to clarify his language. He has referred to a tradition, and a tradition in this place is often regarded by those outside as unnecessary and a delaying tactic. Is it not a good democratic practice that when a business statement

[Mr. Nigel Spearing]

is to be made notice is given, if only for a few minutes, so that those who wish to ask a question about the change in the business arrangements can do so? Perhaps my hon. Friend will be able to tell me—he may have been in the Chamber at the time—whether the Leader of the House, in announcing that there would be a timetable motion on Friday, stated that there would be an extended sitting. That would be within the Government's rights but it is a sign of distress. I understand that a guillotine motion would continue to be debated for three hours at the conclusion of the debate on the Football Spectators Bill on Friday.

Mr. Cryer: There will be guillotine motions on Thursday 26 October, which is tomorrow or later today. The Government will continue the debate on the Children Bill on Friday 27 October. The debate on the Bill will follow a Ways and Means resolution on the Football Spectators Bill. The Government know that there is concern about, but a good deal of consensus on, the Children Bill and they want cynically to ensure that there is something following the Ways and Means resolution that Members will wish to reach. They wish to ensure that the Ways and Means resolution on the Football Spectators Bill is not debated at length.

The Government proclaim in loud tones and in generality that they are concerned about taxpayers' expenditure—that is money that is spent by the Government—but they do not like hon. Members such as myself speaking on Ways and Means resolutions. They regard that as an inconvenience. When they are spending hundreds of thousands of pounds, millions of pounds or, in the case of the privatisation of the water industry, billions of pounds, it is inconvenient to have an extra 45 minutes of debate after the Division at 10 o'clock. That is what the business is about on Friday. The Government are cynically curtailing debate on the Ways and Means resolution by arranging to take the Children Bill after it. They know that there will be pressure on debate. There will be those who say, "For goodness sake do not talk about money and Ways and Means. Let us get on to the Children Bill, where there is consensus." The notion that the Government are concerned about the Children Bill and are providing time for that is absolutely false. It is a cynical manoeuvre to curtail debate in this place about a subject in which this place should have some measure of interest, and that is the expenditure of money. That is one reason why the change in business has been wrapped up in the motion to curtail business on the Companies Bill.

Although there were shouts from Conservative Members when my hon. Friend the Member for Bolsover (Mr. Skinner) raised the question of the Children Bill, the reality is that the Bill was progressing smoothly last night. There had been an extensive debate, but every hon. Member who spoke had a deep and concerned interest. Indeed, I had two amendments on the Amendment Paper concerned with charging for pre-school playgroups. A great many representations have been made to me on that matter. I have received a petition and 100 letters, including half a dozen from organisations running pre-school playgroups in my constituency that expressed great concern about the charges for registration and inspection.

I was surprised to find that, although I had tabled those amendments, and although that usually means that one is called fairly early in the debate, I was in fact called eighth or ninth because of the long queue to speak. Therefore, it is quite false to suggest that there was anything other than concerned and detailed discussion last night.

Mr. Dave Nellist (Coventry, South-East): While my hon. Friend was explaining the importance of the discussion on the Children Bill, I heard Conservative Members complaining about the number of votes that were taken. My understanding—and, I think, that of my hon. Friend—is that we are paid a fairly heavy salary to come to this place to vote on legislation. Are Tory Members suggesting that we are not sent here to do that? If so, what are we paid to do?

Mr. Cryer: In fact, there were very few votes last night because the vast majority of the amendments being debated related to schedule 8. Under the Standing Orders of the House, it is not possible to vote on amendments until we reach the clause or schedule to which they apply. Hon. Members will be aware that schedule 8 is towards the end of a group of schedules which themselves are near the end of the Bill. Therefore, it was not possible to vote on my amendments.

I must make it clear that my amendments were not tabled last night and they were in no way superfluous. I was not the only hon. Member wanting to ensure that the charges were removed. I presented the House with the choice of either removing the charge for inspection and registration or limiting the charge to a maximum of £10. The Minister said that he would not charge more than £10, so through the vehicle of my amendment the Opposition gained a valuable concession. That was not entirely satisfactory, however, because the actual amendment concerned the right of the Minister to issue orders.

As the House knows, these are very unsatisfactory. Ministers change, and an assurance that a Minister gives does not bind other Ministers. The fact is, however, that an assurance was obtained that will go some way towards giving the pre-school playgroup organisations in my constituency some confidence in the fact of support for the figure of £10 in my amendment—support, indeed, that I received in a letter from a playgroup association representing the whole of Bradford. The time was not wasted; it was typical of the way in which the House of Commons works late at night, when there is a good deal of detailed argument and some common sense and understanding.

12.45 am

Mr. John Butterfill (Bournemouth, West): Does the hon. Gentleman accept, however, that his attempt to justify his behaviour last night, and the intervention of his hon. Friend the Member for Coventry, South-East (Mr. Nellist), would have much more validity were it not for the fact that, in the many Divisions that were called, no one voted on his side? If there was real concern, why did no one support the hon. Gentleman in the Lobby?

Mr. Cryer: It simply is not correct to say that many Divisions were called with no hon. Members in the Lobby. As a matter of fact, I was very sorry that my two amendments—Nos. 360 and 361—were not subjected to a Division. I would have asked for a Division to remove all possibility of charging, but—as I explained to the House—that was not possible, because my amendments affected schedule 8, which could not be voted on until that stage in

the Bill was reached, which would be at the very end of the proceedings. The truth is that not enough time has been allowed for ordinary consideration of the Children Bill.

Mr. Skinner: I think we need to explain why there were only about three or four Divisions, and Opposition votes in all but one—the first. That was deliberate: we decided to find out how many Tory Members were present before we kicked off with the Bill. That is always a good exercise. If they are down to, say, 130 or 140, we know that they will not last very long, and tonight was a good indication. So, last night, we tested them early on. We did not want anyone to vote, so two of us tested the Tories. We found 183 in their Lobby, and we realised then that they might manage with that number for about an hour or two, but not much longer. My prediction turned out to be right. Now they are making a song and dance about no one voting in our Division; but we did not want anyone to vote in our Division. We simply wanted to find out how many Tory Members were here.

Mr. Tim Devlin (Stockton, South): That is not the case.

Mr. Skinner: Oh, yes, it is. We found that there were only 183 Tory Members here—and the hon. Member who keeps rabbiting on was not here; he had gone home.

Mr. Devlin: On a point of order, Mr. Deputy Speaker. I wonder whether you could advise the House whether the activities described by the hon. Member for Bolsover (Mr. Skinner) are an abuse of the procedures of the House.

Mr. Deputy Speaker (Sir Paul Dean): Order. These are matters for debate.

Mr. Cryer: I am grateful, Mr. Deputy Speaker, for your comment indicating that last night's events were perfectly proper and entirely within the provisions of Standing Orders of the House. Yet we are being accused by the Government of breaching them, when that is patently not true.

I must say that I feel very critical of—and angry with—Conservative Members who make such imputations about the Chair. As the House knows, any occupant of the Chair would draw the House's attention to any breach of Standing Orders immediately: he would not need to wait for 24 hours for guidance from some Back Bencher seeking a quarrel where none existed. *[Interruption.]* My hon. Friends tell me that the hon. Gentleman is highly unqualified to make any such comment, because he was not even here: no doubt he was tucked up in his Division Bell flat.

Mr. Brian Wilson (Cunninghame, North): I am grateful as this debate has enabled me to learn about the concession which my hon. Friend the Member for Bradford, South (Mr. Cryer) succeeded in obtaining late last night. I suggest that that one concession which will be appreciated by playgroups throughout the country is considerably more valuable than anything that the hon. Member for Stockton, South (Mr. Devlin) will do in this place if he lives to be 100. To illustrate the synthetic outrage displayed by Conservative Members in their concern about the Children Bill, will my hon. Friend remind the House how many Government amendments to the Children Bill have been tabled this week? Might that not be a measure of their high regard for getting it through?

Mr. Cryer: I understand that the Government tabled some 400 amendments to the Children Bill. That demonstrates either very bad drafting or concessions in the Committee. Frankly, given this Government's record, the notion that they would make a large number of concessions—although they allowed some on the Children Bill—is not borne out by experience. On Bill after Bill the Government have rejected our modest and minor amendments. It is obviously a mixture of drafting a Bill that is not up to the standards required by the House but approved by the Government, and a number of concessions.

Mr. Vaz: It is important to dispel the myth that there was no co-operation between the two sides of the House concerning the Children Bill. We co-operated throughout the Children Bill, even when we had reached this stage in our deliberations. We co-operated to such an extent that we did not press new clause 5, which I proposed, to a Division because we believed that it was important to make progress. At 2.30 this morning when the hon. Member for Stockton, South (Mr. Devlin) was in bed, I and my hon. Friend the Member for Middlesbrough (Mr. Bell) argued that we should continue debating the Children Bill as it was so important to get the measure through.

Mr. Cryer: Yes, indeed. A number of us voted that way, unlike the Government who voted for closure, of course without the assistance of the hon. Member for Stockton, South, who, as my hon. Friend pointed out, was in bed.

My understanding is that there has been a good deal of co-operation on the Children Bill. It is quite false and inaccurate for any Conservative Member to argue that that is not the case. Although the Bill has had a great deal of cross-party support, and although it was discussed in Committee in a spirit of assistance from the Opposition, the Government have tabled a huge number of amendments. That suggests that the Government are dealing with these matters in too much haste.

I accept that the Children Bill covers a number of delicate and difficult matters, and therefore the legislation has to be phrased very carefully, as clearly as we can, to make sure that children's rights are properly protected. But that process will not be enhanced by a guillotine—it will be denied. If we are charitable towards the Government—and that is not easy—they must realise that in what they recognise by the number of amendments that they have tabled, to be a delicate and difficult legislative area the process will not be assisted by haste. The Government have to face up to the brutal fact that the measure needs more time because the Government have frittered away the past 12 months on monster Bills such as the Water Bill which was in two volumes. They abused the House by putting through vast quantities of legislation. During proceedings on the Electricity Bill to privatise electricity, the procedure was changed, as a last gasp from the then Secretary of State for Energy who announced that a separate corporation was to be set up to finance the closure of the Magnox reactors. All that was against the background that decisions were not being taken by the Cabinet and changes were being made, yet the House is supposed to deal with this huge volume of legislation.

I was present on Second Reading of the Children Bill. The Government embarked on a cynical manoeuvre. The Minister said that he hoped that there would be consensus

[Mr. Cryer]

and understanding. Much common concern was expressed by hon. Members, and he said that he hoped that the Bill would not become a political issue. By their brutal treatment of the House, the Government made it a political issue. The Bill does not deserve such brutal treatment.

The Government must accept that they will not pass legislation in the time that they have allocated. If they want to deal properly with the Children Bill they will simply have to allocate more time. Of course they do not want to do so, because their obsession with their political ideology and their fear of the Prime Minister prevents them from offering time to allow proper discussion of a decent Bill such as the Children Bill.

Mr. Peter L. Pike (Burnley): I am sure that my hon. Friend is aware that the group of amendments that we were about to debate last night on the Children Bill dealt with grandparents' rights. My hon. Friend will realise that the issue was not raised only this year, because hon. Members have been tabling early-day motions about it for years. Many people inside and outside the House will be concerned to hear that a guillotine motion is to be introduced tomorrow, thereby not allowing enough time for that important principle, and many others, to be debated properly.

Mr. Cryer: My hon. Friend is right. One of the reasons why I voted against adjourning debate on the Children Bill was that I knew that for several years my hon. Friend the Member for Ogmore (Mr. Powell), aided by other people, had tabled early-day motions and campaigned for grandparents' rights. He was willing to move amendments to the Bill, but he was denied that opportunity, which is outrageous.

Mr. Spearing: The earlier part of the debate to adjourn debate on the Bill was understandably, and quite properly, partisan. I suggest to hon. Members that we should not be partisan on the Children Bill. The public often worry that we are over-partisan. Is it not a fact that time and consideration of the Children Bill are of the essence to get it right? The number of amendments that have been tabled to that non-controversial Bill suggest just that. If the Government are suggesting that they, or any political party, should get themselves out of an embarrassment that they have got themselves into through unwise legislation or an overloaded timetable, or both, by sacrificing proper consideration on a non-party political basis of such a sensitive and important issue, that is surely unworthy of any Government. I therefore appeal to the Leader of the House to reconsider the principle of a guillotine on the Bill —least of all this week—and to consider another way of proceeding, such as reintroducing the Bill in the next Session of Parliament.

Mr. Cryer: My hon. Friend is right. A further abuse of Parliament is that the Government propose to give additional powers to Ministers on many Bills. They are saying, "We have not time to deal with detailed aspects of Bills. Therefore, we shall give widespread delegated powers to Ministers to deal with the details." If the House had adequate powers for dealing with delegated legislation there might be an argument for doing that. As my hon. Friends know, I chair the Joint Select Committee on Statutory Instruments. Frankly, the means of dealing with delegated powers are totally inadequate.

Very shortly, in November, we shall have a meeting of the Commonwealth conference on delegated powers here in London. My guess is that most of the other Commonwealth countries will be able to show us a good deal of better practice in dealing with delegated legislation. One Conservative Member said that it is going to be an exciting conference. He was joking. It will be dull and detailed work. However, it is absolutely necessary if Parliament is to exercise some scrutiny of Ministers' powers, which must be examined to see whether they are using them arbitrarily or whether they are the powers that Parliament has granted.

I am

That sort of work carried out by a Committee which does not have the right of debate on the Floor of the House, is best carried out in Committee upstairs and, of course, examined by all hon. Members on Report. It is far better that the House should examine Bills in detail on Report than simply shuffle off powers to Ministers and let them get on with it. That is an abrogation of our duty. By introducing this timetable motion, the Government are demonstrating an abrogation of parliamentary rights to carry out those duties. As an hon. Member implied by his lofty joke, the Statutory Instruments Committee's work is detailed. It is actually much more interesting to deal with Bills on the Floor of the House, yet we are being denied that opportunity because of the Government's obduracy.

Mr. Nellist: To ensure that the issue is properly considered, will my hon. Friend care to play devil's advocate in his own argument and consider the opposite side of the coin? Let us consider a Labour Government bringing forth enabling legislation in the form of an industry measure, which would give a Labour Secretary of State for Industry the power to nationalise companies and then, one by one, through either a statutory instrument or regulation, hand over to the Department as and when was necessary to speed up and complete the process as quickly as possible the necessary powers to take over industry after industry. I have heard that argument put forward over the past 10 or 15 years as an elegant and efficient solution to the time-wasting delays that a Labour Government could face from a future Tory Opposition. Will my hon. Friend explore that possibility?

Mr. Deputy Speaker: I am sure that, in responding to that question, the hon. Member for Bradford, South (Mr. Cryer) will stick to the terms of the motion that we are discussing.

Mr. Cryer: Indeed, Mr. Deputy Speaker.

It is an interesting train of thought. I am arguing against the proposal to adjourn the debate on the Companies Bill and also on the guillotine proposals that the Leader of the House has produced. The Government will go ahead and try to get their troops into the Lobby to support the adjournment of the debate today or tomorrow, whichever is the correct parliamentary term, to pass the guillotine motions. If a Labour Government were giving delegated powers to take into public ownership companies which were necessarily to be collectively owned and responsible to generate the devastating manufacturing economy that we shall inherit at the next general election,

the Conservative Opposition would say, "It's the slippery slope of Fascism. It's Communism gone mad. It's a Marxist dictatorship that is about to take over. Where are our rights as Members of Parliament?" That is what they would be saying and that is what they said when there was a Labour Government between 1974 and 1979.

I was a member of that Labour Government and I recall the activities of the present Secretary of State for Trade and Industry who was then just the hon. Member for Cirencester and Tewkesbury (Mr. Ridley). After the first 12 months of disbelief that their inherited right to govern had been somehow upset, when the Conservatives finally got some confidence back, they used every dodge to delay and obstruct that Labour Government. Because they were involved in financial arrangements, the Conservatives also used lobbying organisations outside this place in a very unscrupulous way. Labour Members would not do that.

Mr. Skinner: At the beginning of his response to my hon. Friend the Member for Coventry, South-East (Mr. Nellist), my hon. Friend the Member for Bradford, South (Mr. Cryer) referred to the Tories getting their troops through the Lobbies to get this motion to adjourn the debate carried tonight. It just crossed my mind that if the Tories were down to about 119 votes in the last Division, and as a lot of Tories want to get home to bed, if my hon. Friend the Member for Bradford, South and one or two of my colleagues continued to talk for a considerable time about this very important issue, the Government might not have the 100 votes to close the debate. If they did not have 100 votes to close it, they really would be in Dicky's meadow, wouldn't they?

Mr. Cryer: As my hon. Friend said, the Conservative Whip is now receiving messages, no doubt from telephonic communications, calling on the loyalty of Conservatives who are asleep in bed to come here to vote.

The Government have moved this motion, but we would prefer to be debating the Companies Bill. We do not want to examine the motion in detail. However, now that the Government have tabled it, they should not be too saddened by our desire to examine it in some detail especially given the Government's unprecedented link between the guillotine motions on the Companies Bill and the Children Bill.

The Leader of the House did not introduce the two guillotine motions in a spirit of progress or to move on the business; he introduced them in a spirit of revenge. The Government have the troops and they have tabled the motions because we have debated issues and taken up more time than the Government had planned for. The Government do not want to have to keep their troops in the House too long. They have an unmanageable spill-over period, but they want to chop off the debate and send their troops back to their constituencies and whatever activities the Tory Members get up to. They want to give them a few days' holiday before the new Session of Parliament. That idea is not working because there is too much legislation. Our extra scrutiny is causing the Government problems and we have seen chaos over the past two days.

As I have emphasised, the Opposition are simply examining the Bills in detail. I took part in yesterday's examination of the Children Bill. What about tonight's debate and the companies legislation?

Mr. Vaz: Can I press my hon. Friend on the suggestion made by my hon. Friend the Member for Newham, South (Mr. Spearing)? My hon. Friend the Member for Newham, South was not aware of the detailed negotiations between the Opposition and the Minister for Health. I want to pay tribute to the Minister for Health for the way in which he conducted the Children Bill and for allowing us to discuss important matters with his officials.

Does my hon. Friend the Member for Bradford, South (Mr. Cryer) agree that in view of the seriousness of the Children Bill, it would be a good idea—if the Leader of the House cannot guarantee what we asked for originally, namely, an extra day's debate—that the Bill should be withdrawn and reintroduced in the new Session instead of rushing through important issues such as the grandparents' rights clauses and the Government's wish, in clause 84, to abolish the ancient jurisdiction of wardship that has been with us for more than 450 years?

Mr. Cryer: That is a useful idea. We could also drop some other item of legislation that is equally complex and lengthy, such as the Companies Bill, and reintroduce it later. A number of useful formulae could facilitate the House in its examination of the Children Bill. The Self-Governing Schools etc. (Scotland) Bill, the Employment Bill and the Local Government and Housing Bill could be dropped to make way for it.

The Goverment may say that they promised the Prime Minister—she is on her way back from Kuala Lumpur —that all the business would be got through. Some Bills are relatively obscure and I suspect that if the Self-Governing Schools etc. (Scotland) Bill was dropped and reintroduced during the next Session it might entirely escape the Prime Minister's notice.

The Leader of the House has the opportunity of entering into negotiations to allow the Children Bill to be exempt from the guillotine procedure. Although the Leader of the House is deep in conversation about tactics for tonight, I appeal to him on behalf of my hon. Friends.

I remember the hon. and learned Member for Putney (Mr. Mellor) in his guise as a Minister at the Foreign and Commonwealth Office. He used to combine arrogance and vindictiveness to an unusual degree. When he made his Second Reading speech on the Children Bill he was a changed man. He was genuinely conciliatory and willing to help. Therefore, he got a response from us. There is a large degree of good will among those hon. Members who have taken the trouble to examine the Bill. No doubt that good will is shared by those hon. Members who have not taken the trouble to read the Bill, but who agree, in principle, that it is a good thing to pass a Bill to provide more protection for children. There is a big question over the resources necessary to finance some of its provisions, but there is an underlying consensus on the Bill, so it would not be a bad idea if the Leader of the House interjected at this stage to say that he would consider negotiations to exempt that Bill from the guillotine motion. It would be to the Government's credit if they did that. It would mean that the Government recognise that a parliamentary democracy has some merit and is not simply a mechanism by which they can push through their ideologically committted pieces of legislation and damn the rest. The rest includes the Children Bill.

I note that the right hon. and learned Gentleman is not rising to seize that opportunity offered to him to create good will and a sense of value in the democratic processes.

[Mr. Cryer]

If there were an agreement to remove the guillotine on the Children Bill it would mean that part of the democratic process was being used. The trouble is that the Government do not recognise democracy very much. The only ideas that they recognise are their own and they do not even recognise that this place has any part to play.

The Children Bill was the subject of the right hon. and learned Gentleman's statement, but it is also important to consider the Companies Bill, which is a highly complicated measure. It is designed to scrutinise the operation of companies, the subject of continuous scrutiny by the House during the past 25 years. In recent years a number of items relating to company legislation have been discussed, so it will not do any harm if the Bill is reintroduced in the next Session. The fact that it was introduced in the other place suggests that the Government regard it as non-controversial. My hon. Friends and I would not regard it entirely in that way, but that is the Government's view. Frankly, because the Bill is so complicated——

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. I have just seen the hon. Member for Stockton, South (Mr. Devlin) approach the Government Chief Whip, ask for the right to speak and be told that he cannot. That is an intrusion into the rights of hon. Members. If the hon. Gentleman wishes to speak, he should be allowed to do so. It is not for Whips to instruct hon. Members that they cannot speak in a debate such as this.

Mr. Deputy Speaker: The hon. Gentleman should not speculate in the middle of another hon. Member's speech.

Mr. Cryer: I imagine that the House would probably be a good deal better off if the hon. Member for Stockton, South (Mr. Devlin) did not speak, but I certainly defend his right to speak in the House. My hon. Friend the Member for Workington (Mr. Campbell-Savours) has done the House a service in raising this matter because if the hon. Gentleman were to speak we could all get a cup of tea while he was holding forth and come back in time for the Division. However, it is a sorry business if the Government Chief Whip is so instructing members of his own party, and it is even more disturbing that Conservative Members do not even have the guts to say "no" to the Chief Whip. They do not have sufficient independence and commitment to democracy to rise and speak. It is true that they will not get the opportunity to do so for a little while because I have a few remarks to make about the Companies Bill. After all, the Government have given us this opportunity and I am loth to allow it to pass.

The Companies Bill is lengthy and complicated. Having had a lot of advice from their legion of civil servants—the Department of Trade and Industry has carried out inquiries into company after company and has produced many valuable reports—it is rather strange that the Government have tabled a thousand amendments to the Bill. We must consider the reasons for that. Was the Bill so badly drafted? Have there been so many changes in the positions of companies that the Government have needed to produce a thousand amendments? Surely, it is reasonable for companies to expect to have some degree of certainty about the procedures and passage of legislation. I should have thought that the degree of uncertainty in the Government's mind, which in turn is producing uncertainty in companies, would merit the Government giving some serious consideration to deferring the Companies Bill to the next Session. That seems the proper way to proceed. I should have thought that in these circumstances, the Companies Bill deserved lengthy consideration.

There was an unfortunate interruption in my membership of the House due to a realignment of the boundaries, but I recall the introduction of a private Bill in 1982, entitled the Lloyds Bill. Some of us opposed it because we said that self-regulation was not the answer. However, self-regulation is the path that the Government have gone down.

Opposition Members want to try to ensure that the Companies Bill is better than the Government have proposed, and that is why we have tabled a modest number of amendments. Certainly, in comparison to the number of amendments that the Government have tabled, the Opposition have been positively parsimonious with their amendments. It is not as though the Opposition had decided to flood the Amendment Paper with amendments because if we had wanted to hold up the Bill as a simple matter of course we could have done so. That is a technique open to the Opposition, but no, we have not taken that course. We decided what we would do as a constructive Opposition, scrutinising matters carefully and disagreeing with the Government's ideology, although, as always, we were in a difficult position because this is a grey area. Should we go for all out opposition, or should we try to improve parts of the Bill and help its passage? These are matters of judgment for the Opposition. We adopted the moderate view that we should try to improve the legislation, to afford genuine protection to the people affected by the Companies Bill—the shareholders, directors and employees.

We wanted, for instance, to improve the Bill by giving shareholders the right to ballot—not an unreasonable view, given the Government's obsession with balloting for the trade unions. We thought that we would take a leaf out of their book and give shareholders the right to decide matters such as political contributions. We tabled a new clause to that effect. We did not table 200 of them, as we could have. We tabled some carefully phrased, moulded and targeted amendments in the best traditions of a constructive Opposition who are biding their time until the general election, after which we shall produce carefully phrased, well drafted and targeted legislation when we form the next Labour Government.

The Government have many resources at their disposal —thousands of civil servants, and advisers on whom they spend about £4 million a year at the taxpayers' expense. I noticed that *The Guardian* said today that these advisers are paid for largely by the Conservative party. That is not true: I tabled many questions on this and the Government would not disclose the cost——

Mr. Skinner: The company known as the Tory party has more or less gone bust. I have just seen a junior Whip tell the Chief Whip, roughly speaking, "They ain't got a hundred." The Chief Whip pulled a face and sent him out again. That is one reason why the Chief Whip is not moving the closure on this part of the proceedings. The Government have not dared move the closure on my hon. Friend, so they are in more serious trouble than we first thought.

Mr. Cryer: My hon. Friend raises a serious issue. The Government have trampled on parliamentary rights by proposing to adjourn this debate and by producing two guillotine motions later today, but I hesitate to contemplate the idea of their moving the closure on a debate to adjourn consideration of the Companies Bill. That would be outrageous. It is the sort of thing that happened in pre-war Germany. I cannot believe that even this Government would stoop to the gutter of anti-democratic practice and do that. *[Interruption.]* The hon. Member for Orkney and Shetland (Mr. Wallace) says that I am gullible. He should have said that I have a touching faith in democracy, but it has been severely wounded tonight by the Government's actions.

My endeavours in this place have included discussions of Ways and Means resolutions. At the beginning of my speech, five or 10 minutes ago, I touched on them. On Friday there is to be a Ways and Means resolution on the Football Spectators Bill. I have raised——

Mr. Deputy Speaker: Order. I cannot see what a motion on the Football Spectators Bill has to do with this motion.

Mr. Cryer: Perhaps I can remind you, very humbly, Mr. Deputy Speaker, that when the Leader of the House moved this motion, he said that the Children Bill, which is to guillotined, will be taken after the Ways and Means resolution on Friday 27 October.

One of the genuine strengths of this place is that there are a lot of loopholes, and it is possible to use this place to raise issues which I suspect is not possible in younger, more mannered, legislatures. Ways and Means resolutions have provided me and other hon. Members with interesting ways in which to raise issues.

Mr. Vaz: I do not know whether my hon. Friend is aware that I served on the Standing Committees which considered the Children Bill and the Football Spectators Bill. The problem for those of us who have been involved with the two Bills is that there will not be enough time on Friday to consider the issues that they both raise. We understand that the Football Spectators Bill is to be amended quite substantially by the Minister for Sport and the Home Office, as a new criminal offence is to be created in clause 2. The Leader of the House's statement makes it very difficult for all of Friday's business to be considered properly, bearing in mind the fact that there is to be a guillotine motion on the Football Spectators Bill on Monday.

Mr. Cryer *rose——*

The Parliamentary Secretary to the Treasury (Mr. David Waddington) *rose——*

Mr. Nellist: I spy strangers.

Mr. Skinner: I spy strangers.

Mr. Waddington *rose in his place and claimed to move,* That the Question be now put.

The House proceeded to a Division—

Notice being taken that Strangers were present, MR. DEPUTY SPEAKER, *pursuant to Standing Order No. 143 (Withdrawal of Strangers from the House), put forthwith the Question,* That strangers do withdraw:—

The House divided: Ayes 6, Noes 132.

Division No. 350] **[1.28 am**

AYES

Barnes, Harry *(Derbyshire NE)*
Campbell-Savours, D. N.
Flynn, Paul
Lofthouse, Geoffrey
Salmond, Alex
Wilson, Brian

Tellers for the Ayes:
Mr. Bob Cryer and
Mr. Dennis Skinner.

NOES

Aitken, Jonathan
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cousins, Jim
Cran, James
Cummings, John
Cunliffe, Lawrence
Curry, David
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Evennett, David
Ewing, Mrs Margaret *(Moray)*
Favell, Tony
Fields, Terry *(L'pool B G'n)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Golding, Mrs Llin
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, John *(Coventry NE)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Ilsley, Eric
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Latham, Michael
Lilley, Peter
Lofthouse, Geoffrey
Lord, Michael
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meale, Alan
Meyer, Sir Anthony
Mills, Iain
Nellist, Dave
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Pike, Peter L.
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Soames, Hon Nicholas
Spearing, Nigel
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Michael Fallon.

Question accordingly negatived.

Mr. Deputy Speaker: There appears to be some genuine misunderstanding about the previous Questions that I put, and there was a certain amount of noise, and spying of strangers. In order to be wholly fair to the House, and to avoid misunderstandings or difficulties, I am prepared to take the closure motion again if it is so moved.

Mr. Waddington: I beg to move, That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 112, Noes 40.

Division No. 351] **[1.40 am**

AYES

Aitken, Jonathan
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Curry, David
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Latham, Michael
Lilley, Peter
Lord, Michael
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Norris, Steve
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. John Taylor and
Mr. Irvine Patnick.

NOES

Barnes, Harry *(Derbyshire NE)*
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Dobson, Frank
Ewing, Mrs Margaret *(Moray)*
Fields, Terry *(L'pool B G'n)*
Flynn, Paul
Foster, Derek
Garrett, John *(Norwich South)*
Godman, Dr Norman A.
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kirkwood, Archy
Lofthouse, Geoffrey
Macdonald, Calum A.
Mahon, Mrs Alice
Meale, Alan
Nellist, Dave
Pike, Peter L.
Prescott, John
Quin, Ms Joyce
Salmond, Alex
Skinner, Dennis
Spearing, Nigel
Vaz, Keith
Wallace, James
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian

Tellers for the Noes:
Mr. Frank Haynes and
Mrs. Llin Golding.

Question accordingly agreed to.

Question put accordingly, That further consideration of the Bill be now adjourned:—

The House divided: Ayes 113, Noes 38.

Division No. 352] **[1.51 am**

AYES

Aitken, Jonathan
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boswell, Tim
Bowis, John
Brazier, Julian
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Curry, David
Davis, David *(Boothferry)*
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hayward, Robert
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Latham, Michael
Lilley, Peter
Lord, Michael
Lyell, Sir Nicholas
Maclean, David
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Patnick, Irvine
Redwood, John
Ridley, Rt Hon Nicholas
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Soames, Hon Nicholas
Speller, Tony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter

Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. David Heathcoat-Amory and Mr. Tom Sackville.

NOES

Barnes, Harry *(Derbyshire NE)*
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cousins, Jim
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dixon, Don
Dobson, Frank
Ewing, Mrs Margaret *(Moray)*
Fields, Terry *(L'pool B G'n)*
Flynn, Paul
Foster, Derek
Garrett, John *(Norwich South)*
Godman, Dr Norman A.
Hughes, John *(Coventry NE)*
Illsley, Eric
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kirkwood, Archy
Lofthouse, Geoffrey
Macdonald, Calum A.
Mahon, Mrs Alice
Meale, Alan
Nellist, Dave
Pike, Peter L.
Quin, Ms Joyce
Salmond, Alex
Skinner, Dennis
Spearing, Nigel
Vaz, Keith
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian

Tellers for the Noes:
Mr. Frank Haynes and Mrs. Llin Golding.

Question accordingly agreed to.

Bill, as amended (in the Standing Committee), to be further considered this day.

2.2 am

Mr. Frank Dobson (Holborn and St. Pancras): On a point of order, Mr. Deputy Speaker. I should be grateful if you could tell us whether you were notified of the intention of the new Leader of the House to make a business statement after midnight. Certainly the Opposition were not so notified—*[Interruption.]* Given the chiacking of those opposite, normally referred to as the Conservative party, one would have expected them to endorse the idea that the customs and practices of the House should be carried out.

I think you will confirm that, certainly within the memory of any Opposition Member, it has been the custom and practice of the Government to inform the Opposition in advance of any intention to make a business statement in the House. We regard it as a most inauspicious start for the new Leader of the House, the first time some sort of crisis occurs, not to follow the usual courtesies. Therefore, I should be grateful to know whether you, Mr. Deputy Speaker, were notified in advance. It is only right that hon. Members should know such things in advance so that they can be in their places if they so wish.

Let me take this opportunity to make it clear that, from 9 o'clock this evening, the official Opposition received no approaches whatever from the Government about any of the matters under consideration. *[Interruption.]* I understand from the cries from the Government Benches that many Conservative Members were not around. Opposition Members were present. This shambles, like the shambles of the carry-over Session, results from the Government's incompetence and inability to plan or to pass their legislation.

In view of the fact that 18 months ago I was criticised by Mr. Speaker for not making our protests about guillotine motions clear, it is proper for me to register the fact that we are entirely dissatisfied about not receiving the usual warning or usual courtesies that make the usual channels possible.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I shall deal with this point of order first. I was not in the Chair at the time, but I understand that the hon. Member for Holborn and St. Pancras (Mr. Dobson) is under a misapprehension. The Leader of the House rose to move that further consideration of the Bill be now adjourned. In doing so, as he was entitled to do, he made a speech. It is not customary for the Chair, or anyone else, to receive notice of such a motion.

Mr. Dobson: Why have I in my possession, supplied by the Government after the statement was made, a statement that reads:

"Business of the House.

With permission, Mr. Speaker, I should like to make a short statement about the changes in the business for this week"?

How was it possible for the people working the annunciator to display "Business Statement" on the annunciator when the Leader of the House rose, giving some hon. Members the opportunity to scurry into the Chamber? Why were we not given the normal warning?

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. Let me deal with this point of order. I can only repeat what I have told the hon. Gentleman, which is that what happened was perfectly in order. It may be, and I shall make inquiries about this, that when the annunciator operators realised that in moving the motion the Leader of the House had made a statement about future business, they thought it might be of some assistance to display that for the House. I repeat that what happened was perfectly in order. The Leader of the House rose to move that further consideration of the Bill be now adjourned and made a short speech. It is not normal for the Chair, or anyone else, to be informed of when such a motion is to be moved.

Mr. Cryer: On a point of order, Mr. Deputy Speaker. The fact is that two items were dealt with. One was the motion that debate on the Companies Bill be adjourned, but there was a separate issue. The Leader of the House used the words "business statement" and announced changes in this week's business to the House. You, Mr. Deputy Speaker, were not in the Chair when I raised a point of order with Madam Deputy Speaker and asked for questions to be allowed. However, because the Leader of the House had not distinguished between the two items clearly, we continued by discussing the motion on the reporting of progress on the Companies Bill.

The changes that the Leader of the House has announced for the business for the week are still outstanding. I cannot recall any occasion when a business statement was made—those were the words that the Leader of the House used—but hon. Members were denied an opportunity to ask questions. I was denied the opportunity to finish my speech, but I would have incorporated questions to the Leader of the House in it, expecting him to reply at the end of the debate. That was stopped by the closure motion, which was accepted rather prematurely after only an hour and a half of debate.

Mr. Deputy Speaker: Order. The hon. Gentleman is a very experienced parliamentarian. I am sure that he is not casting aspersions on the judgment of the Chair, but it sounded rather like that.

Mr. Cryer: If I can explain, Mr. Deputy Speaker. I was taking into account the fact that there is a convention that, ordinarily, a debate lasts two hours before a closure is accepted, but, occasionally and unusually, Mr. Speaker or a Deputy Speaker may accept a closure within a short time. This clearly must have been one of those occasions.

Surely hon. Members should be allowed to ask questions on the business statement, as is the usual custom and practice of the House, long hallowed by the tradition of this place. As the Leader of the House used those words, it seems only right and proper that we should be given such an opportunity.

Mr. Spearing: Further to that point of order, Mr. Deputy Speaker. I have some sympathy with the Leader of the House, having got into an office when there are several unique problems. I can understand the difficulties. However, although, as you say, it was absolutely in order to make a short speech in moving the adjournment of the debate and to explain the reason why that was being done at that time, the absence of the usual courtesies and practices of the House precluded any hon. Member from asking questions about the business statement. That is of great importance.

Strictly speaking, in accordance with your ruling, Sir, no statement has yet been made. All we have had is a speech from the Leader of the House supporting his motion for an adjournment, which has now been passed, but we have had no statement as such. I saw the annunciator when I was in the Library, so I hastened to the Chamber, but I was too late to hear the statement by the Leader of the House.

Would it be proper and in accordance with the practice of the House for the Leader of the House to make a statement—I think that we have a short text—and then for short questions to be asked? I have a question which I have not been able to ask and which is consequent upon the statement. If I cannot do so that way, I wonder whether I can do it through a point of order, because it is a point of order about Friday's business and its conduct.

Mr. Nellist: Further to that point of order, Mr. Deputy Speaker. Neither you nor I were in the Chamber at 12 midnight when the Leader of the House moved the adjournment motion and announced a change of business. I was in my office upstairs, three floors above the Chamber, when, at 12 o'clock, the annunciator indicated a business statement. I suspect that 95 per cent. of hon. Members in the Chamber at the moment were not in the Chamber at 12 o'clock.

Mr. Cryer: They were boozing. That is the truth.

Mr. Deputy Speaker: Order. This is not a point of order for me. *[Interruption.]*

Mr. Nellist: If the lager louts opposite would belt up for a second I might be able to state my point of order.

I suspect that 95 per cent. of hon. Members currently in the Chamber were not here at 12 o'clock, because—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member must come to the point of order.

Mr. Nellist: I shall try to do so, Mr. Deputy Speaker.

The annunciator did not warn of the statement. That has become the practice in recent months and years when business statements are about to be made. I have two questions. First, in future, will you, Mr. Speaker, other Deputy Speakers and the authorities in the House in charge of the annunciator system reconsider whether there must be clear guidelines on how much notice is given to the operators so that they can give a minimum amount of notice to hon. Members that a business statement is about to be made? I suggest at least half an hour.

Secondly, given that we had no notice, in support of my hon. Friends the Members for Newham, South (Mr. Spearing) and for Bradford, South (Mr. Cryer), will you now allow questions on the business statement to be put so that hon. Members who are now in the Chamber can ask questions?

Mr. Frank Haynes (Ashfield): Further to that point of order, Mr. Deputy Speaker. I sympathise with the Leader of the House. He has been flying around the world for the past five years and he is a bit out of touch with the procedures of the House. He has had to consult the Tory Chief Whip to find out what to do—[HON. MEMBERS: "He cannot hear you, Frank."] You can hear them, Mr. Deputy Speaker, but you are not doing anything about it.

I have been in the Chamber all night. The Leader of the House stood at the Dispatch Box and said that he was going to make a business statement—*[Interruption.]* The Leader of the House may shake his head and say that he did not say that. I heard him say that. He made his statement about the change in the business for tomorrow and Friday.

I want you to clarify this, Mr. Deputy Speaker. The Leader of the House is denying this by shaking his head, as he did in response to my hon. Friend the Member for Bradford, South (Mr. Cryer). I hope that *Hansard* is not fiddled with. That is the danger, and that would be entirely wrong.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I have allowed these points of order to continue for a long time. They are an extension of the motion with which we have already dealt. I can only repeat that the motion that we debated, during which some hon. Members spoke at length and were able to deploy their arguments, was perfectly in order. It was moved by the Leader of the House and the House eventually reached a conclusion on it. It is wholly out of order to extend the debate on a motion on which the House has reached a conclusion. Furthermore, I have a shrewd suspicion that we may return to this subject tomorrow—or today.

Mr. Dobson: Further to that point of order, Mr. Deputy Speaker. You have rightly ruled, and I recognise your difficulties because you were not in the Chair at the material time, as they would say in court. I was not in the Chamber at the material time either. Having been here all evening, I was having a cup of coffee. I was not warned about the statement and neither were the Opposition Chief Whip and Deputy Chief Whip. No one was warned. Whether or not that is in order, it is plainly contrary to the usual practices.

The present Leader of the House's predecessor and Chair of the Services Committee announced some time ago that it would be the practice to warn Members of the

imminence of a statement with an announcement on the annunciator. If we are to receive warnings only when it suits the Government, that undertaking was not worth the breath he spent on it.

In view of the fact that, like me, you were not in the Chamber at the material time, will you consult with those who were in the Chamber and with Mr. Speaker to ensure that in future the customary warnings are given? Had they been given, we could all have gone home some time ago.

Mr. Deputy Speaker: I am satisfied that my ruling is correct. The points that the hon. Gentleman is raising now are not for the Chair. They would be better dealt with through the usual channels.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I have already allowed points of order, which have been an extension of a debate that was concluded some time ago, to continue for a considerable period. I am not prepared to take any further points of order on the same subject. If there are points of order on a different subject, I will take them. We must be fair to the rest of the business of the House. Hon. Members on both sides of the House are waiting patiently to take part in an important debate on merchant shipping.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I will take no further points of order on the previous issue, which I have dealt with clearly and on a number of occasions. If there are different points, I will hear them.

Mr. Spearing: On a further point of order, Mr. Deputy Speaker. As one of those who is waiting for the next debate, I thank you for that remark. Please stop me if the point of order that I am about to raise is within the category you have mentioned.

Can you tell us what is likely to happen on a point of order on Friday as to the suspension of the rule to permit any form of business of which we have heard?

Mr. Deputy Speaker: The hon. Gentleman knows very well that the Chair is never prepared to rule on a hypothetical situation, which may or may not arise on Friday.

Mr. Spearing: Further to that point of order, Mr. Deputy Speaker. Is it not within the knowledge of the House that some change in the arrangements for Friday is now within the official knowledge of the House? In accordance with your ruling, which I would not challenge for one moment, is it not possible to question the Leader of the House on that matter? It has been the custom to do so under other circumstances, and no doubt that custom will return. Will the Leader of the House be able to enlighten us on this matter arising out of a point of order on business for Friday? Many people who will want to come to the business that he has advertised will want to know at what time and until when that business is likely to be taken.

Mr. Deputy Speaker: I believe that the hon. Gentleman is forgetting that I assume that there will be a business statement tomorrow in the normal way. The House will have an opportunity to question the Leader of the House then. Surely that is the practical solution to what the hon. Gentleman has suggested.

Mr. Wallace: Further to that point of order, Mr. Deputy Speaker. I accept fully the ruling that you have just given. If I understand it correctly, you said that, in moving the adjournment of the previous debate, the Leader of the House imparted information, in a supporting speech, regarding a change in the business. Is it a matter of order in this House for the business of the week to be changed in that way, or is a statement required?

Mr. Deputy Speaker: That is not a matter for the Chair.

Merchant Shipping

2.21 am

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): I beg to move,

That the draft Merchant Shipping Act 1988 (Amendment) Order 1989, which was laid before this House on 17 October, be approved.

Mr. Deputy Speaker (Sir Paul Dean): I should inform the House that Mr. Speaker has not selected the amendment in the name of the hon. Member for Thanet, South (Mr. Aitken).

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Deputy Speaker. I am sorry to delay the House, but I want to raise an important issue. I was sitting in the Tea Room and I watched the shadow Leader of the House sprint to the Chamber——

Mr. Frank Dobson (Holborn and St. Pancras) *indicated dissent.*

Mr. Campbell-Savours: No, Frank, that is correct, the word is sprint. My hon. Friend sprinted to the Chamber because he had no knowledge of what was happening in here as he had not been given notice.

Mr. Deputy Speaker: Order. I have dealt with that point. I call Mr. McLoughlin.

Mr. McLoughlin: The order gives effect to an interim order of the president of the European Court of Justice made on 10 October 1989. The interim order by the court requires the United Kingdom to suspend, until judgment in the main proceedings, the application of the British nationality requirements for registration of certain fishing vessels set out in section 14(1), (2) and (7) of the Merchant Shipping Act 1988. The affected fishing vessels are those that were fishing under the British flag up to 31 March 1989 with a licence granted under the Sea Fish (Conservation) Act 1967.

The court order is in restricted terms. It requires the United Kingdom to suspend the application of the British nationality requirement as a condition for the registration of fishing vessels as British fishing vessels to the extent that, at present, the owners, charterers, managers and operators of such vessels must either be British nationals, or in the case of a company, have at least 75 per cent. of its shares legally and beneficially owned by British nationals and at least 75 per cent. of its directors as British nationals.

The benefit of the court order is restricted to nationals of the European Community. It does not affect the requirement that such persons must be resident and domiciled in the United Kingdom. Morevoer, it does not affect the requirement that the vessels should be managed and their operations directed and controlled from within the United Kingdom. We do not know how many additional fishing vessels will now become eligible for registration on the United Kingdom fishing vessel register. That will depend on how many have been ineligible for registration by reason only of the nationality requirements that are changed by the order.

It might help if I fill in some of the background here. Part II of the Merchant Shipping Act 1988 introduced a new register of British fishing vessels. The main intention of this register was to restrict sea fishing rights so that the fishing quotas granted to the United Kingdom under the common fisheries policy benefited the genuine United Kingdom fishing fleet and the British communities dependent upon fishing. There were at the time a large number of fishing vessels that were fishing against the United Kingdom quotas, operating largely out of Spanish ports, and which had only a nominal British connection.

The fishing vessel register came into full effect on 1 April 1989, but vessels could transfer to it from old registers on or after 1 December 1988. Since then the overwhelming proportion of the United Kingdom fishing fleet, numbering over 10,000 vessels, has been registered in circumstances where my right hon. Friend the Secretary of State has been satisfied that they comply with the requirements of the Act. One hundred and twenty one have been refused registration primarily because they have not been able to demonstrate that beneficial ownership is British or that the vessels are managed, directed and controlled from the United Kingdom.

In the meantime, the European Commission on 10 August 1989 instituted an action under article 169 of the EEC treaty alleging that the United Kingdom had, in its imposition of the nationality requirement in sections 13 and 14 of the 1988 Act, failed to fulfil its obligations under the EEC treaty. The United Kingdom is defending these proceedings.

The Commission also brought an application for interim measures under article 186 of the treaty asking the court

"to order the United Kingdom to suspend, as regards nationals of the other Member States, the nationality requirements enshrined in sections 13 and 14 of the Merchant Shipping Act".

Judgment in respect of that application was delivered on 10 October and the order concerns that judgment alone. My hon. and learned Friend the Solicitor-General robustly argued the case for the United Kingdom on the grounds that, among other things, interim relief ought not be ordered where the Commission's case on the incompatibility of the nationality conditions with Community law was weak. In particular, he argued that a state has the right and duty under international law to prevent the abuse of its flag and to lay down the conditions for registration of ships that will fly its flag. He further submitted that the nationality requirements at issue were both consistent with international law and necessary to uphold the system of national quotas under the common fisheries policy, which are based on nationality.

The House will remember that the common fisheries policy was negotiated in minute detail by Ministers from each member state in a whole series of monthly meetings in Brussels when this system was set up in 1982-83. However, the court accepted the Commission's view that there was a prima facie case against the United Kingdom on the nationality issue and also that in the meantime certain "quota hoppers", particularly Spanish vessels that had hitherto fished against United Kingdom quotas, were suffering loss. The court, therefore, made its interim order to limit the loss of these fishermen pending the outcome of the main action—provided that they were able to satisfy the other conditions for registration to which I have already referred.

Mr. Jonathan Aitken (Thanet, South): At this point in his interesting narrative, perhaps my hon. Friend could clarify one point. Is it correct that, immediately prior to the passage of the Merchant Shipping Act 1988, the

United Kingdom Government showed the text of the Act to the European Commission and were given clearance for it as being compatible with European law at that time? If that is correct, how on earth have these curious legal actions now come about?

Mr. McLoughlin: I should point out the difference between the Commission and the European Court, which is what we are discussing tonight. *[Interruption.]* However, these points will be covered by my hon. and learned Friend the Solicitor-General who will seek to catch your eye, Madam Deputy Speaker, at the end of the debate.

The United Kingdom is obliged to give effect to the European Court order, which is why this order is before the House for approval. I said earlier, it is not certain what precise effects the relaxation of the nationality requirement will have. It may be very little since, as was recognised by the Commission itself, no more than a few fishing vessels are considered likely to be able to meet the other requirements which remain in force.

Several Hon. Members *rose*——

Mr. McLoughlin: I would rather not give way now, for the simple reason that a number of hon. Members want to speak in the debate, and there will be time later for my hon. and learned Friend to reply to the debate.

I refer to the requirements for residence and domicile in the United Kingdom and the direction and control of operations from the United Kingdom, which will still need to be satisfied.

Mr. William Cash (Stafford) *rose*——

Mr. McLoughlin: It is of course possible that certain Community nationals might decide to take up residence in the United Kingdom, but this would require positive action, which would include setting up their permanent home here.

Mr. James Wallace (Orkney and Shetland) *rose*——

Mr. McLoughlin: In any event—*[Interruption.]*

Madam Deputy Speaker (Miss Betty Boothroyd): Order. It seems to me that the Minister has said that he is not prepared to give way at this stage. Hon. Members should not persist when that has been made clear.

Mr. McLoughlin: It would continue to be necessary in all cases to establish that beneficial ownership, management and direction and control of vessels rests within the United Kingdom. It would not be enough merely to have token representation in this country——

Mr. Wallace: The hon. Gentleman is thick.

Mr. McLoughlin: If the hon. Gentleman is so interested, perhaps he should be prepared to listen.

The Government's objective remains to take all proper steps to ensure that the benefits of the United Kingdom quota under the common fisheries policy accrue to the genuine United Kingdom fishing fleet—but, of course, all such steps must be in accordance with EC law. Since the European Court of Justice has required, on an interim basis, that that portion of the 1988 Act concerning the nationality requirements for registration be suspended pending full argument and the final decision in this case, I ask the House to approve the order.

2.33 am

Dr. Norman A. Godman (Greenock and Port Glasgow): I offer my congratulations to the Minister on his new portfolio. I also offer him my condolences on having to perform the unwelcome role of ministerial messenger boy for the European Court of Justice and the Commission.

The order plainly shows that even the most recently enacted legislation in this Parliament is subject to a superior and more powerful court than any in the United Kingdom. The matter raises profound constitutional implications for Parliament and the people employed in the fishing industry.

This is not the first time that the Government and Parliament have been pulled into line by the European supreme court in Luxembourg. The Government were obliged to change section 37 of the Social Security Act 1975 because of an order from the court. It was amended in section 37 of the Social Security Act 1986. Similarly, the Government had to accept a ruling from the court concerning imports of long-life milk from France and other member states.

I am sure that the Minister will correct me if I am wrong in saying that no member state has sought to reject a ruling from the court. Am I right in thinking that this is the first time that Parliament and the Government have been instructed to amend a recent Act of Parliament by way of an interim injunction issued by the president of the court sitting on his own for half a day? When the injunction was announced a fortnight ago, the EC Fisheries Commissioner, Senor Manuel Marin, claimed—I suspect gleefully—that this was the first time in the history of the Community that the Court of Justice had revoked an application of a national law as a result of an interim injunction. This is a very serious matter for Parliament and fishing. I am sure that the hon. Member for St. Ives (Mr. Harris) agrees.

Why have the Government responded with such astonishing alacrity? In all cases concerning substantive judgments made by this supreme court, the Governments concerned, including this one, have taken several months at the very least to amend the offending national legislation or regulations. Why the unseemly haste? I suppose that the Minister will cite the urgency of this matter and say that Spanish fishing interests are experiencing severe financial difficulties. I have news for the Minister. Many of our fishing interests are experiencing financial nightmares, from the south-west of England to the north-east coast of Scotland and the west coast of Scotland.

Mr. Wallace: And further north.

Dr. Godman: I beg the hon. Member's pardon. They will not forgive me in Shetland for that.

Can the Solicitor-General, who is to wind up this disgracefully short debate, confirm that six other member states discriminate according to nationality? I believe that I am right in saying that France, Belgium, the Federal Republic of Germany, Spain—not surprisingly—Denmark and the Irish Republic discriminate according to nationality, and reserve to their national fleet the quotas that are allocated to each country each year by the Council of Ministers. If that is the case, why has the United Kingdom been singled out ahead of these other

[Dr. Godman]

transgressors? We are having to amend an Act of Parliament which came into force only in January this year.

I have considerable sympathy for the legitimate points of order that were raised on this matter this afternoon by the hon. Members for Southend, East (Mr. Taylor) and for Aldridge-Brownhills (Mr. Shepherd) and by my right hon. Friend the Member for Swansea, West (Mr. Williams). The hon. Member for Southend, East raised an important point when he argued that the matter is sub judice given that other cases concerning nationality are due to be heard in the near future.

If this supreme court is conjoined with our courts, why do we have to accede with such alacrity to an interim injunction? It is disgraceful that we are debating this issue at such a late hour and for just 90 minutes.

I said earlier that this is a most important matter for our fishing industry. I remind the House of the comments made by the right hon. Member for Southend, West (Mr. Channon) when he was Secretary of State for Transport and speaking on Second Reading of the Merchant Shipping Bill. He said:

"Part II deals with the very serious problem of foreign-owned fishing vessels registering in the United Kingdom in order to fish against our EC quotas. This is, I know, a matter of concern to hon. Members who represent fishing constituencies. . . . These are stringent requirements, but we believe they are essential if British fishing quotas are to be preserved for British fishermen. They have been carefully drawn up in consultation with the fishermen's organisations and widely welcomed by them."—[*Official Report*, 28 January 1988; Vol. 126, c. 510.]

My right hon. and hon. Friends and I wholeheartedly supported the Bill. There was no Division on Second or Third Reading.

Mr. Alex Salmond (Banff and Buchan): Will the hon. Gentleman give way?

Dr. Godman: No, not for the moment.

The Minister said that this interim injunction does not affect the requirement that such persons must be resident and domiciled in the United Kingdom. Will the Minister explain those words? Does it mean that if I were José Romero, a Spanish fisherman, I would simply have to announce my intention to live here?—*[Interruption.]* I agree that I do not look very Spanish. Are there to be reciprocal arrangements whereby British fishermen can fish against, for example, the Spanish quota?

The Minister said that there are now about 10,000 fishing vessels on the register. He also said that he is not sure how many additional vessels may now become eligible for registration. Is it the Minister's intention to appoint a team of inspectors to assess the eligibility of applications for registration? Does the Minister agree that the injunction confounds the system of national quotas? Does he agree that the system of national quotas, based upon nationality, is the keystone of the common fisheries policy?

My fear is that the injunction may encourage other fishing interests in Spain and elsewhere to set up home in the United Kingdom. I also believe that the interim judgment will arouse considerable concern in the fishing industry that the Spanish fishing interests may lay siege to the common fisheries policy in terms of access to grounds and quotas. The brutal truth is that there are too many fishermen chasing too few fish in European Community waters and elsewhere. With section 14 of the Merchant Shipping Act 1988 the Government understandably sought to restrict access to United Kingdom quotas. That endeavour has been demolished by the interim order.

The European Commission has told Her Majesty's Government, by way of the multiannual guidance programme, that the United Kingdom fishing fleet has to be reduced by over 22 per cent. by the end of 1991. In other words, fishing capacity must more closely match the demands to conserve the various stocks.

The judgment flies in the face of the sensible management of our fisheries stocks. It makes the need for a decommissioning scheme much more urgent. I know that the Ministers concerned are somewhat reluctant to introduce such a scheme because they were humiliated by Humberside trawler owners during the period of the previous scheme. Despite that continuing embarrassment, Ministers should agree to such a scheme and other conservation measures in order to protect fishing communities throughout the United Kingdom. The people in those communities, from Cornwall to Shetland, deserve nothing less. The Government, the European Court of Justice and the European Commission have failed those decent and honourable citizens of ours.

2.43 am

Mr. Jonathan Aitken (Thanet, South): This is a pretty miserable nocturnal parliamentary occasion. Perhaps the only agreeable aspect for Conservative Members is that we are able to give a warm welcome to our hon. Friend the Minister on his debut at the Dispatch Box. We wish him well in his responsibilities. I wish that he had been able to deal with an easier subject and that he had had an easier debut. I felt that he was in the role of Postman Pat delivering an unpleasant letter to the EEC. He was bustling on his round as if he had in his sack an unpleasant smelling piece of merchandise that he did not want to examine too closely.

I have said that this is a miserable occasion and I agree with most of what was said by the hon. Member for Greenock and Port Glasgow (Dr. Godman). To anyone who cares about our Parliament, its historic sovereignty and, above all, its continuing ability to make laws for the protection of our citizens in the fishing industry or elsewhere, the wretched little order marks a humiliating and important defeat because it is an historic surrender of some constitutional importance.

This is not one of the usual common-or-garden irritating European directives which harmonise lawnmowers, make us put identical health warnings on cigarette packets or adjust our clocks in summertime when we do not want them adjusted. This is far more constitutionally profound. I shall try to take the House to the high ground of principle so that we can see the great issue that matters to any nation state and that is so woundingly being corrupted and compromised by the request that the Government have put to the House.

We need hardly remind ourselves when we debate fishing that we are a maritime nation and an island people. Throughout our history we have been surrounded by the sea and from time immemorial we have looked to our Parliament to protect our territorial waters from incursion, to safeguard our fishing grounds and staunchly to defend the livelihoods of all those who, in the beautiful words of Archbishop Cranmer,

"Go down to the sea in ships and occupy their business in great waters."

There is nothing anti-European in such a stance. After all, since its inception the EC fisheries policy has always been based on the principle that nation states have national quotas. EC shipping law allows any member state to lay down national conditions for the registration of ships and the flying of flags. That is a basic point of EC law and national law.

Mr. John Prescott (Kingston upon Hull, East): And international law.

Mr. Aitken: As the hon. Gentleman says, it is also a basic point of international law.

It was in pursuance of the principle of nationality in fishing matters that the House passed the important Merchant Shipping Act 1988. Section 14 of that Act was of pivotal importance because it inserted what is no more than a normal safeguard that a British registered fishing vessel should be British owned. That means either owned by Britons or by a company which can be shown to be predominantly in the ownership of British shareholders. That is what is meant by "qualified person" or "qualified company" in that section of the Act.

That section was put forward to avoid a familiar form of cheating in international corporation activity, the erection of a brass plate behind which shareholders who are not British nationals can hide. The former Secretary of State for Transport, my right hon. Friend the Member for Southend, West (Mr. Channon), got it absolutely right when on Second Reading of the Merchant Shipping Bill he said:

"These are stringent requirements, but we believe they are essential if British fishing quotas are to be preserved for British fishermen."—[*Official Report*, 28 January 1988; Vol. 126, c. 510.]

We expect no less from a British Secretary of State and a British Parliament.

If the House cannot protect our fishing grounds and our fishermen, what can we do? I am glad to hear that my hon. Friend the Member for Thurrock (Mr. Janman) has been diligently researching the Division lists and has found that every member of the Government Front Bench tonight voted loyally for section 14 to be implemented. My hon. Friend the Member for St. Ives (Mr. Harris), who occupies such a prominent position in the great hall of fame of Euro enthusiasts, having been Parliamentary Private Secretary to the former Foreign Secretary, went out on a limb and eloquently supported section 14. He attacked the wicked Spanish companies behind their brass plates when he said:

"The harm that they have caused to our fishing interests is considerable. At long last we have the legislation for which I . . . have been fighting for many years."—[*Official Report*, 28 January 1988; Vol. 126, c. 532.]

He may have fought for it for many years but we shall shortly lose it. My hon. Friend's words will take some eating. In about 40 minutes we shall not have the legislation for which he fought. One little puff of Euro wind and it will be gone. The legislation for which my hon. Friend fought for so long and about which the Government went into battle will be lost.

I do not know how my hon. and learned Friend the Solicitor-General, on whose shoulders so much rests, will explain all this, but, knowing him, I expect that we shall hear an eloquent appeal to honour the rule of law. I can hear the sonorous phrases that he will shortly roll off. What law? The European Court of Justice has been hopping about on this issue like the worst type of kangaroo. It reminds me of that famous passage in "Alice's Adventures in Wonderland" which says "Sentence first, verdict afterwards."

All the precedents show that a European court always first decides in such cases on the issue of principle as to whether legislation by a member state is or is not compatible with Community legislation. All the signs were that it was compatible. We went, cap in hand, clutching our forelocks, to the European Commission in the first place and asked, "Is our legislation, the Merchant Shipping Act 1988, all right?" and we were told that it was all right. We were allowed to pass the Act, and the next minute it was litigating against us in court. That is not the action of good friend or partner. If the people in the Commission can bless us one minute and bring litigation against us the next, they cannot be very nice.

I cannot understand why the normal procedures were not followed by the extraordinary Euro-court, why a considered judgment on the compatibility issue was not handed down, and why that was not argued carefully. Then, if it demonstrated that national laws had to be suspended, because three wise judges had handed down judgments that everyone had to look at, at least we could see the clear legal basis for the decision.

Mr. Cash: On a number of occasions tonight we have had references to a suspension in consequence of the interim order. However, that is not what the order does. It amends the Act. It says:

"so long as this order remains in force"

it will

"have effect as if".

We may be dealing with a provision that gives the impression that it is suspending when it is amending, which is different.

Mr. Aitken: I take my hon. Friend's point. We are being asked to amend the Act. I was dealing with what the court had said, which is that it should be suspended.

The court shows breath-taking arrogance. It clearly has no idea how much these issues matter to fishermen, fishing communities, or ports—one of which I represent. In a journal called the *Eurofish Report*, I read a curious paragraph headed, "Two little words". That makes it sound like a nursery rhyme. It says:

"The Court president's ruling demands simply that the UK now removes the two words 'British citizen' from that Section 14(7) definition of what is a 'qualified person' and 'qualified company' as it applies . . . It therefore acknowledged the Commission argument that such use of 'British citizen' in this context constitued 'direct discrimination' in flagrant breach of Article 40(3) of the Treaty of Rome."

I find that breath-taking. Delete "British citizen" and insert "foreign owner", and the whole basis on which our fishing legislation and our national legislation in key strategic sectors has been based is cheerfully swept away on the basis of one judge giving an interim judgment.

My hon. Friend the Under-Secretary did his best to take on this legal brief and explain all the legal arguments deployed in favour of killing off this injunction, but he is no lawyer, and he should have added in brackets at the end of every sentence, "And we lost." The Government have had so much practice in fighting injunctions in the courts of the world ever since the Peter Wright industry got going that one would have thought that they could stop one

[Mr. Aitken]

judge in a Euro-court putting down a change of our law that sweeps away the great principles not just of our legislation but of international law.

The moment when the Roman empire was known to be in total collapse and disarray was when three little words no longer had any importance or any impact, and the power of the Roman Senate and the Roman emperors no longer carried any weight. Those three words were, "Civis Romanu, sum". Here, we are deleting "British citizen" from an Act. This is a sad night for parliamentary democracy and sovereignty, and I shall vote against the order.

2.54 am

Mr. James Wallace (Orkney and Shetland): I begin by congratulating the Minister on what I understand is his maiden speech at the Government Dispatch Box. When he refused to allow me to intervene and I persisted in challenging him, I have no doubt that he recognised that those of us who represent coastal constituencies—in some instances rather landlocked ones, but perhaps that is not his fault—reflect the passion that has been generated by the order. That is especially true of those of us who represent fishing constituencies.

It is clear from the previous contributions to the debate that there is widespread agreement about the importance of the Merchant Shipping Act 1988, a measure which received support from both sides of the House when it came before us for consideration. I believe that the support for it was such that it was enacted without a Division. It is a fact that it enjoyed all-party support, and we are all aware of the abuse which it was intended it should tackle. Spanish vessels were coming on to the British register. Alternatively, British vessels were being acquired and beneficially owned by people with substantial Spanish interests. In that way the Spanish fishing industry was getting round the restrictions that were placed on its fleet when Spain became a member of the European Community.

That did immense damage to our fishing industry in all parts of the United Kingdom. As the hon. Member for Greenock and Port Glasgow (Dr. Godman) said, the industry was damaged from Cornwall to Shetland. The Spanish have been able to fish our quotas and add tonnage to our total fishing capacity, thus placing great difficulties in the way of the industry. Our tonnage has to be reduced to meet the targets that are set under the multi-annual guidance programme. I do not think that there is any doubt about the abuse that we have been trying to tackle.

We could claim, and we did, that there was jusification for our approach given the heavy emphasis that has been placed on nationality. The quota system for fisheries is based on nationality, which is an exception to the general approach of a Communitywide application of rules. That provided a justification for the arguments that we advanced.

It appears that the British proposals were submitted to the Commission and that the nod was given. In that context it is surprising that the Commission is taking the British Government to court. It would be reasonable, even at this stage, to put the ball into the Commission's court and say, "The Community has agreed. There is a Community agreement that quotas should be divided on a national basis. You are aware of the problem that we are highlighting. For these quotas to be effective, it is only right that national fishing fleets catch the national quota. How do you, the Commission, suggest that we should respond to the abuse which everyone recognises?".

If the Government had not used up so much good will and political capital in fighting specious battles on issues such as the print size of the warnings on cigarette packets, they might have had a stock of credit and might have been able to advance the argument that I have outlined. They have frittered away good will in responding to so many diverse issues, and when a real national issue arises they find that they have precious little to fall back on. In this instance it is the fishing industry that will suffer.

What effect will the passing of the order have on the number of boats that might be able to come on to the register? The Minister has said that he does not know, but submissions have been made to the European Court by the Solicitor-General and others. They made it clear that the United Kingdom contended that the interim measures would be ineffectual. As I understand it, that meant that the measures would have no effect. The Minister is saying tonight something that is materially different from what the Solicitor-General submitted to the European Court. He seems to be saying that the measures could have some effect, but he does not know how much. We are entitled to have the guesstimate that his Department has made. We should be told what steps the Department is taking to try to quantify the effects in the weeks that lie ahead.

I congratulate the hon. Member for Greenock and Port Glasgow on his pointed and eloquent comments on the speed with which the Government have reacted to the interim measures, bearing in mind the time that they often take to respond to full decisions of the court. The valid argument of the hon. Member for Stafford (Mr. Cash) is that it appears that the court is asking us to suspend the relevant provision of the 1988 Act whereas the effect of the order, as I read it, would be to repeal it. As I understand section 2(2) of the European Communities Act 1972, the power given by Order in Council is to implement decisions of the Community institutions. Therefore, it is not necessary to repeal. It would be possible to suspend. Perhaps the Minister will explain why the chosen course is to repeal.

The Government have been speedy in tabling this order, but why have they not tried to devise some other provision that would achieve the same effect as that wished for through the use of the words "British citizen"? Section 14(3) of the 1988 Act gives the Secretary of State power, by regulations, to specify further requirements that must be satisfied if a fishing vessel is to be eligible for registration as a British fishing vessel. It states that it must appear

"to the Secretary of State to be appropriate for securing that such a vessel has a genuine and substantial connection with the United Kingdom."

What further consideration have Government Departments given to bringing forward further orders to try to achieve the same end, but which would also be acceptable to the Community? As the hon. Member for Greenock and Port Glasgow said, how do other countries get away with it?

I was impressed when I read the speech of the hon. Member for St. Ives (Mr. Harris) on Second Reading of the 1988 Bill. He said:

"How will the Minister or his officials determine that the provision is applied and obeyed. . . . I would thoroughly endorse what my hon. Friend the Member for Eastleigh (Sir

D. Price) said earlier—that perhaps we need to play by the French rules. It is instructive that, to my knowledge, not one Spanish vessel has been transferred to the French register. The French would not tolerate it for one minute."

If the French can make effective provision to prevent Spanish vessels being put on their register, why cannot the British Government do the same? The hon. Member for St. Ives asked that pertinent question, but I do not think that he received an answer. Perhaps we will have an answer tonight.

The hon. Gentleman also said:

"My plea is to ensure that the legislation works. If it does not, the anger of fishermen, especially in Cornwall, will indeed be great. I hope and believe that it will work."—[*Official Report*, 28 January 1988; Vol. 126, c. 532-33.]

He had better watch out for the ire of the Cornish fishermen if he votes for this order. It will repeal the measure that he rightly championed 18 months ago.

If my hon. Friend the Member for Truro (Mr. Taylor) were not indisposed, he would be here saying these same things. Fishermen will be greatly angered and annoyed if the Government do not come up with some satisfactory means of meeting the particular abuse that we tried to cure in the 1988 Act.

3.2 am

Mr. David Harris (St. Ives): The hon. Member for Greenock and Port Glasgow (Dr. Godman) was a little churlish to say that the Government had not stood by the fishermen. I hope that he recognises that no one has worked harder or with more determination, right up through the House of Lords to the European Court, than my hon. and learned Friend the Solicitor-General.

Just what is the hon. Member for Orkney and Shetland (Mr. Wallace) advocating that this House should do? Is he saying that we should break the law, even one passed by a European Court? I do not believe that we should break the law, whether national or European. If the SLD, with all its pontificating about Europe, is now advocating that we should defy the European Court, let the hon. Gentleman say so.

Mr. Wallace *rose*——

Mr. Harris: No, I cannot give way because of the time constraints. Other hon. Members wish to speak.

No one could take any pleasure or satisfaction from this order. It has been described as "wretched", and it is. The Government have no alternative but to bring it forward if they are to obey the law. If—*[Interruption.]* If people think that we should not obey the law, let them say so—*[Interruption.]* That applies to my hon. Friend the Member for Southend, East (Mr. Taylor), who is barracking me.

I stand by every word of my speech on Second Reading, which various hon. Members have kindly quoted this evening. I have been fighting this issue for a long time—probably about eight years——

Mr. Teddy Taylor (Southend, East): We can do nothing here.

Mr. Harris: In fact, we could have done something before Spain joined the European Community.

Before I was a Member of the House—when I was a Member of the European Parliament—I urged the Commission to take action on its front, and urged the House to take action on its front too. I hope that my hon. Friend the Member for Thanet, South (Mr. Aitken) will explain to me after the debate what pressure he put on the House before Spain was a member of the European Community—when the problem was building up—to nip this in the bud. I was trying to press people to take action outside the House; I hope that he was doing the same when he was a Member of it.

In the immediate wake of the interim judgment, it has been said that only 10 or so Spanish boats will be allowed back on to our register. I believe that that is 10 too many: I do not want any Spanish boats on our register. I took pleasure in that long overdue legislation: I said in my speech that I hoped that it would work, and that it was no good having legislation if it did not.

I have a quarrel with the Commission, however. I believe that in bringing this action it is, in effect, driving a coach and horses through its own common fisheries policy. As other hon. Members have said, that policy is built on national quotas—which must mean quotas for our nation's own fishermen. I take issue with the views expressed by the European Court. Paragraph 35 of the judgment states:

"The Commission makes the observation that the establishment of the new register of British fishing vessels has had the effect of forcing the entire 'Anglo-Spanish' fleet to remain idle . . . The owners of the vessels in question are suffering heavy losses as a result of the vessels' remaining idle".

Yes, I think that they are suffering heavy losses, but many of us warned them when they came on to our register by bogus means—which we were daft to allow at the time—that they should be aware of what they were doing, and that if they were tipped off the register, as many of us were advocating, that was their own fault and they should have their eyes open.

Of course—as other hon. Members have said—the fact that those Spanish fishing vessels have been fishing against our quota has caused great damage to our own fishermen, and to the standing of the industry and its economy. I have no sympathy at all for the Spanish boats. The issue to which we should now direct our thoughts is, "Where do we go from here?" I support the hon. Member for Orkney and Shetland: we should find other regulations by which to prevent those 10 or so boats from coming back on to the register.

I also believe, however, that there is an urgent need to take political action, and I applaud the steps taken by my hon. Friend the Minister to rally support from other member states against the pernicious practice of quota-hopping. I am delighted that he has—apparently—obtained support from Germany and Ireland. I urge him to redouble his efforts and to try to achieve a political solution—and to put pressure on the Commission to bring forward its own proposals.

We must stamp out the practice of quota-hopping. It has done immense damage; it is undoubtedly a serious setback; but it is not the end of the story. We must go on, and make sure that the Spanish boats do not come back on to our register. If they do, we must find means of getting them off it as quickly as possible, in the interests of our own fishermen. I hope that the House will unite on that point.

3.9 am

Mr. Calum Macdonald (Western Isles): As a member of the Standing Committee that considered the Merchant Shipping Bill, I share the dismay that has been expressed on both sides of the House at the way in which that

[Mr. Calum Macdonald]

valuable section has been overturned in response to the interim ruling. As time is short, I shall not go over ground that has already been covered by other hon. Members, but we must not lose sight of the background that led to the crisis and to the need for tonight's measure. In concentrating upon the legal and constitutional matters, we should not lose sight of the crisis that fishermen are experiencing and that led to the desire to implement such a section in the Merchant Shipping Bill.

I suspect that the real significance of tonight's order is that it signals the beginning of the end of a common fisheries policy based on nations and national quotas. The current crisis in the fishing industry—the quota cuts, the gross failure to tackle the overcapacity problem, the consequential loss of FEOGA European Community finance from sections of the British fishing industry that desperately need that finance and the current debacle which has led to tonight's order—is evidence of the emerging bankruptcy of the common fisheries policy which, as has already been mentioned, is based upon the notion of national quotas. The court judgment refers to the principle of nationality which underlies the present common system in the European Community.

The root failure of that fisheries policy increasingly has been recognised, even by the European Commission in trying to get itself out of its current position. A Commission communication issued on 19 July proposes a Community framework for access to fishing quotas that appears to be moving away from a common system based upon national quotas, and shows a greater appreciation that even within a national framework distinctions between regions and localities have to be considered. Paragraph 2.5 of that communication states that

"the sense of the special needs of those regions where the population is particularly dependent on fisheries and related industries must be viewed as one of the basic principles"

that must underlie a common fisheries policy in future. The root problem is that the present common fisheries programme cannot distinguish between the different conditions which exist between regions and localities in Scotland, far less between Scotland and England. That failure has resulted in regions and localities getting dragged into a crisis which is none of their doing but which the present framework has made common to them all.

In my constituency in the Western Isles, we feel the squeeze in various ways. I have already corresponded with Ministers on those matters, and as time is short I shall not go through them. However, to get us out of the present crisis, three things must now be done. First, the Government must immediately introduce a decommissioning scheme or some other set-aside scheme. If the farmers can have such a scheme, surely the fishermen can have one too. I am taking the opportunity to raise these matters, as the Minister responsible for fisheries is in his place.

Secondly, the Government must develop a long-term strategy to reduce and contain the overall capacity of the national fleet. The Government plainly have been derelict in their failure to produce that strategy before now.

Thirdly, it is essential that the Minister develops a common fisheries approach with his European colleagues that distinguishes properly and clearly between the different regions and localities of the European Community and the different regions and localities of the east and west coasts of Scotland.

A common fisheries policy must recognise the different styles of fishing and the different types of fleet in each locality. It must not unnecessarily and stupidly afflict one locality with the travails of another.

Until now, the Government's response to the fishing crisis that is breaking around our heads has been pathetic. I sincerely hope that the new Minister will have the vision and determination to tackle the problems at their root, where they must be tackled before it is too late.

3.15 am

Mr. Teddy Taylor (Southend, East): I congratulate the Minister on his appointment. I hope that he realises that this is a very special night, although we are considering the order at 3 am.

Last year, Parliament passed a law, following weeks of debate. We thought that that was the right thing to do and that it was consistent with European law. At the time, the Minister said that the legislation was essential to safeguard the interests of British fishing. Yet, not a court but one chap, Mr. Due, has told us to scrub it. For months we worked out how we could pass legislation that was consistent with the law of Europe, but tonight it is being temporarily suspended.

It is wrong and unfair to the British people for us to be discussing the order at 3 am, when nobody will hear about it. Whether it was right or wrong for the Government to ask us to debate it at this time of the morning, people should know what is happening, but Ministers know that they will not have the slightest idea. If one said to someone in the street, "Do you know that one chap sitting in a court can suspend a law passed by Parliament which it debated for months and discussed with European officials?" he would say, "What nonsense. Parliament is supreme." The Government should be ashamed of themselves for arranging for us to debate such matters at this time, when no one will hear about them. It is wrong and undemocratic.

Mr. Cash: Has my hon. Friend noticed that the order is made by Her Majesty the Queen? It is not made by a Minister and does not recite any power derived from statute other than the European Communities Act 1972. It is simply a prerogative order.

Mr. Taylor: My hon. Friend well knows that it does not matter two hoots whether we vote against the order, and I am sure that the Solicitor-General, who fights these cases so superbly, will confirm that.

We must stop kidding ourselves. People are saying that the order will affect only 10 vessels, probably 12 but perhaps eight. Why do they not also say that in two weeks time another case will start, about which we must give our final submission? The case is called Crown *v.* Factortame Limited and it will raise issues of residence. The idea that the order is limited is a load of rubbish. It may be a year or 18 months before judgment is passed in that case, but by saying that the order is limited we are kidding ourselves.

My hon. Friend the Member for St. Ives (Mr. Harris) was right. We must accept that we have joined the Common Market. Whether we like it or not, the court is constantly creating new powers, not because of laws but because that is the way things are going. Can we honestly

vote against this proposal? We can. The court made an interim judgment and said, "Please implement with urgency." How on earth is it fair and reasonable to the fishermen of Britain that we should implement something which discriminates against Britain and which does not apply to all members of the EEC? Is it not fair for us to say, "Yes, we will apply your judgment, but not until it applies to everyone"? If Spanish vessels claim to be British, why should we accept this measure until the same applies to all parts of the European Community?

When something as shameful and dreadful as this is done, why should it be that, when the papers arrived on 18 October, the Government should announce on 19 October that the matter will be debated in the next week? That is not the way to respond to such a dreadful loss of sovereignty. A huge increase of power is taken by the European Community.

What can we do? I hope that we will stop saying, "Let us have new discussions. Let us try to work out new policies. Let us have new negotiations." We must accept that, sadly and tragically, in this matter we are as effective as a county council.

On this sad night for Britain and for democracy, please will Ministers and Opposition spokesmen stop kidding themselves and pretending that things are as they are not? Please, will they accept things as they are? We should vote against the order, not because we are rejecting law and order, but because we are saying, "We will apply it when, as under the treaty of Rome, it applies to all countries of the EEC." If something nasty is driving a coach and horses through the common fisheries policy, let it apply to all members of the European Community. We should not say, "Reject law and order or the judgment." We should say, "We will apply the law, but it applies to all of us."

3.21 am

Mr. Alex Salmond (Banff and Buchan): I will be brief, as other hon. Members wish to speak in the debate.

One of the problems with the hon. Member for Southend, East (Mr. Taylor) is that he is so wrapped up in his opposition to the European Community that he cannot see the Government's incompetence. At present it is not the European Community which is depriving fishermen of access to decommissioning funds or lay-off funds which would help in the current crisis; it is the total, drift and incompetence of the Government's fisheries policy. *[Interruption.]* The hon. Gentleman's relationship to the Secretary of State for Scotland is like Sir Alan Walters' relationship to the Chancellor, but he should let me make my speech, given the shortage of time.

Hon. Members should examine our proceedings in Committee—perhaps the hon. Gentleman has done so. They would then see that a succession of proposals to tighten up the legislation were presented to the Government by myself and other Opposition hon. Members. This is the third failed attempt to deal with flag of convenience vessels. We got no support from the Tory Members in Committee. On 18 February last year, I moved an amendment to extend qualifications to restrict flag of convenience vessels, not just to the directors of companies, with whom the Government are obsessed, but to vessel crews. It also dealt with nationality qualifications. I was told somewhat ironically that that would be contrary to and run foul of the European Court of Justice. The debate also dealt with the residential qualifications of crews of fishing vessels. That is just as important when defining whether they are legitimately Scottish or English as who owns them and who the company directors are. We must look at the crews manning such vessels.

I was told by the Minister that my amendment was not necessary and that the legislation was watertight or "fishtight", as he put it. Given the judgment of the European Court of Justice, will the Government come forward with a residential qualification and stipulation in respect of the crews of fishing vessels and do something about this serious matter?

I will certainly vote against this measure. It would be incredible for anyone concerned with the fishing industry to vote for a measure when the Minister has told the House that he does not know the consequences that will follow if the order is passed this evening.

We should require the Minister to tell us what further measures, such as residential qualification or associating registration with proof of title, he will introduce to stop once and for all flag of convenience vessels pilfering the quotas of Scottish and English fishermen.

3.25 am

Mr. Michael Carttiss (Great Yarmouth): This subject deserves long speeches without a time limit from every hon. Member. My hon. Friends have already commented on the absurdity of our discussing this measure at 3.25 am. However, I will be brief because I know that many of my colleagues want to speak.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) expressed the feelings of many hon. Members very effectively. He referred to various fishing ports, but he did not refer to those in East Anglia. I come from Yarmouth and my distinguished predecessor in this House fought tooth and nail to prevent us from joining the European Community and running into these sorts of problems.

My hon. Friend the Member for St. Ives (Mr. Harris) has been quoted on many occasions because of his sterling fight for the British fishing interests. I pay tribute to him for that. My hon. Friend wants to know where we go from here. I will go back to Norfolk county council, where I started from, because, as my hon. Friend the Member for Southend, East (Mr. Taylor) said, we are becoming more and more like a county council, closer even than those who wanted European integration.

My hon. Friend the Minister and my hon. and learned Friend the Solicitor-General have come to the Chamber tonight like grand old Dukes of York. They were party to leading us up the hill to vote for this excellent measure and we heard quotations from the then Secretary of State telling us how important it was that we voted for it. The grand old Dukes of York are now leading us down the hill, running from the European Court of Justice. That has nothing to do with not following the rule of law or not following international agreements to which we are party.

My hon. Friend the Member for Southend, East said that one man could overturn what we have spent many months in Parliament achieving. My hon. Friend is wrong. It is the Government's choice that we are being asked to do this now. The Government could have waited for the measure to face the full Commission and then brought it back for our consideration. If I were taken to court for a speeding offence because I was travelling at 30·5 mph in a built-up area, I would go to court. If I were found guilty,

[Mr. Michael Carttiss]

I would pay my fine. However, it is worth contesting and it is worth contesting this measure in the interests of the fishing industry which has received very little help in recent years.

It has been said that there are too many fishermen chasing too few fish. We know that. However, why should all the fishermen be Spanish and have the support of other European countries, some of which have no interest in the fishing industry?

No one could accuse the Government, led by my right hon. Friend the Prime Minister, of kowtowing to or being supine before the EC. But this is an issue of vital importance to fishing and to the constitutional arrangements of this House. We should be standing firm.

Why make a fuss about cigarette packets? Does that matter a tinker's cuss? This issue is of enormous importance. We are talking about people's livelihoods and a fishing industry that has been decimated over the past 20 or 30 years and has virtually disappeared in some parts of the country, not least in my port of Great Yarmouth.

So, Madam Speaker——

Madam Deputy Speaker: The hon. Gentleman has elevated me somewhat.

Mr. Carttiss: It is only a matter of time, Madam Deputy Speaker.

The person who occupies the Chair in 10 years' time will be wasting his or her time if we allow this sort of order to be introduced every time the EC makes an interim injunction against us.

3.29 am

Mr. Brian Wilson (Cunninghame, North): I shall be brief. We are entitled to pick up on the fact that the Government are pressing ahead without being able to give us any information about the implications of their actions. We certainly received no such information from the Minister. Seldom can any Minister at the Dispatch Box have blabbered through a speech and been so uncomprehending of what he was talking about. Will we get that information in the wind-up speech? What a pity that we shall not have a speech from a fisheries Minister who could tell us something about the fishing and legal implications of the interim decision.

We read in the *Fishing News* the reassuring words of the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who said:

"We shall need to study the judgment carefully but we do not expect that it will have much real impact. It will not let a new armada of boats into the *British fishing grounds*".

That is poetic stuff, but it is scarcely reassuring. We have heard mention of 10 vessels, but the Minister told us that 121 Spanish vessels were refused registration. What proportion of those vessels will subsequently be eligible to apply for registration?

It is not just the number of fishing boats that matters, but the tonnage and catching power. The pressure stock licensing farce has shown us that one can have 10 small vessels and 10 large vessels. The implications go far beyond the mere number of vessels.

If the Government cannot give us any information about the implications of the decision, surely that is a pressing argument in favour of not proceeding at such breathtaking speed. I do not need to rehearse that argument, but the speed with which Government have moved is bewildering. Why have the Government rushed to the House to push the order through on the basis of an interim judgment?

The hon. Member for Southend, East (Mr. Taylor) has followed a consistent line on this. Unlike many of us, he has not engaged in intellectual gymnastics to defend his position. The hon. Member for St. Ives (Mr. Harris) was right when he said that, in some cases, one defends the pro-European stance, but in others one advocates that the European law should be ignored. The Conservatives may represent the party of law and order, but, on occasions, it states that some European judgments should be ignored. Therefore, sometimes it is necessary to engage in intellectual gymnastics, but I pay tribute to the hon. Member for Southend, East who has never done so as he has always been consistent about Europe.

What we are discussing is not some great power of law and order, but the interim decision of one man. There is no obligation on the Government to act with such speed. I agree with the hon. Member for Orkney and Shetland (Mr. Wallace) that we could use next year to seek to achieve what is sought in the interim decision. That might not satisfy the anti-European stance, but it would defend our fishermen.

The Government give a low priority to fishing and peripheral matters. The French would not accept the interim decision for two minutes, but the Government have blundered on and have allowed that to happen. At the end of the day responsibility lies with the Government.

My hon. Friend the Member for the Western Isles (Mr. Macdonald) is right to say that a common fisheries policy, even within national boundaries, is an unsatisfactory mechanism. It is not nearly sophisticated enough to take into account the different nuances of the fishing industry around the shores of Britain and even within the northern half of Scotland.

The fishing industry on the west coast is very different from that in the north-east of Scotland. Indeed, it could even be said that in the past the problems of the west coast fishermen have been the east coast fishermen, more than any foreign fishermen. Because fishermen do not always see things in perspective, one of the ironies of history is that, in the referendum on EEC membership—I am sure that the hon. Member for Southend, East remembers this—those in the north-east fishing industry were among those who were deeply supportive of our entry into, or rather our remaining in, the European Community simply for their own short-term gain.

I assume that by now the right hon. Member for Suffolk, Coastal (Mr. Gummer) is safely tucked up with his prayer book and Horlicks. As a Tory Minister responsible for our fisheries, he must have set a record by winning in so short a time such an editorial in *Fishing News* as this:

"Could it be that Mr. Gummer is all too well aware of the mess his government is in over the fishing industry—a mess they have largely created—and has decided that the best form of defence is attack?"

The editorial concludes:

"If he and his government are not prepared to work with the industry to try to resolve the problems, they need not be surprised at the result they will get at the ballot box when the time comes. Although, judging by Mr. Gummer's present attitude, Scotland must already be regarded as a hopeless case by the Tories. For, whatever else he may be, Mr. Gummer is not a fool or a political greenhorn."

We may dissent from some of those latter sentiments, but I am sure that the hon. Member for Southend, East, in his new role as eminence grise to the Secretary of State will take back the message that what the Tories are doing to the fishing industry in Scotland and in the rest of the United Kingdom is yet another nail in their coffin.

3.36 am

The Solicitor-General (Sir Nicholas Lyell): If I have to go into legalities at some stage, I hope that the House will forgive me, but I should first like to take a few moments to explain the interim judgment—I emphasise that it is only an interim judgment or order of the European Court—and to put it into context.

I know a great deal about this case. I have appeared at every level in—[AN HON. MEMBER: "You have lost what you knew."] The hon. Gentleman says that I have lost it, but I am afraid that that comment only shows how little he knows about it. It is a great mistake to say that we have lost this case. My hon. Friend the Member for St. Ives (Mr. Harris) was right when he brought the House to realise that that is not the case. I shall now put the position into context, adding only that I well understand the strength of feeling among hon. Members of all parties who represent fishing interests.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) asked why we had to act so quickly. I must advise him and the House that the purpose of the draft order is to give effect to the obligations of the United Kingdom, arising from the interim order of the Court of Justice, which requires us to suspend the nationality requirements—the House should remember that it applies only to the nationality requirements contained in sections 14(1), (2) and (7) of the Merchant Shipping Act 1988 pending final judgment in the infraction proceedings brought under article 169 of the treaty by the Commission against the United Kingdom. Although the order of the court is only interim in nature and we shall seek to overturn it—I believe that we have reasonable arguments for overturning it—at the substantive hearing, it is our obligation to give effect to it without delay. The order is only given because there is urgency.

This country not only has a good record in obeying the law, we also have a good record in arguing vigorously and successfully in defence of our interests before the European Court of Justice——

Mr. Cash *rose*——

The Solicitor-General: Perhaps my hon. Friend will allow me to develop my point a little further.

My hon. Friend the Member for Southend, East (Mr. Taylor) was anxious about the fact that, as he thought, this was a prerogative order, which it is not. We are implementing the order by exercising the powers of the Crown under section 2(2) of the European Communities Act 1972 whereby, subject to schedule 2 to that Act, Her Majesty may, by Order in Council, make provision for the purpose of implementing any Community obligation of the United Kingdom. Since this order involves amendment to key provisions of an Act of Parliament, we have chosen to adopt the affirmative resolution procedure, taking account, inter alia, of the view of the Joint Committee on Delegated Legislation in its second report of 1972-73 that such procedure might normally be appropriate in this type of cause. That is what makes it proper to hold this full debate tonight.

Mr. Cash: Will the Solicitor-General give way?

The Solicitor-General: I want to develop my argument.

My hon. Friend the Member for Southend, East was anxious about the erosion of sovereignty, as were other hon. Members. This case involves no erosion of sovereignty over and above that which we accepted in 1972-73. While it is true that this is the first time that section 2(2) of the European Communities Act 1972 has been used to implement an order of the Court of Justice requiring the interim suspension of part of an Act of Parliament, it is no more than the exercise of a power pursuant to an obligation arising under the treaty of Rome—the obligation to give effect to an order of the Court of Justice. That obligation was accepted as part of the whole package of rights and obligations entered into by the United Kingdom when we joined the Community on 1 January 1973.

Mr. Cash: I have the greatest sympathy with the skill with which my hon. and learned Friend has sought to put the case on behalf of the Government in the Court of Justice, but does he agree that this order goes further even than the court requires? It not only suspends the Act in question—it amends it, which is more than the court is asking for.

The Solicitor-General: I respect my hon. Friend very much as a lawyer, but he is making a legalistic distinction without a difference. In realistic terms, this is a suspension——

Mr. Prescott *rose*——

The Solicitor-General: I want to make it very clear to my hon. Friend the Member for Thanet, South (Mr. Aitken) that it is entirely mistaken to say that we have lost the case: we have not lost it. I am disappointed that an interim order, even on a limited basis, has been made against us, and I argued vigorously and cogently that it should not have been——

Mr. Wallace *rose*——

Mr. Menzies Campbell (Fife, North-East) *rose*——

The Solicitor-General: My hon. Friend the Parliamentary Under-Secretary has mentioned the arguments that I advanced at the hearing—I believe that they were cogent. We shall continue to deploy these arguments at the substantive hearing of the infraction proceedings brought by the Commission——

Mr. Wallace: Give way.

The Solicitor-General: I shall not, because I want to develop points that are of interest to the whole House.

It is mistaken to believe, as some hon. Members appear to, that the whole legislation has been suspended. As my hon. Friend said——

Mr. Teddy Taylor: No one has said this.

The Solicitor-General: The precise effect of this order will depend on how many vessels which have hitherto had strong and often dominant connections with other member states, usually Spain, can establish that they are or

[The Solicitor-General]

would have been ineligible for registration only by reason of the nationality provisions in section 14 of the 1988 Act; and that they are able in good faith to fulfil the other requirements for registration which remain in force.

The hon. Member for Banff and Buchan (Mr. Salmond) leapt up to ask why we did not introduce legislation that involved a residence provision. Before he takes that line in this sort of debate he might do the House the honour of reading the section that we are debating, because it does involve a residence condition——

Mr. Salmond *rose*——

The Solicitor-General: I refer to the requirements in the 1988 Act as to residence and domicile of owners, charterers, managers and operators of fishing vessels seeking to register as British fishing vessels; and to the requirement that such vessels should genuinely be managed and their operations genuinely——

Mr. Salmond *rose*——

Madam Deputy Speaker: Order. The Solicitor-General has made it quite clear that he does not wish to give way.

The Solicitor-General: Their operations should genuinely be managed——

Mr. Salmond *rose*——

Madam Deputy Speaker: Order.

The Solicitor-General: I shall give way to the hon. Gentleman in a moment when he has listened. Vessels should genuinely be managed, and their operations should genuinely be directed and controlled within the United Kingdom.

When this matter was argued, and I was before Judge Due three or four weeks ago, the Commission said that only 10 or 12 vessels would be affected. It remains to be seen. The matter will be looked at carefully and quasi-judicially by my right hon. Friend the Secretary of State for Transport. The Commission's estimate may well be right. That was its estimate of the effect of the order. The background is that between 100 and 150 vessels, mostly of Spanish origin, had hitherto been fishing.

Mr. Salmond: I wish that the Solicitor-General had done me the courtesy of listening to my argument or even reading the reports of the Standing Committee. The amendments that I moved in Committee referred to the crew of fishing vessels, not owners or directors. There is no such stipulation in the legislation. Why does he not make one rather than bringing this ridiculous order before the House?

The Solicitor-General: I acquit the hon. Gentleman of not knowing everything about this case. There are residential qualifications in relation to important licensing conditions which are the subject of further litigation.

This issue has been bedevilled for years by litigation involving fishing interests that are trying to get the profitable opportunities of fishing against United Kingdom quotas. At every stage, the United Kingdom Government are defending and, where appropriate, prosecuting appropriate litigation to look after our interests, and will continue to do so.

Mr. Prescott: Several hon. Members believe that we are amending legislation, not suspending it. If the Solicitor-General is right, and we are suspending, and the court eventually rejects the interim decision and upholds our stance, will he have to come back to the House to amend the legislation again?

The Solicitor-General: I know that there are some who believe that we are amending rather than suspending, but that is a distinction without a difference. We are putting into suspension the nationality requirements, pending the judgment of the court. If the court's judgment were in our favour in every respect except in respect of the matters covered by the order, I think that we would still have to come back—this shows why it is suspending—because the purpose of this order runs only until there is final judgment in this case, just as the interim order of the court runs only to final judgment. It is a very technical point.

Mr. Menzies Campbell *rose*——

The Solicitor-General: I apologise to the hon. and learned Gentleman, but I shall not give way.

I take the question, "Why should the House not vote against the order?" on the chin. It is Britain's duty to obey the law of the European Community.

Mr. Teddy Taylor: It is the duty of all countries.

The Solicitor-General: Whatever the outcome of the case may be, and however vigorously and effectively we argue the United Kingdom's case—and we shall argue it vigorously and effectively—before the European Court of Justice and the various courts in Britain to which, in one guise or another, the case will return, it is always our duty to obey orders, including the interim orders of the European Court. It is in fulfilment of that duty, and that duty alone, that the interim order of the European Court of Justice is to be given effect by the order. There are powerful and compelling reasons why we should fulfil that duty and I commend the order to the House.

Question put:—

The House divided: Ayes 68, Noes 21.

Division No. 353] **[3.49 am**

AYES

Alison, Rt Hon Michael	Garel-Jones, Tristan
Amess, David	Glyn, Dr Alan
Amos, Alan	Goodlad, Alastair
Arbuthnot, James	Griffiths, Peter *(Portsmouth N)*
Ashby, David	Hague, William
Batiste, Spencer	Hamilton, Hon Archie *(Epsom)*
Bellingham, Henry	Hanley, Jeremy
Bennett, Nicholas *(Pembroke)*	Harris, David
Boswell, Tim	Hayward, Robert
Bowis, John	Heathcoat-Amory, David
Brazier, Julian	Hind, Kenneth
Burns, Simon	Hughes, Robert G. *(Harrow W)*
Burt, Alistair	Hunt, David *(Wirral W)*
Butterfill, John	Irvine, Michael
Carlisle, Kenneth *(Lincoln)*	Jack, Michael
Carrington, Matthew	Knight, Dame Jill *(Edgbaston)*
Chapman, Sydney	Lang, Ian
Chope, Christopher	Lord, Michael
Coombs, Anthony *(Wyre F'rest)*	Lyell, Sir Nicholas
Coombs, Simon *(Swindon)*	Maclean, David
Cran, James	McLoughlin, Patrick
Curry, David	Mans, Keith
Dorrell, Stephen	Martin, David *(Portsmouth S)*
Durant, Tony	Mills, Iain
Fallon, Michael	Nicholls, Patrick
Favell, Tony	Norris, Steve
Forsyth, Michael *(Stirling)*	Patnick, Irvine

Redwood, John
Shephard, Mrs G. *(Norfolk SW)*
Speller, Tony
Stevens, Lewis
Summerson, Hugo
Taylor, John M *(Solihull)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Townsend, Cyril D. *(B'heath)*
Twinn, Dr Ian
Waddington, Rt Hon David
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Greg Knight and
Mr. Tom Sackville.

NOES

Aitken, Jonathan
Barnes, Harry *(Derbyshire NE)*
Campbell, Menzies *(Fife NE)*
Carttiss, Michael
Cryer, Bob
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Godman, Dr Norman A.
Hughes, John *(Coventry NE)*
Janman, Tim
Jessel, Toby
Kirkwood, Archy
Nellist, Dave
Prescott, John
Salmond, Alex
Skinner, Dennis
Taylor, Teddy *(S'end E)*
Wallace, James
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Calum Macdonald.

Question accordingly agreed to.

Resolved,

That the draft Merchant Shipping Act 1988 (Amendment) Order 1989, which was laid before this House on 17th October, be approved.

STATUTORY INSTRUMENTS, &c.

URBAN DEVELOPMENT

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Committees on Statutory Instruments, &c.)

That the Bristol Development Corporation (Vesting of Land) (British Railways Board) Order 1989, dated 20th June 1989, a copy of which was laid before this House on 23rd June, be approved.—*[Mr. Durant.]*

Question agreed to.

Haddock Quota

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Durant.]*

4 am

Mr. Alex Salmond (Banff and Buchan): It is hardly surprising that I am here at 4 o'clock in the morning as this is my Adjournment debate, but it is a tribute to the importance that Members of Parliament representing fishing constituencies attach to the crisis in the industry that my hon. Friends the Members for Angus, East (Mr. Welsh) and for Moray (Mrs. Ewing), the hon. Member for Greenock and Port Glasgow (Dr. Godman)—the official Opposition spokesman on fishing matters—the hon. Member for the Western Isles (Mr. Macdonald), the saviour of Scottish Tories, the hon. Member for Southend, East (Mr. Taylor), and the hon. Member for Orkney and Shetland (Mr. Wallace) are here. I should also mention our silent partner, the Minister from the Scottish Office. He has had to sit quiet all evening, and, as is often his wont, no doubt he will sit quiet through this debate.

I hope that there will be no dispute about the severity of the situation facing the industry. The exhaustion of the North sea haddock quotas is the immediate cause of the difficulty, but only the immediate cause. The species is the mainstay of the Scottish fleet, and of the processing sector. Although the debate will be answered by a Minister from the English Ministry, I hope that he appreciates that important distinction between the Scottish and English fleets. Earnings in the fleet dropped last year, and will drop again this year, with the fall concentrated on the white fish sector. Worse still, the outlook for next year is also poor.

The vice in which the industry is caught is completed by spiralling costs, largely due to rises in interest rates. I hope that the Minister will acknowledge that, in terms both of the falling revenue and the rising costs, we are dealing with factors that are outside the control of the individual fisherman. Both the overall quotas and the level of interest rates are matters of public policy. They are not under the control of the individual fisherman. I hope that the Minister will answer a question that I have put to a number of his colleagues: what contribution does it make to the defeat of inflation generated in the south of England to wreck the finances through high interest rates of the fishing fleets in the north of Scotland?

I hope that there will be no dispute on the importance of the industry. Some 30,000 jobs, offshore and onshore in Scotland, between the catchers, the harbours, the shipyards, the processors, the distributors are dependent on fishing. Employment in this industry is almost as significant as employment in the electronics industry, although it may not provide as many photo opportunities for the Minister of State at the Scottish Office. It is the vital dominating industry around the coastline. It is one of the great natural resource industries of Scotland. It should be developed and enhanced, not crippled and undermined.

What we want above all from the Minister is a firm timetable for action to deal with the crisis. Two years ago, when I was first elected to the House, one of the first engagements that I took on was an invitation from the Scottish Fishermen's Federation to attend a discussion about licensing and structures policy, to respond to a Government discussion document that was released at that time. Little did I think that, some two years later, we would have made little progress in the discussions and

[Mr. Alex Salmond]

consultation. It is incredible that the whole licensing and structures policy of the industry has effectively been in hiatus for that time.

I understand that some indications were given in a letter earlier this week that was sent to the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith), whose work for the industry is acknowledged on the Opposition Benches as well as on the Government Benches. I want to know when the Government's proposals are to be published. I want also an assurance that any aggregation within the licensing and structures policy will not favour the company sector against the share-owned boat, which is the typical pattern of ownership of the Scottish industry.

Decommissioning is another area where action is long overdue. I do not think that any Opposition Member would seriously argue that the decommissioning of the fleet is a complete solution, but it would make a contribution to a managed reduction of the over-capacity in the industry. Is it true that the Minister of Agriculture, Fisheries and Food has torpedoed a decommissioning proposal emanating from the Scottish Office? When I made the suggestion in the press a few weeks ago I was loyally upbraided by the Minister of State, Scottish Office, who accused me in a letter of "wild speculation". Unfortunately for the Minister of State, on the very day that he wrote that letter, 11 October, under the headline "Gummer Sinks Fishers Hopes", the Minister of Agriculture, Fisheries and Food, while speaking at the Conservative party conference, was quoted in the papers as pouring cold water on any decommissioning scheme. Yet after the Scottish Grand Committee debate in July the Scottish Office was openly briefing that there would be a decommissioning scheme this autumn. Indeed, in September, the Minister of State, Scottish Office, wrote to my hon. Friend the Member for Angus, East and stated that

"progress is being made and we hope to be in a position to make an announcement in the not too distant future."

It seems to be clear that the Minister of Agriculture, Fisheries and Food is the stumbling block in stopping progress with the decommissioning scheme, and I shall use a few minutes of the time of the House to ask why that should be so.

There is the well known antipathy of the Minister of Agriculture, Fisheries and Food towards the Scottish fleet. After all, I am talking of the Minister who climaxed his speech, if that is the right description, to the Conservative party conference with a quote from "Henry V". Perhaps the play was rather over-used at that conference but the Minister referred to

"this sceptred isle, . . .
This precious stone set in the silver sea".

The last words, of course, were

"this England."

I do not think that we can be in much doubt where the political priorities of the Minister lie!

It could be that the Ministry of Agriculture, Fisheries and Food has built its opposition to decommissioning on a strategy of using the elimination of the flag of convenience boats to take out capacity in the fleet. It may be that the Ministry believes that by eliminating the flag of convenience boats from the fleet it could observe the multi-annual guidance premium. The best that can be said about that strategy after the previous debate is that it is badly holed under the water line. I am tempted to say that, given the performance of Ministers in that debate, it is hardly surprising that we lost the case before the European Court of Justice.

Dr. Norman A. Godman (Greenock and Port Glasgow): Might it not be that the present Minister of Agriculture, Fisheries and Food has painful memories of the way in which the previous decommissioning scheme was manipulated or exploited by certain Humberside trawler owners? If the Government are to behave humanely to our fishermen, however, they must introduce a decommissioning scheme vis-a-vis the multi-annual guidance programme obligations.

Mr. Salmond: I agree with the hon. Gentleman.

I was coming to the "guilty conscience" theory as a third explanation of why the Minister of Agriculture, Fisheries and Food might be so blatantly blocking progress towards a decommissioning scheme. The fishermen of Scotland and those of us on the Opposition Benches drew a sharp intake of breath when we heard the Minister regaling against "the widespread abuses" of the previous decommissioning scheme. Could that be the Minister who presided over these abuses and whose Ministry was so severely criticised in the Public Accounts Committee report on that very matter? If I remember correctly, the report questioned whether the Ministry had detailed knowledge of the finances of the fishing industry. I hope that the Government and the Minister do not claim that it is impossible to have an honest decommissioning scheme. If it were, that news had better be communicated to all the other member states that are implementing just such a scheme.

I am sure that the hon. Member for Greenock and Port Glasgow would agree with my recollection that the Public Accounts Committee did not argue against a decommissioning scheme; it said that the next one should be more effective—an honest decommissioning scheme and not just a route to siphon money towards some fishing companies that may or may not have had close relationships with the Conservative party.

The fourth explanation of why the Minister may be blocking progress is that the Fontainebleau agreement might mean that, although the European Community funds 50 per cent. of the decommissioning costs, and although they are charged against income tax, thereby giving a further gain, it may be that the Prime Minister is worried about her rebates—about getting her money back, as she so eloquently put it. If that is the case—and we need it put on the record—the Scottish fisherman will be deprived of access to European funding because of the Fontainebleau agreement and the Prime Minister's attitude to the European Community. I hope that the Minister will not follow his colleagues in blaming the industry. I hope that he recognises that no one accepts that explanation and no one believes it.

In *The Sunday Times* last Sunday—hardly a trenchant critic of Government policy—Alan Massie wrote:

"The attempt made by John Selwyn Gummer, minister of agriculture, fisheries and food, to throw responsibility for the crisis back on the Scottish fishermen was a characteristically silly and shabby effort to evade Whitehall's responsibility."

So let us hear no more of the nonsense that fishermen are to blame. The Government's fishing policy is in total disarray.

The Opposition parties and the industry—both catchers and fish merchants—have offered the Government positive proposals on how to deal with the crisis. My colleagues and I put up a six-point plan and presented it to the Minister last week. We received a courteous hearing, but I wish that I could say that we had been given some sign that there would be imminent action. We proposed a lay-off scheme as an immediate response to the particular problems and to take some pressure off the scarce stocks. We proposed a decommissioning scheme, to which I have already referred. We proposed that there should be real action against industrial fishing in the North sea. I do not know whether the Minister is aware of this, but industrial fishing is taking 1 million tonnes of sand eels and Norwegian pout—the seed corn and the food source of the haddock stock in the North sea. Will the Government press for action against industrial fishing?

We proposed that the "Hague preference", the council resolutions of 1976, be given wider application. Those resolutions recognise that there are areas of the Community dependent on the fishing industry, such as Ireland and northern Britain which should be given preference in the application of the common fisheries policy. They could be used productively to help both the catching and the processing sectors of the Scottish industry. We also want to know when the Scottish Fishermen's Federation will be given a reasoned and positive response to its proposals on conservation such as mesh size enforcement, gear restrictions and action against the discarding of small fish.

Last in our six-point plan was our desire for the Minister to recognise that reliance on low quotas alone has proved a failure. Let us look at the haddock quota: over the past five years it has not once been overfished. Any assessment of quotas suggests that, given that the stock is now experiencing severe problems, the scientific assessment itself leaves much to be desired. We want to move the emphasis of conservation away from the low-quota system, which has failed, to other measures which can succeed.

Finally, let me emphasise that we have never argued that our plan—or anyone else's—holds all the answers; what we demand is that something be done. I believe that the measures that the SNP has outlined would bring stability and security back to the industry. Some of these, I accept, would have to be argued for at European level, but some are being blocked by the pure inertia and incompetence of the present Government. We shall continue to hound that Government and press this case until we secure the action that is so urgently required. We need that policy action to save the industry—and to save the communities which we represent.

4.15 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): The hon. Member for Banff and Buchan (Mr. Salmond) began by reproaching my right hon. Friend the Minister for his overuse of "Henry V" at the Conservative party conference. My right hon. Friend did, of course, quote Shakespeare, but he clearly knows his Shakespeare better than the hon. Gentleman, because he quoted from "Richard II": it was a speech of John of Gaunt, I believe! I shall not waste further time on preliminaries, although I think that we should have our literary references straight.

The hon. Gentleman will no doubt know that yesterday—or, rather, the day before yesterday—we announced the allocation of the Hague preference for haddock. He will also know that that allocation went to the northern communities, which means predominantly Scotland—about 85 per cent. of that additional allocation, in total 5,360 tonnes. I am sure that he will recognse that that has caused disappointment and more among the English fishing communities, who are facing exactly the same strain as the Scottish fishing communities.

No doubt the hon. Gentleman will also be interested to learn that yesterday we completed arrangements for an additional 200 tonnes of North sea haddock for the whole of the British industry, by means of a swap with Germany. Together with the previous 400 tonnes swapped with France, and 26 tonnes from the Belgians, that takes the United Kingdom quota to 55,006 tonnes—which represents 88 per cent. of the entire EEC quota for North sea haddock. Just in case the hon. Gentleman wishes me to be precise, let me tell him that we gave back some pollack and megrim from the western areas.

I must make it clear that producer organisations that have overfished their allocations will not benefit from the additional allocation—although we recognise that it is a small one. We are pursuing the matter of further swaps, but, as everyone involved in the debate recognises, we are tackling the problem of a large amount of high technology pursuing a limited resource.

It is true that fixing quotas is a difficult matter. In 1989 we fixed North sea haddock quotas at 68,000 tonnes, on the basis of clear scientific advice. That followed evidence of poor recruitment and high catches of juvenile fish, which led to increased discarding and drove the spawning stocks to very low levels. We insisted that there should be a mid-term review in case the scientists had got it wrong. We had that review but it confirmed the assessment, and we decided that, as our priority was to rebuild a precarious stock, we would accept that assessment.

The advisory committee on fisheries management meets in the first week of November to recommend the 1990 total allowable catches. We shall seek action, as we have always done, on the basis of scientific advice. It is all too easy to say that the scientists have got it wrong—and fishermen have been saying that recently, and quite frequently. I must, however, warn the House against over-enthusiastic acceptance of political arithmetic. Scientists may not be infallible, but if we do not rely on objective data while seeking to improve the quality of that data, we shall find ourselves in the business of trading political multipliers, which will lead eventually to far too great a pressure on stocks.

Mr. Salmond: Will the Minister give way?

Mr. Curry: No. I am just about to answer some of the detailed points that the hon. Gentleman raised. I am sure that he would like me to do that.

First, he mentioned his programme, and I shall try to cover that as best I can in the time available. He asked about a laying-up scheme. There is provision under the council regulation 4028/86 for member states to provide laying-up premium in respect of temporary withdrawal of fishing vessels. I am not sure that that is appropriate for the current circumstances of the North sea fisheries. It was not intended for the short-term problem which exists in the North sea haddock fishery and the rates are set at low

[Mr. Curry]

levels. There was little interest in the earlier scheme between 1984 and 1986 because of the tight eligibility conditions. For example, the period of laying-up must be additional to normal laying-up and extend to between 45 and 150 days. Few vessels would qualify for such a scheme and in any case the scheme is not intended to fill the gaps in normal fishing activity. The danger is that a laying-up scheme might retain capacity which should go out of the industry. There is very little enthusiasm within the Community for such an approach, and, given the hon. Gentleman's enthusiasm for the Community, no doubt he would be anxious to secure its endorsement.

Mrs. Margaret Ewing (Moray): Market forces.

Mr. Curry: We have to reach a solution in which market forces have a role to play. I do not intend to stand at the Dispatch Box saying that it is the job of Government to manage every last iota of decision making in the fishing industry or any other industry. That is not the job of Government and I do not think that Government do it very well.

The hon. Gentleman asked me about decommissioning which is a complex issue. A full decommissioning scheme would be expensive. The National Federation of Fishermen's Organisations recently estimated that a full scheme would cost about £45 million. We need to be sure that such expenditure would be well used. That includes being sure that vessels which might be decommissioned would otherwise not have left the fleet. We also need to be sure that any capacity removed under a decommissioning scheme would ease pressure on the fish stock. That would not be the case if ineffective capacity were removed, leaving behind the efficient vessels. In practice, it is difficult to draw up a scheme which targets the efficient vessels. Those difficulties need to be addressed in deciding whether a decommissioning scheme might be introduced.

The hon. Gentleman asked several questions relating to the methods of management.

Mr. Salmond: Will the Minister give way?

Mr. Curry: No. The hon. Gentleman went on at length and then invited me to cover his six points. Perhaps I can do that first.

He mentioned several items which relate to methods of management. He made suggestions for dealing with the discards, and I know that there are schemes which would require the landing of all fish caught. I know that there is a proposal for multi-annual quotas. Those are alternative management systems. The hon. Gentleman will know that the present Community system is based on total allowable catches, minimum landing sizes and mesh sizes and gear restrictions. Everyone recognises that it is not a perfect system, but it is probably the best way. If we were to allow people to land the fish that they had caught when the fishery was closed, we simply would not have quota management at all.

I say seriously to the House that shortly we shall enter difficult negotiations in Brussels in the context of the mid-term review of the entire fisheries policy. It would not be sensible for the United Kingdom, which has significant advantages under the present system, to suggest that we want to throw that in the air. If we did that there are plenty of other people who would jump in immediately. We have spent one and a half hours discussing the problems of quota hoppers and Spanish interlopers. I cannot imagine the enthusiasm that there would be in some continental countries to see the status quo being challenged by the United Kingdom.

It is absolutely essential that everyone in the industry makes it clear that they are committed to the legal operation of the quota system and the full observance of the rules. Those who tout illegality are simply indulging in a form of suicidal self-indulgence.

The hon. Member for Banff and Buchan mentioned conservation, about which I am more in agreement with him. Suggestions have been put forward by the Scottish fishermen's organisations and other organisations across the United Kingdom. However, those organisations do not all agree about what they should like to see done. The suggestions cover mesh sizes and shape, restrictions on gear attachments—including the length of the extension piece and measures to prevent the ballooning of the cod end—the prohibition of the carriage of illegal gear and the one-net rule, to which I know that Scottish fishermen are particularly attached.

We are examining those interesting ideas and shall shortly send to Brussels a paper suggesting measures based on the project put forward by the industry.

The hon. Member for Banff and Buchan mentioned industrial fishing. We believe that the present Community controls on industrial fishing provide an adequate level of control and that there is no scientific base for banning the practice completely. By-catches of human consumption species in the North sea have fallen considerably to low levels and do not pose a threat to stocks. If that position does not continue, we shall have to reconsider it.

The hon. Member for Banff and Buchan mentioned licences. The present ban on licence transfers that involve increases in tonnage or engine power is causing the industry problems. We shall shortly issue proposals that will provide more flexibility for fishermen when transferring licences and will not lead to an increase in the total capacity of the fleet. These measures will involve the aggregation of fishing vessels' licences.

Suggestions have been made—I realise that the hon. Member for Banff and Buchan did not lend his name to this suggestion, but it is important that I should refer to it—that there should be an amalgamation of quotas: for example, that the United Kingdom quota for the west of Scotland haddock could be amalgamated with that for the North sea. There is much west of Scotland quota left, and, at present catch levels, about 15,000 tonnes would be available. However, it would be caught in the North sea and not in western areas.

Mr. Salmond: I want to return to the question of decommissioning. The Minister has been extremely hostile to the prospect of a decommissioning scheme. His tone is entirely different from that of the Scottish Office. Will he confirm that there is tension between his Department and the Scottish Office on the decommissioning scheme, and that his Department is effectively vetoing a decommissioning scheme that would otherwise be supported by the Scottish Office?

Mr. Curry: I made it clear that we are retaining the decommissioning scheme as one of the options under consideration. I made it clear that it is an expensive option. We realise that there are targets that we must attain. We

have yet to decide which would be the best combination of measures to achieve those targets. When we reach that decision, it will be a decision of all the fisheries departments and of the Government.

Mr. Andrew Welsh (Angus, East): When?

Mr. Curry: We will reach those decisions shortly.

Mrs. Margaret Ewing: This side of Christmas?

Mr. Curry: Yes, certainly.

The Spanish have entitlements to west coast stocks. If the stocks were to be amalgamated with North sea quotas, what possible grounds would we have to deny access to the North sea to Spanish vessels? To attack the present system would destroy the credibility and force of the British argument for continuing the essential structures and operation of the common fisheries policy.

I realise that the industry is facing great difficulties. It is equally true to say that the Scottish fleet went through a period of significant profit and well-being in the mid-1980s. It made major investments in its capacity and was earning a 15 per cent. return on capital.

A single idea will not resolve the present difficulties. Fishermen are individuals; fisheries have their own characteristics, but the problems that they face are very different. We are seeking to achieve a healthy, modern fleet that can take its own decisions on the basis of as much stability as we can achieve in the context of a common fisheries policy and a resource that is limited, moves around the sea and is subject to biological change. We must rely on a disciplined approach to fishing. Stocks must be maintained to ensure their conservation and the opportunity for British fishermen—I use the term "British fishermen" deliberately—all around the coasts of the United Kingdom. This must be in the framework of a fisheries policy that meets our interests and conserves our advantage.

We shall shortly be taking important decisions, because the mid-term review will be of capital importance to the British fleet. We are determined to defend that interest in the future, as we have done in the past, to ensure that the United Kingdom remains a significant fishing nation.

Question put and agreed to.

Adjourned accordingly at half-past Four o'clock.

House of Commons

Thursday 26 October 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

INTERNATIONAL WESTMINSTER BANK BILL *(By Order)*

ISLE OF WIGHT BILL *(By Order)*

ST. GEORGE'S HILL, WEYBRIDGE, ESTATE BILL *(By Order)*

HYTHE MARINA VILLAGE (SOUTHAMPTON) WAVESCREEN BILL *(By Order)*

NEW SOUTHGATE CEMETERY AND CREMATORIUM LIMITED BILL *(By Order)*

Orders read for consideration of Lords amendments.
To be considered on Thursday 2 November.

CITY OF LONDON (SPITALFIELDS MARKET) BILL *(By Order)*

Order read for consideration of Lords amendments.
To be considered on Tuesday 31 October.

ASSOCIATED BRITISH PORTS (NO. 2) BILL *(By Order)*

Order read for resuming adjourned debate on Question —[23 May]—That the Bill be now read the Third time.
Debate to be resumed on Thursday 2 November.

BRITISH RAILWAYS (PENALTY FARES) BILL *[Lords] (By Order)*

Order for further consideration, as amended, read.
To be further considered on Thursday 2 November.

BUCKINGHAMSHIRE COUNTY COUNCIL BILL *[Lords] (By Order)*

LONDON LOCAL AUTHORITIES BILL *[Lords] (By Order)*

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *[Lords] (By Order)*

BRITISH RAILWAYS BILL *(By Order)*

BROMLEY LONDON BOROUGH COUNCIL (CRYSTAL PALACE) BILL *(By Order)*

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*

Orders for consideration, as amended, read.
To be considered on Thursday 2 November.

CITY OF LONDON (VARIOUS POWERS) BILL *(By Order)*

Order for consideration, as amended, read.
To be considered on Tuesday 31 October.

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *[Lords] (By Order)*

CARDIFF BAY BARRAGE BILL *[Lords] (By Order)*

Orders for Second Reading read.
To be read a Second time on Thursday 2 November.

MEDWAY TUNNEL BILL *[Lords] (By Order)*

Order for Second Reading read.
To be read a Second time on Tuesday 31 October.

ASSOCIATED BRITISH PORTS (NO. 2) BILL

Motion made,

That the Promoters of the Associated British Ports (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time (and shall be recorded in the Journal of this House as having been so read) and shall be ordered to be read the third time;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session.

That these Orders be Standing Orders of the House.—*[Mr. Harold Walker.]*

Hon. Members: Object.

To be considered on Wednesday 1 November at Seven o'clock.

CARDIFF BAY BARRAGE BILL (LORDS)

Motion made,

That the Promoters of the Cardiff Bay Barrage Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[Mr. Harold Walker.]*

Hon. Members: Object.

To be considered on Thursday 2 November.

BIRMINGHAM CITY COUNCIL (NO. 2) BILL

Motion made,

That the Promoters of the Birmingham City Council (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later

than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time (and shall be recorded in the Journal of this House as having been so read) and, having been amended by the Committee in the present session, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[Mr. Harold Walker.]*

Hon. Members: Object.

To be considered on Thursday 2 November.

Oral Answers to Questions

HOME DEPARTMENT

Policing (Leicestershire)

1. **Mr. Janner:** To ask the Secretary of State for the Home Department whether he will make a statement concerning current policing levels in Leicestershire.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Peter Lloyd): My right hon. Friend approved 27 extra police posts for Leicestershire constabulary this year, bringing to 54 the new posts approved under this Government. In addition, 130 police officers have been returned to operational duties as a result of civilianisation and other efficiency measures.

My right hon. Friend is able to approve a further 1,100 police posts covering provincial forces and the Metropolitan police for 1990-91. He will consider the Leicestershire police authority's application for a further 75 police posts in that year with advice from Her Majesty's inspectorate of constabulary along with applications received from other authorities. My right hon. Friend hopes to announce his decisions as soon as possible and before the end of the year.

Mr. Janner: I congratulate the Minister on his new appointment and I hope that he will start well by answering yes to my questions. Is he aware of the appallingly high level of crime in the city of Leicester, where violent crime has more than doubled since his party came to power? Is he aware that his predecessor saw fit to make no allocation whatever of additional police officers to Leicestershire in 1988, despite the chief constable's call for more, and last year granted only one third of those requested? Will the Minister now answer yes to my request for a firm assurance that he will listen properly to our chief constable and help us to keep crime off the streets by getting more police on them?

Mr. Lloyd: We always listen properly to Leicestershire's chief constable. I am sorry that the hon. and learned Gentleman, to whom I am grateful for his welcome, is so dismissive of the successes of the Leicestershire police. The crime rate in the county is well below the national average and the clear-up rate well above it. Last year total crime in the county fell, falling by 9·3 per cent. for sex offences and by 5·7 per cent. for burglaries. The force has an extra 130 officers because the chief constable also listened to the suggestions of the Home Office and found that he could replace 130 officers and free them to go back on the beat by recruiting civilian staff. The hon. and learned Gentleman is heavy on hyperbole but short on the salient facts.

Mr. Latham: I, too, warmly welcome my hon. Friend to his new position and wish him well in it. Is he aware that my rural constituents are pleased at the increasing emphasis being placed on rural policing by Chief Constable Hurst and Superintendent John Mousley who has just retired? That is a welcome development, but it will require still more resources. I hope that my hon. Friend will bear that in mind when he considers a new allocation of police.

Mr. Lloyd: Of course my right hon. Friend the Home Secretary will bear that in mind. He will also bear in mind that Leicestershire had additional police constables this year. He will listen carefully to my hon. Friend's suggestion that the county should have more next year.

Mr. Vaz: I join the demand by my two hon. Friends for additional police officers for the Leicestershire constabulary. The Minister should be aware that this week hon. Members representing Leicestershire constituencies received a report by the lesbian and gay organisations in Leicester showing that police officers were being regularly deployed inside public lavatories. Does the Minister agree that a better use of police officers in a constabulary that is under strength would be on the streets catching criminals rather than acting as agents provacateurs in public lavatories harassing people going about their lawful business?

Mr. Lloyd: I have not seen the report and I will not comment on it. Obviously, its content is a matter for the chief constable as an operational consideration and not for my right hon. Friend the Home Secretary or for me.

Crime Prevention

2. **Mr. Thurnham:** To ask the Secretay of State for the Home Department what further crime prevention initiatives he intends to introduce.

The Minister of State, Home Office (Mr. John Patten): In addition to the 11 safer cities projects which are now operating, a further five are planned to start between now and March 1990. Four new projects will be announced in the following financial year. We also launched yesterday the next phase of our national crime prevention advertising campaign which will provide further advice for the public on how they can help to reduce crime. Much excellent work is also being done with all-party support by the organisation Crime Concern.

Mr. Thurnham: I welcome my hon. Friend's excellent new campaign announced yesterday on practical ways to crack crime. It is essential to reduce violent crime. In that context, perhaps he could say more about what he thinks individuals could do. Does he agree that neighbourhood watch schemes are an excellent example of what people can do to help the police?

Mr. Patten: I thank my hon. Friend for his kind remarks. Much can be done to prevent crime. Many efforts have been concentrated thus far on the prevention of property-related crimes, domestic burglaries and related acts. We can helpfully use some of the techniques being developed in neighbourhood watch areas to try to begin to deal with the difficult task of preventing violent crime and sexual attacks on women.

Mr. Heffer: Would it not be best if the Government totally supported the police in having far more foot patrols in areas where there is a high level of crime? My mother-in-law, who is 84 years of age, recently had her home broken into. Luckily, she did not wake up; we do not know what would have happened to the old lady if she had woken up when those people broke in. She is a supporter of crime watch in that area. Is it not time that the Government recognised that the real answer is far more foot patrols by police doing what they used to do in the old days and looking after our people? At present the Government engage in all sorts of propaganda but little real action.

Mr. Patten: The answer to the hon. Gentleman's question is that we have far more police. The hon. Gentleman is right when he says that we all want to see far more police on foot patrol. At the same time, modern policing with its speed of communications demands that there be people able to deploy others in the event of attacks on people or property. I was extremely sorry to hear of the unfortunate event affecting the hon. Gentleman's mother-in-law. On the next of my regular visits to Liverpool perhaps he will arrange for me to call on her to discuss these matters at first hand.

Dame Peggy Fenner: I was pleased to read in the press yesterday my hon. Friend's special night time guidance for women. He is clearly aware that women who walk out now do so in a climate of fear. In his new crime prevention activities, will he pay special attention to the special needs of women in this rather violent era?

Mr. Patten: I thank my hon. Friend for her welcome of our crime prevention publicity campaign. The giving of advice to women or men on how to conduct themselves is sensitive and I dare say that every bit of advice will not suit every person. However, it is critically important that every one of us does everything that he can to help to diminish the numbers of attacks on women and to promote women's safety.

Mr. Sheerman: Is the Minister aware that we shall not get safer cities and towns on the back of show business gimmicks and advertising campaigns? Will he look again at backing democratically elected local authorities such as Southwark, which initiated a new campaign yesterday, so that they can lead the way in a positive partnership between the local authority, police, private enterprise and the community? Will he stop starving local authorities and thus preventing them from doing that?

Mr. Patten: I hope that the hon. Gentleman is not confusing the giving of useful public information with glitzy advertising campaigns. We are trying to act with all-party support, and I was glad to see that spokespersons —one has to be even-handed when dealing with the Labour party—such as the hon. Member for Halifax (Mrs. Mahon) welcomed yesterday's campaign without any reservation. It is important that we have an information campaign and not an advertising campaign.

The hon. Gentleman is right to say that at the same time we need to mobilise local authorities, which have an important role to play in crime prevention. That is why we have already consulted the Association of Metropolitan Authorities, the Association of County Councils and the Association of District Councils in preparing a new crime prevention circular, which I hope will be widely welcomed. I hope that the hon. Gentleman does not think that crime prevention is a matter for party politics.

Criminal Justice Act 1988

3. **Mr. French:** To ask the Secretary of State for the Home Department whether he has any plans to review the workings of the Criminal Justice Act 1988.

Mr. John Patten: Criminal justice legislation is kept under constant review. The 1988 Act was a wide-ranging and substantial measure. As yet, it is naturally too early to judge the Act's effectiveness overall.

Mr. French: In reviewing the Act, will my hon. Friend consider extending the arrangement whereby children under 14 years of age can give evidence by closed circuit television from outside the courtroom? That arrangement is available in the higher courts but not yet available in the magistrates courts.

Mr. Patten: We are keeping this under review, and my right hon. Friend the Home Secretary will look at it when he considers further the report on this and related issues just received from his honour Judge Pigot, the Common Serjeant in the City of London.

Mr. Flynn: Does the Minister realise that, despite the effects of the 1988 Act, crimes of violence against the police in Gwent are still at a record level, and the Gwent police remain the most bruised and battered in Britain? What does he intend to do to increase the Gwent police force to the proper level that the chief constable demands? Will he have some talks with the magistrates to ensure that anybody convicted of crimes of violence against the police can look forward with certainty to a period behind bars?

Mr. Patten: I am happy to meet anyone from Gwent who wishes to come to see me to talk about these issues. There is an adequate range of penalties for those who attack police.

Mr. Favell: My hon. Friend will have heard of the tragic events in Stockport last Thursday, when a temporary member of the Stockport shooting centre tried to leave with a pistol. He shot dead another member and then shot dead someone nearby. *[Interruption.]* It is not funny.

Mr. Speaker: Order. We are making slow progress and this does not help.

Mr. Favell: I have no doubt that my hon. Friend will want to join me in expressing sympathy for the families of the two men who were shot dead, one of whom had acted extremely bravely. Will he consider ensuring that temporary members of shooting clubs are vetted by the police before they enter the premises to shoot? Secondly, will he ban the use of targets shaped like human beings, which I understand to be illegal in West Germany?

Mr. Patten: My right hon. Friend the Home Secretary and I extend our deepest sympathies to the relatives of those who were killed. My right hon. Friend is looking closely at the serious issue of temporary membership of gun clubs. The International Shooting Union has, from 1 January this year, laid down standards for target shooting which involve circular black targets. These are the targets that should be used in gun clubs, rather than those purporting to represent human beings. I hope that we never see those again.

Mr. Hattersley: The Minister will know from the public reaction to the wrongful arrest and conviction of the men and women involved in the Woolwich and Guildford affair that there is a growing national demand for a change in the law to prevent suspicion being converted into conviction of men and women who make confessions which are not substantiated by any other sort of evidence. Can we be told whether the Government intend to give the House an opportunity to come to a judgment on this matter next year?

Mr. Patten: The right hon. Gentleman will be aware of the public inquiry which has been set up. As soon as that inquiry has reported and its contents have been made known to the House, the House will doubtless wish to express its views.

Mr. Jessel: As we now have nine months' experience of the abolition of peremptory jury challenges, can my hon. Friend say how it has worked out?

Mr. Patten: It seems to be working exceptionally well, like the rest of the Act from which it stems.

West Midlands Police (Investigation)

4. **Dr. Reid:** To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands as to on how many occasions since 1979 persons in the custody of the West Midlands police have confessed to crimes of which they were subsequently acquitted or on which charges were subsequently dropped.

6. **Mr. Fisher:** To ask the Secretary of State for the Home Department when he last met the chief constable of the West Midlands; and what matters were discussed.

8. **Mrs. Mahon:** To ask the Secretary of State for the Home Department if, in the light of the recent decision to disband the West Midlands serious crimes squad, he will review all convictions for serious crimes based wholly or mainly on confessions obtained from people in the custody of the West Midlands police.

The Secretary of State for the Home Department (Mr. Douglas Hurd): The information requested about the number of confessions of people held in the custody of the West Midlands police since 1979 is not readily available. In 1988 alone, the West Midlands police prosecuted more than 32,000 people for criminal offences, most of whom would have spent some time in custody.

I last met the chief constable of the West Midlands on 5 September, when we discussed a number of policing matters.

The assistant chief constable of West Yorkshire, Mr. Donald Shaw, was appointed on 14 August to carry out an investigation into the work and practices of the West Midlands serious crime squad, under the supervision of the Police Complaints Authority. His inquiries will concentrate on the period since the beginning of 1986, when complaints about the squad started to emerge. As I said in answer to a question by the hon. Member for Sunderland, South (Mr. Mullin) when making my statement last Thursday at column 283, if anything arises from the investigation which causes doubt about the safety of any conviction I would have to consider whether intervention on my part would be justified.

Dr. Reid: The Home Secretary has said that the inquiry will cover two years. Is not the stark truth that the rot in the West Midlands serious crime squad goes back as far as the inquiry into the Birmingham pub bombings? I ask the right hon. Gentleman to face that fact sooner rather than later. Eventually he or one of his successors will have to do that in the same manner as it was done over the Guildford

Four. I ask him for the sake of police morale, humanity and the good name of British justice to order an urgent and thorough inquiry into all the circumstances surrounding the arrest, conviction and incarceration of six men for the Birmingham pub bombings, whom many of us on both sides of the House believe to be wholly innocent of the charges laid against them.

Mr. Hurd: Mr. Shaw's investigation will concentrate on the cases that gave rise to it. I say for the third time that if the investigation reveals a line of inquiry that leads further into the past I would expect the police to follow it up. The point that the hon. Member for Motherwell, South (Dr. Reid) has omitted is that I did act in the same way in the two cases although at a year's distance. In January 1987, I referred the Birmingham case to the Court of Appeal. There then followed a rigorous police investigation by the Devon and Cornwall police which was comparable with the one that the Avon and Somerset police undertook for the Guildford case. After that investigation, the Court of Appeal spent a month hearing the case again. That hearing took place at the end of 1987. The Court of Appeal came to the conclusion, on the information available to it and after the police inquiry, that the convictions were sound.

Mr Fisher: Will the Home Secretary not reconsider what he has just told the House? Did he not read the report in *The Guardian* yesterday that one of the officers concerned saw that the Birmingham Six were beaten up? Does not that indicate that there is new evidence available to Mr. Shaw and that unless the Home Secretary requires Mr. Shaw specifically to examine all the circumstances surrounding the Birmingham Six, there is a real danger of another miscarriage of justice taking place?

Mr. Hurd: The circumstances surrounding the confessions in the Birmingham pub case, including the question of violence, were considered in the Court of Appeal review at the end of 1987. It took account of all those points. If there are new points, they are matters that must be considered—but nothing that I have so far heard or seen goes beyond material that was available in the very long and thorough rediscussion in the Court of Appeal. It resulted in a reaffirmation of the original verdict being given at the beginning of 1988.

Mrs. Mahon: Is not the Home Secretary aware that three of the officers currently under investigation for fabricating confessions were involved in obtaining confessions out of the Birmingham Six? The fourth, detective sergeant Brian Norton, has served time in gaol for obtaining confessions on that basis. Should not the right hon. Gentleman follow that line of inquiry?

Mr. Hurd: I understand that one member of the serious crime squad, which was disbanded in the summer, was involved in the investigation into the Birmingham pub bombing. That is to say, his period of service in the serious crime squad spanned those years.

The chief constable of the West Midlands set up the investigation by Mr. Shaw because of complaints and doubts about a certain number of recent cases. As the hon. Lady knows, certain procedures and papers were criticised, were not in the right order or were missing altogether. That was the purpose of the inquiry, and it is on that that it is concentrating.

If that investigation were to lead back, by any means, to an earlier period or to the sorts of confessions to which the hon. Lady referred—I am not talking only about the Birmingham pub case—and any convictions were called into question, we would have to reconsider them. However, that is not the current position.

Mr. Stanbrook: Although my right hon. Friend could not give a total figure relevant to the question, is it not clear to anyone who has studied these matters, and therefore only fair to say so, that the number of cases of defective evidence relating to confessions is infinitesimal compared with the total?

Mr. Hurd: Of course that is true. It is also true that since the Birmingham, Guildford and Woolwich cases the Police and Criminal Evidence Act has completely changed the framework and the circumstances——

Mr. Hattersley: Except for terrorism.

Mr. Hurd: No, including terrorist suspects, except in the case of tape recording. The Act has changed the framework and the way in which the police have to conduct their proceedings.

Mr. Anthony Coombs: In the interests of the confidence and morale of the vast majority of good police officers in the west midlands, will my right hon. Friend confirm that whatever the activities of certain individual members of the serious crime squad, the West Midlands force enjoys the confidence of the majority of people, as evidenced by the fact that last year crime in the west midlands fell faster than in any other metropolitan authority? That is despite the fact that the chief police officer in Birmingham has not only investigated the serious crime squad but has abolished it.

Mr. Hurd: Each time I go to the west midlands and discuss crime and policing matters with all parties, I am impressed by the high reputation of the force, which performs very well under outstanding leadership.

Mr. Maclennan: In the light of the cases to which the Home Secretary has referred, will he further consider the possibility of allowing police officers to have a right of confidential access to the Police Complaints Authority where they believe that misfeasance or malpractice within the police force cannot be put right without external intervention?

Mr. Hurd: I should like to consider that point against the background of what is available under present procedures.

Mr. John Marshall: Is my right hon. Friend aware that many Conservative Members are sickened by the way in which certain other hon. Members seek to act as apologists for the IRA?

Mr. Hurd: That has not surfaced today when we have had a serious set of exchanges about the course of justice in Britain, but I am sure that all Opposition Members will have taken note of what my hon. Friend has said.

Mr. Corbett: Will the Home Secretary take this opportunity to say sorry to the Guildford Four, since no member of the judiciary or the Government has yet been able to get that word past his or her lips? When the Home Secretary had talks with the chief constable on the investigation into the former West Midlands serious crime

squad, did he undertake to keep an open mind on its outcome, especially if wrongdoings by officers raise renewed doubts about the safety of the convictions in the Birmingham Six and Carl Bridgewater cases? Will he assure the House that his mind remains open on those matters?

Mr. Hurd: Mr. Shaw's investigation was set in hand not by me but by the chief constable, Mr. Dear, of his own volition. It is taking place under the supervision of the Police Complaints Authority, which is completely independent. However, the hon. Gentleman is right. If the investigation, which was set up because of complaints about recent cases and so rightly and naturally will concentrate on those cases, gave rise to a train of thought or evidence that led to earlier cases, any convictions that arose from those cases would clearly have to be looked at. That is not the position at the moment and I have no reason to suppose that it will be.

I expressed regret in the House a week ago. I did that very clearly. But I hope that Opposition Members, in their pursuit of this matter, will take into account the fact that the people who suffered most from it were not those who were wrongfully imprisoned, but those who were murdered at Guildford.

Mr. Speaker: Question No. 5.

Ms. Short: On a point of order, Mr. Speaker. I think that the Home Secretary will, on reflection, want to retract what he has just said. He has smeared the four people who were wrongly convicted in Guildford and he is wrong to do so.

Mr. Speaker: Order. I am sorry, but I did not call the hon. Lady.

Mr. Hurd: Further to that point of order, Mr. Speaker. I was making a statement of fact and I am surprised that anyone should contradict it.

Mr. Hattersley: On a point of order, Mr. Speaker.

Mr. Speaker: Points of order take time out of questions. Points of order at Question Time must be on matters which require a ruling from me. What is the point of order?

Mr. Hattersley: My point of order to you, Mr. Speaker, is that my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) and I understand your ruling that Question Time must continue in its normal way, but if the Home Secretary wishes to pursue the arguments, so will my hon. Friend and you must call the Home Secretary to order in just the same way.

Mr. Speaker: Order. I am not responsible for what is said, provided that it is in order. Question No. 5.

Mr. Hurd *rose*——

Mr. Heffer: On a point of order, Mr. Speaker.

Mr. Speaker: We have reached only question No. 5 and we are making slow progress. I must hear the point of order if it arises out of this and if it is a matter needing my intervention.

Mr. Heffer: I raise my point of order because of what the Home Secretary has implied. Of course, every one of us agrees that those who were killed were the victims, but surely that does not lead anyone to say that those who were wrongly imprisoned were not as badly treated——

Mr. Speaker: Order. The hon. Gentleman will have to pursue that through the Front Bench, not through the Chair. That is not a matter of order. The Chair cannot be held responsible for answers that are given to questions.

Sir Bernard Braine: On a point of order, Mr. Speaker. Since when has it been the practice to permit points of order to be raised during questions, wasting the time of hon. Members on both sides, when we all know that points of order can only be accepted by you after questions?

Mr. Speaker: Order. It has always been the practice that, if an hon. Member raises a point of order requiring my intervention—and I cannot judge whether it is such a point of order until I have heard it—it is dealt with at the time. What is not in order, as the whole House knows, is to seek to raise points of order immediately after questions on matters arising out of them. I heard that point of order at the time, to judge whether it was a point of order for me.

Drug Abuse

5. **Mr. Baldry:** To ask the Secretary of State for the Home Department if he will make a statement on the progress of the work of the ministerial group on drug abuse.

Mr. Hurd: The ministerial group on the misuse of drugs last met, under my chairmanship, on 16 October. It endorsed my proposals for the establishment of locally based drug prevention schemes in nine areas most at risk from drug misuse, and in particular from the threat of cocaine and crack.

Other issues discussed included plans for the next phase of the national drug misuse prevention campaign, developments in drugs education, drug-related development assistance overseas under the aid programme and plans for the world ministerial summit on drugs, to be held in London next April.

Mr. Baldry: While it must be right not to risk glamorising crack by dramatising its effects, is my right hon. Friend confident that every parent, teacher, school governor and community or youth worker—especially in vulnerable communities—is fully aware of the dangers that crack poses to all our children? Is he confident that they are aware of the collective action that is being taken, and can be taken, to fight back against crack?

Mr. Hurd: Yes. Whatever we do about enforcement, I think that education to reduce demand is the key. That is why it is so important that my right hon. Friend the Secretary of State for Education and Science put drug liaison officers into each local education authority, and why the national curriculum will now ensure that every primary and secondary school provides proper education so that young people understand the acute dangers and miseries resulting from the misuse of drugs.

Mr. Randall: Is the Home Secretary aware of the various press reports suggesting that major drug suppliers in north America, the Caribbean and South America intend to target Europe and, in particular, the United Kingdom, with cocaine, crack and other hard drugs? Is he also aware that, according to Home Office statistics, the

Government's policies have failed even to contain the growth in drug taking? How can the people of Britain be confident that the Government understand the scale of those threats to our country? Does the right hon. Gentleman accept that a considerable increase in resources will be needed from the Government to crush this evil trade?

Mr. Hurd: I can certainly answer yes to the last part of the hon. Gentleman's question, without accepting the earlier part. We need to strengthen our defences at all points. That includes help for Third world countries, a serious effort to stifle the production of dangerous drugs, increasing the Customs and police presence at our ports and airports and retaining the necessary checks there, and substantially more expenditure on the communities at greatest risk, on education and on the treatment of addicts. All those measures are necessary, and all are being strengthened.

EC Border Control

7. **Mr. Knox:** To ask the Secretary of State for the Home Department if he will make a statement about border control between Britain and the other European Community countries.

The Minister of State, Home Office (Mr. Tim Renton): Discussions with our Community partners are continuing. We have continued to emphasise the importance of retaining at United Kingdom ports and airports effective checks to control immigration by non-EC nationals, and to deal with terrorism, drug trafficking and other serious crime. At the same time, we have shown our commitment to joining other Community countries in practical measures to strengthen the external frontier of the Community and co-operation between states in counter-terrorism and law enforcement. I believe that our position is increasingly well recognised within the Community.

Mr. Knox: Will my hon. Friend give an assurance that the Government will try to get rid of every unnecessary bureaucratic control on movement within the Community?

Mr. Renton: Yes, I can certainly give that assurance: every unnecessary control will be removed. My hon. Friend will know that in March we introduced a new immigration channel that merged the British and EC channels, so that both British and all other EC nationals could enter the United Kingdom with the minimum of difficulty. I have no doubt, however, that frontier checks will remain an indispensable part of our control, to impose proper control on third-country nationals entering this country, and to prevent the entry of terrorists and major criminals.

Mr. Darling: Is the Minister aware of the growing concern about the quality of decision-making as it affects individual tourists visiting Britain? As we move towards a common regime for entry throughout Europe in 1992, will he consider the need to set up a review procedure so that badly taken decisions can quickly be looked at, especially as he himself has abandoned any pretext of reviewing decisions by individual officers?

Mr. Renton: No. I totally disagree with the hon. Gentleman. There is constant and increasing pressure due to the number of people who want to enter the United Kingdom. In 1978, 27 million people came into this country and in 1988 the figure was 45 million. Every time we try to improve the procedures, the Opposition vote against it. *[Interruption.]*

Mr. Speaker: Order. I ask the House to settle down. There are other questions to follow.

Cocaine and Crack

9. **Mr. Lord:** To ask the Secretary of State for the Home Department what steps his Department is taking to combat the threat from cocaine and crack.

Mr. Hurd: We are already pursuing a comprehensive programme of action to tackle both the supply of and the demand for drugs including cocaine and crack. Recent measures include agreement to provide a substantial package of drug-related assistance to Colombia in the form of law enforcement training and equipment. We are also providing £2·3 million to set up locally based drug prevention teams in areas most at risk from drug misuse and in particular from the threat of cocaine and crack.

Mr. Lord: While congratulating my right hon. Friend on the measures he has already taken, may I urge him to take even sterner measures against the villainous men who organise drug trafficking, with particular reference to the sentences that they serve and the confiscation of their profits so that they are left in no doubt whatsoever that if they are caught and convicted they will serve long prison sentences and will never benefit from their ill-gotten gains?

Mr. Hurd: I agree with my hon. Friend on sentencing and on the confiscation of assets. Our new legislation is beginning to work well and the total confiscated is now £14 million. My right hon. Friend the Prime Minister this week signed the 11th agreement that we have with other friendly countries to provide for the mutual confiscation of assets.

Mr. Bermingham: Does the Home Secretary agree that while it is all very well to talk in these global terms, perhaps a little more investment in police dogs and good equipment for the police forces would help them in the war against crime?

Mr. Hurd: Yes, of course. That is why every police regional crime squad in the country has a drugs wing.

Police Establishments

10. **Mr. Pawsey:** To ask the Secretary of State for the Home Department what plans he has further to increase police establishments.

Mr. Hurd: I will be able to approve a further 1,100 police posts, to be allocated between provincial forces and the Metropolitan police, in 1990-91. I will take advice from Her Majesty's inspectorate of constabulary on the increases for provincial forces, and I hope to announce the approvals as soon as possible before the end of the year.

Mr. Pawsey: May I thank my right hon. Friend for that typically helpful response? Is he aware that in Warwickshire motorway mileage has increased substantially and police establishments have not kept pace with that growth? Therefore, I should be grateful if my right hon. Friend could reconsider the establishment in Warwickshire, particularly as officers are being taken from

the beat to supervise motorways. Will my right hon. Friend comment on the fact that Warwickshire is successfully policed only because of the action of special constables who do a marvellous job? We would be grateful if he were able to reconsider the numbers of police in our county.

Mr. Hurd: I do not know of any police force that does not have a persuasive case for having a good many more police. Warwickshire had an extra 11 men last year and it has applied for another 35. As I have said, I shall consider that carefully when I look at the totals. My hon. Friend is quite right about the specials. He and I spent an impressive Sunday morning at a parade of the Warwickshire specials and I was deeply impressed by the people who came forward to help the community.

Mr. Nellist: Will the Home Secretary consider increasing the police establishment allocated to Mr. Shaw in his investigation of the West Midlands regional crime squad specifically to allow him to go back beyond the two-year limit set for that investigation so that the suspicion that the techniques involved in the Birmingham Six and the Carl Bridgewater murder case, both of which involved disputed confessions, little forensic evidence and officers from that now-disbanded squad, could be properly tackled by the investigation?

Mr. Hurd: There is no limit of time such as the hon. Gentleman suggests. Mr. Shaw is naturally and properly concentrating on those cases, doubts about which caused his inquiry to be set up.

Electronic Surveillance Devices

12. **Mr. Cran:** To ask the Secretary of State for the Home Department what plans he has to introduce measures to regulate the manufacture and sale of electronic surveillance devices.

Mr. Renton: None, for the reasons given in my response to the debate on electronic surveillance devices initiated by my hon. Friend on 13 March.

Mr. Cran: Will my hon. Friend take this opportunity to condemn the Tandy Corporation stores group, which is currently marketing an electronic scanner device that facilitates eavesdropping on other people's telephone conversations? That has ramifications for security, the police and individuals in business. Does he agree that that is a gross invasion of privacy, and is he prepared to say what the Government will do about it?

Mr. Renton: I am well aware of my hon. Friend's deep concern about the subject, but I am not aware of the equipment to which he refers. I ask him not to overlook the 1985 legislation, which dealt with the interception of the public telecommunications system. If the use of the electronic scanner involves such interception, criminal offences and penalties, as set up by the Interception of Communications Act 1985, will come into play.

PRIME MINISTER

Engagements

Q1. **Mr. Day:** To ask the Prime Minister if she will list her official engagements for Thursday 26 October 1989.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided over a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Day: Is my right hon. Friend aware that the proportion of income tax paid by Britain's high-rate taxpayers is greater than it was in 1979? Does she therefore agree that any proposal to increase that high rate to 50 per cent. or more would have a disastrous effect on the British economy? Does she further agree that that would lead to a reduction in revenue for the Exchequer? In view of that, has she any special message for my constituents in Cheadle, who would be adversely affected by such a proposal?

The Prime Minister: Yes, my hon. Friend is absolutely correct. The top 5 per cent. of income tax payers now pay 28 per cent. of income tax yield, whereas they paid only 24 per cent. in 1979. Lower taxes have led to a higher yield. That higher yield and the extra wealth created by our policies of tax incentives and enterprise have not only meant a higher standard of living throughout the whole income tax scale but a much higher standard of social services.

Mr. Kinnock: Has it come to the Prime Minister's notice that since she was last at the Dispatch Box in July, Britain's balance of payments has moved a further £5·9 billion in the red, that Britain's home buyers and businesses have been hit again by higher interest rates and that in the meanwhile the number of Chancellors has doubled? In the interests of team spirit, will she get rid of the part-time one?

The Prime Minister: Interest rates will stay as high as is necessary for as long as is necessary to get inflation down. With regard to interest rates and mortgage rates, the right hon. Gentleman must be very glad that we do not have a Socialist Government, because in Australia mortgage rates are 18 per cent.

Mr. Kinnock: I understand the Prime Minister's reluctance to answer the question about Sir Alan, or indeed any other Chancellor of the Exchequer. It would be wholly inappropriate for her to dismiss Sir Alan when she so completely concurs with everything he says, and everybody knows it. Is she aware that the confusion that is at the heart of Government policy will remain as long as Sir Alan does?

The Prime Minister: Advisers advise and Ministers decide. Ministers in this Government have a very sound economic policy, which is more than the Opposition have.

Mr. Kinnock: Does the report that the Prime Minister concurs with the view of her adviser faithfully represent her position?

The Prime Minister: Had the right hon. Gentleman listened to previous replies, he could not have asked that

supplementary question. Advisers advise and Ministers decide. Ministers have decided, and we have an excellent economic policy.

Sir Anthony Grant: When the subject of sanctions on South Africa arises, will my right hon. Friend always recall that the Labour Government spent substantial sums of public money to promote trade with South Africa, and in that context treat anything that the Opposition say on that subject as total humbug?

The Prime Minister: Yes, I recall that. The Labour Government did promote trade with South Africa. Labour also opposed comprehensive sanctions in the United Nations.

Mr. Ashdown: Given the worries expressed today in the City about the possibility of a recession, will the Prime Minister tell the House whether she agrees with her Chancellor of the Exchequer that Britain's having a £20 billion trade deficit is not a serious problem?

The Prime Minister: As the right hon. Gentleman is aware, I have always supported my right hon. Friend the Chancellor of the Exchequer in his management and handling of the economy. He does not say that the deficit is not a problem. He says that the measures which he has taken will bring down inflation and the trade deficit.

Mr. Cash: Has my right hon. Friend noticed President Mitterrand's remarks on the question of a new treaty, as opposed to a revision of the treaty of Rome? Does she agree that this is a dangerous path upon which to embark? Does she agree that it would be extremely dangerous and not in the interests of either the European Community or any of the member states to pursue this proposal to a logical conclusion at the summit or in the run-up to the intergovernmental conference?

The Prime Minister: We have yet to absorb the consequences of the Single European Act and all the changes that will be brought about when we come to 1992 with a real common market. There will be a major change in the whole of Europe. It would be premature to have another intergovernmental conference before we properly come to 1992, and even then it will take years to absorb the consequences. It is, however, clear that an intergovernmental conference can be called by a simple majority at a meeting of Heads of Government, but in order for it to make any effective proposals decisions would have to be agreed with unanimity.

Q2. **Mr. Ronnie Campbell:** To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Campbell: Will the Prime Minister abolish the tax on workplace nurseries?

The Prime Minister: No. Workplace nurseries are treated just as other extra facilities are—as benefits in kind for those earning over a certain salary. It would be quite wrong if those who have nurseries available at work were not to regard that as a benefit in kind while other people who had to make their own arrangements had to pay out of net taxed income.

Q3. **Mr. Watts:** To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Watts: Does my right hon. Friend agree that the statement yesterday by my right hon. Friend the Secretary of State for Social Security contained unparalleled good news for the disabled and those who care for them, providing an extra £100 million a year over and above normal indexation to more than 500,000 people?

The Prime Minister: Yes. My right hon. Friend the Secretary of State for Social Security decided that the disabled were most in need of extra help and added to our excellent record on the disabled. We already spend, over and above inflation, 90 per cent. more on people who are disabled than was spent when the Labour party was in power. I notice that a family with a very severely disabled child will get up to £65 a week extra in benefits. That is very good news.

Mr. Lofthouse: When the innocent Guildford Four were found guilty does the Prime Minister think that they should have been hanged?

The Prime Minister: If the death penalty had been available, it would have been a matter for the courts and not for us. I believe however, speaking personally, because it is always a matter for the individual vote, that a death penalty should be available to the courts in cases of the most hideous murder. No one should be able to go out and perform the most hideous, bestial, and vicious murders and know that their own life is not forfeit.

Q5. **Mr. David Evans:** To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Evans: Does my right hon. Friend agree that, with a few exceptions, the British people pay themselves far too much money? *[Interruption.]*

Mr. Speaker: Order.

Mr. Evans: Does the Prime Minister view with alarm the engineers' threatened strike for a 35-hour working week, which will leave Britain with the shortest working week in the industrial world?

The Prime Minister: My hon. Friend is correct. In the past year earnings seem to have gone ahead of increases in productivity, and that has put up our unit labour costs and will make us uncompetitive with those people in our industrial competitor countries—in Germany, the United States and Japan. It is vital that we stay competitive. I share my hon. Friend's concern about the possibility of a 35-hour week. Some of us do 35 hours in two days and then again in another two days.

Q7. **Mr. Foulkes:** To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Foulkes: Will the Prime Minister consider repudiating what the Foreign Secretary said yesterday and will she rule out the use of force when repatriating the Vietnamese boat people?

The Prime Minister: No. Most countries repatriate illegal immigrants, unless they are not really illegal immigrants but refugees, in which case it is totally different. Some 13,000 of the Vietnamese boat people have so far been found to be refugees. Most countries repatriate illegal immigrants involuntarily. We also put back over the Chinese border from Hong Kong over two years some 35,000 illegal immigrants from China. The United States repatriates people to Mexico and Haiti. There is nothing unusual about deporting to repatriate.

Q8. **Mr. Kirkhope:** To ask the Prime Minister if she will make a statement on the Government's inner cities policies.

The Prime Minister: Excellent progress continues to be made in the regeneration of our inner cities under the Government's action for cities programme, spending on which is planned to increase from £3 billion in 1988-89 to about £3·5 billion this year. Unemployment in the 57 inner city target areas has fallen by 23 per cent. over the past year.

Mr. Kirkhope: Does my right hon. Friend agree that our policies have set the people free from the shackles of Labour local authorities, enabling them to take a full role in implementing all the improvements that are going on around them?

The Prime Minister: Yes, the regeneration of the inner cities is due to our policies. We formed urban development corporations in many cases to get round extreme Left-wing councils. Secondly, the policy of enterprise and personal responsibility has paid off handsomely, both in increased jobs and in an increased sense of responsibility and co-operation between industry and the people in inner city areas. The story is a good one and could never have happened under the arrogant controls of Socialism.

Mr. Livingstone: Will the Prime Minister tell the House whether she shares the concern that is widespread in society, that convictions should not be based——

Mr. Speaker: Order. This is a definitive question to the Prime Minister.

Dame Elaine Kellett-Bowman: Will my right hon. Friend reflect, when dealing with the problems of the inner cities, that health problems are important? Will she call to the attention of her right hon. and learned Friend the Secretary of State for Health the fact that the problems of Manchester and Liverpool should be taken into account when setting the regional health budgets and not only, as proposed, the problems of London?

The Prime Minister: I take my hon. Friend's point and I will draw the attention of my right hon. and learned Friend the Secretary of State for Health to it. I have, of course, visited Liverpool comparatively recently and seen the great improvements taking place there.

Mr. Vaz: The Prime Minister may recall that on 18 October 1972 in this House, a Conservative Minister, in response to the plight of the expelled Ugandan Asians, stated that there was always a small number of nasty people seeking to make their lives difficult. Is that not the perfect example of the Government's current policy on the proposed compulsory repatriation——

Mr. Speaker: Order. That has nothing to do with inner cities.

Commonwealth Conference

3.30 pm

The Prime Minister (Mrs. Margaret Thatcher): With permission, Mr. Speaker, I shall make a statement on the meeting of Commonwealth Heads of Government held in Malaysia on 18 to 24 October, which I attended with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs. A copy of the final communiqué of the meeting has been placed in the Library of the House. Apart from the customary debates on global prospects and current international, political and economic matters, the Heads of Government themselves dealt with five main issues: the global environment, southern Africa, the future of the Commonwealth, drugs, and the choice of a new Commonwealth Secretary-General to succeed Mr. Ramphal in July next year. I am sure that the whole House will join me in paying tribute to the enormous contribution which Sonny Ramphal has made to the Commonwealth during his 14 years as secretary-general.

I will deal with the main subjects in order— *[Interruption.]*

Mr. Speaker: Order. This is an important statement, which the House wishes to hear.

Mr. Dennis Skinner (Bolsover): They are applauding Sonny Ramphal.

Mr. Speaker: Order. We cannot have a running commentary.

The Prime Minister: First, I shall deal with the environment. The meeting agreed a statement—the Langkawi declaration—setting out a Commonwealth programme of action to deal with the main environmental problems facing the world. Particular points to which I would draw attention are the commitment to take more account of environmental considerations in reaching economic decisions, the support expressed for existing international environmental organisations, especially the United Nations environment programme, the endorsement of the United Kingdom's initiative calling for the negotiation of an international framework convention on global climate change and the encouragement given to developing countries to improve the management of their rain forests, which is very important to arrest the increase in carbon dioxide in the atmosphere.

Our particular concern in the debate on these issues was that any additional resources should not go to creating new bureaucracies, but directly to measures to protect and improve the environment. This concern is fully met in the Commonwealth's statement. The Langkawi declaration is a major achievement for the Commonwealth and particularly for our Malaysian chairman, Dr. Mahathir, on whose initiative it was drafted.

Secondly, I shall deal with southern Africa. Heads of Government issued a statement entitled "Southern Africa: The Way Ahead", which marks a significant step forward on a number of points from earlier Commonwealth statements. It recognises that important changes are under way in South Africa, that sanctions ought not to be punitive and that, if sufficient political progress is made in South Africa, the process of relaxing some of the international restrictions against South Africa should begin. This is the first time that the entire Commonwealth has adopted this approach. I am grateful to my right hon. Friend the Foreign Secretary for the skilful manner in which he negotiated those improvements.

The Commonwealth statement also contains four main points with which the United Kingdom does not agree and our disagreement is explicitly stated on the face of the document, but without explaining either the view we take or the reasons for it. It was to fill that gap that my right hon. Friend and I decided to issue a separate statement setting out Britain's views on those points. A copy of the statement has been placed in the Library of the House.

We believe that the approach set out in our document is the more positive and constructive one and takes more account of the significant changes that are actually happening in South Africa, including the decision taken by the South African Government during the Commonwealth meeting that a major African National Congress rally may be held for the first time in 30 years, and addressed by Mr. Sisulu. In the light of this and other recent steps, our aim must surely be to reward progress and encourage South Africa further down the path of reform, rather than to respond with more punitive sanctions.

We made it clear in our statement that, instead of making a financial contribution to the proposed agency to report on South Africa's international financial links or to the continuing work of the Commonwealth Committee of Foreign Ministers on South Africa, we shall make available an equivalent amount of money for additional help to black South Africans. I would remind the House of the substantial sums that the United Kingdom is already making available for such help, as well as to the front-line states.

Our statement also announces our willingness to provide financial help to an independent Namibia as well as—if asked—military training for Namibia's armed forces after independence. We of course give similar help to Zimbabwe, Mozambique and many other Commonwealth countries in Africa.

Thirdly, Heads of Government had a discussion of the Commonwealth in the 1990s and beyond. They decided to set up a group of Heads of Government—of which Britain will be part—to identify the enlarged roles that the Commonwealth might need to play. We welcome that.

Fourthly, we discussed the problem of drugs, recognising the very serious threat that they posed in all our countries and the consequent need for training—particularly for smaller states—in customs procedures, in law enforcement, in methods of detection, in education and in treatment of addicts. I expressed the hope that by the time of our next meeting in 1991 a large number of Commonwealth countries would have concluded bilateral agreements on freezing and confiscating the assets of drug smugglers. Britain has taken a lead both in the Commonwealth and more widely in concluding such agreements. We have now signed 10 of them, the last one of which was in Malaysia.

Fifthly, the meeting elected Chief Emeka Anyaoku as the new Secretary-General of the Commonwealth. He has lived in Britain for many years and is a great friend of our country. The whole House will wish him well

I would draw attention to four further points in the final communiqué. The first, was a most welcome reference to the importance of Hong Kong's continued success, and a commitment to assist in any way possible in promoting

[The Prime Minister]

the continued prosperity of Hong Kong. That was a major British objective at the meeting and will, I believe, offer welcome reassurance to Hong Kong's people.

The second was the reaffirmation of the need for speedy action to deal with the problem of Vietnamese boat people in Hong Kong, including as a matter of priority the return to Vietnam of all those who do not qualify as genuine refugees.

The third was a recognition of the need to increase aviation security world wide, particularly important in the wake of the Lockerbie disaster—*[Interruption.]*

Mr. Speaker: Order.

The Prime Minister: —coupled with a strong denunciation of terrorism in all its forms and a call for the immediate safe release of all hostages.

The fourth was a call on all Commonwealth Governments to accede to or ratify international covenants on human rights, which a surprising number have regrettably not yet done.

Despite the difference of views on South Africa, this was a valuable and successful meeting and its success owes much to the very skilful chairmanship of Prime Minister Mahathir.

We have disagreed before on South Africa within the Commonwealth, indeed many times, but this has not damaged our relations with individual Commonwealth countries or the institution itself. The Government will persevere with their present policy on South Africa, because it offers the best prospect of peaceful negotiations and of achieving a new South Africa which will inherit a strong economy.

Mr. Neil Kinnock (Islwyn): May I first associate myself fully with the Prime Minister's tribute to Sir Sonny Ramphal and offer my congratulations and good wishes to Chief Emeka Anyaoku on his election as secretary-general? May I also take this opportunity to welcome the whole of the constructive communiqué from the Heads of Government meeting in Kuala Lumpur and regret that the Prime Minister could not do the same thing?

The Kuala Lumpur meeting exposed discrepancies in the British Government's approach. On the environment, for instance, is it not clear that the Prime Minister's professions of concern for the global environment have yet again been equalled only by her resistance to backing that concern with practical commitments? On overseas aid, the Prime Minister pledged in the Kuala Lumpur communiqué to make

"renewed commitment and effort to meet the United Nations aid target"

of 0·7 per cent. of GNP. How does the Prime Minister reconcile that with the Government's record of cutting overseas aid to 0·3 per cent. of GNP during their time in office?

I turn now to the issue of sanctions against apartheid. In Kuala Lumpur, the Prime Minister put her signature to a Commonwealth agreement which her Foreign Secretary helped to compile and which she herself proposed for adoption, which states:

"this is not the time to consider any relaxation of existing sanctions and pressures . . . all existing sanctions and measures should be maintained."

How can the Prime Minister reconcile that with her action a short time later when she put out a statement, apparently without reference to her Foreign Secretary, which was hostile to all sanctions and which stated that the effect of such sanctions would be to "increase resistance to change"? Is that not a gross inconsistency? Would it not be more honest if in future the Prime Minister were to sign all international agreements with invisible ink—[HON. MEMBERS: "Rubbish."] No, it is true—*[Interruption.]*

Mr. Speaker: Order.

Mr. Kinnock: In the wake of the Commonwealth meeting, is it not clear that it is difficult for anyone to trust a Prime Minister who signs a document at 5 and repudiates it at 6 o'clock? Does the Prime Minister understand that nobody doubts her right to free speech, but what disgusts people is the way in which she exercises that right with a forked tongue? *[Interruption.]*

Mr. Speaker: Order.

Mr. Kinnock: Finally, is the Prime Minister aware that the editorial in Tuesday's edition of the South African National party newspaper was headlined simply "Thanks, Maggie"? Does that not say all that needs to be said about a Prime Minister who has moved from being an appeaser of apartheid to being the agent for it?

The Prime Minister: With regard first to the right hon. Gentleman's comments about the global environment, he is aware that this Government have done more to protect the environment than any previous Government; that we have committed the sum of £2 billion to get rid of sulphur dioxide in coal in power stations; that this year, for example, we are spending £1·3 billion on improved water and sewerage, whereas the Labour Government cut such expenditure; that we have the best record in Europe on rivers that flow into the North sea, and so on and so forth. We hosted the ozone layer conference. We are committed to reduce substantially the amount of CFCs and to move to a 100 per cent. reduction, provided that the relevant research has produced proper alternative substitutes. It was our proposal to have a global convention on CO_2 and the greenhouse effect—a proposal which was taken up by other nations. On the environment, the Labour party cannot touch this Government's record—*[Interruption.]* —and nor can many other people.

On the right hon. Gentleman's totally inaccurate comments on our document on sanctions, I must advise him that my right hon. Friend the Foreign Secretary actually wrote part of that document, so for the right hon. Gentleman to say that my right hon. Friend did not even see it is to be just about as plum stupid as anyone can get. That document was in response to the four parts of the original document with which we disagreed on the face of the document. We thought it best to set out the reasons for our disagreement in writing, so that people could not quarrel with them.

As for the right hon. Gentleman's general proposals on sanctions, I remind him that the Labour party, when in power, said before the United Nations:

"We voted against comprehensive sanctions together with France, West Germany, the United States and some other Western countries because we do not agree that the far-reaching economic measures which the resolution calls for would produce the changes in South Africa which we would all like to see."

That was said on 16 January 1978 by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), and the

right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). The right hon. Gentleman also said, in the *Official Report* for 7 July 1976:

"I do not believe that a policy of general economic sanctions would be in the interests either of the British people or of South Africa."—[*Official Report*, 7 July 1976; Vol. 914, c. 1354.]

Moreover, perhaps the right hon. Gentleman should read Archbishop Tutu on sanctions when it was proposed that they should be actively imposed on Panama:

"These sanctions have led to the destruction of the country's economy, caused immense suffering on the poorest of the poor, increased unemployment and aggravated social problems. The majority of Panamanians are opposed to sanctions. These sanctions inflict a double oppression on the people of Panama."

Finally, two out of three black South Africans, when asked whether sanctions would cause unemployment and whether they wanted them, said no. It is this Government who are in step with the people of black South Africa, not the right hon. Gentleman.

Mr. Julian Amery (Brighton, Pavilion): Is my right hon. Friend aware that early editions of the British newspapers and the communiqués on the World Service of the BBC after the communiqué was issued carried headlines that ran, "Thatcher tightens sanctions"? It was absolutely essential that she and our right hon. Friend the Foreign Secretary should have put the matter right in their subsequent communiqué.

Would it not also be of interest, given that the Leader of the Opposition protests strongly against the line that my right hon. Friend took—with wide popular support in this country—to see whether he is prepared to put the matter to the test in a debate in this House?

The Prime Minister: I am grateful to my right hon. Friend. I have not heard what the BBC said, but what he says gives extra support to the path that we took of making our views absolutely clear in writing. That was much better than giving unattributable briefings, as many other Heads of Government did. Some of them made speeches in public at the opening session of the Commonwealth conference clearly setting out their views. They are therefore not at liberty to criticise us for setting out ours. They must not deny to others the freedom of speech that they adopt for themselves.

Mr. Paddy Ashdown (Yeovil): May I take this opportunity of welcoming the Commonwealth statement, particularly the passage in respect of Hong Kong? But have not Singapore, Canada and Australia all expanded their immigration programmes considerably to help Hong Kong, and is not the United States planning to quadruple theirs? When will the Government end their impotent silence and honour what they have signed in the agreement?

On South Africa, surely the Prime Minister must realise, whatever her intentions, that the effect of her inept unilateral statement was to give succour to those who would wish to prolong apartheid in South Africa, to undermine the effectiveness of the Commonwealth statement and to bring discredit on the name of Britain?

Finally, is it just a coincidence that, at every single international meeting that the Prime Minister attends, she ends up as a lonely, discredited, minor, single voice?

The Prime Minister: I thank the right hon. Gentleman for what he has said about Hong Kong. Singapore has given about 25,000 certificates to people in Hong Kong. They are not to be taken up immediately but holders may have citizenship of Singapore and not go there for some years. I know that that has been a great comfort to many such people. Some people from Hong Kong have taken houses in Australia and Canada. I think that in the case of Canada people have left Hong Kong to take up residence in cities such as Vancouver. Some reassurance is needed for people in Hong Kong whose residence there is vital for the future prosperity of Hong Kong. They need to be given some assurance that they may leave if things should turn out very badly in order that they may stay there to help Hong Kong to keep its prosperous standing. We hope to bring proposals forward by about the turn of the year.

The right hon. Gentleman is totally and utterly wrong about sanctions. We have made clear our abhorrence of apartheid and did so in the statement. We not only oppose sanctions but give practical help to black South Africans and to the front-line states. For example, we are supporting financially about 1,000 black South Africans on graduate or postgraduate work. We also support black South Africans who wish to purchase houses and special housing for black South Africans. We have given about £1·1 billion to the front-line states so that they may be better able to deal with their economic problems.

We note that some of those who are most ardent about sanctions do not impose them. I find utterly repugnant the fact that the only way the trade sanctions can work is by being punitive on black South Africans. I gave a specific example of a pineapple canning factory that closed a few days ago; because it no longer had the demand from Canada and the United States it was not able to keep going. That put 40 white South Africans out of work—and 1,100 black South Africans. That will please the right hon. Gentleman, but it does not please me.

Sir Peter Blaker (Blackpool, South): Since I understand that the other countries would not agree to include in the communiqué an explanation of the British point of view on the four points on which the communiqué said that we differed from the rest, was it not absolutely essential for us to find some means of putting on record our point of view? What better means than a written statement? Was that not particularly important in view of the continuous misrepresentation of the Government's point of view, not least by the Opposition?

The Prime Minister: Yes, I agree with my right hon. Friend. It was absolutely vital for us to put it in writing for everyone to see. My right hon. Friend is also quite right when he says that it set out in detail views that we were not able to have put into the communiqué. It starts off by saying:

"Britain is fully at one with the rest of the Commonwealth in utterly condemning apartheid and wishing to see its total eradication so that all the inhabitants of South Africa can live in dignity and play a full part in the political life of their country."

When South Africa gets its constitution reformed and a new Government, that Government will inherit a strong economy. For that there will be one country in the Commonwealth that it can thank—Britain.

Mr. James Molyneaux (Lagan Valley): Is there not a real danger that the demand for unanimity among almost 50 countries—all differently situated—will in the end be used to blackmail us into accepting policies that the House would not approve?

The Prime Minister: The right hon. Gentleman knows full well that it would be very difficult to blackmail this Government or me in particular, and all my colleagues. We are not likely to be blackmailed in any way. I should add that before the Commonwealth conference ended —and it ended very amicably, as one would expect— barely was the ink dry on the communiqué than I received a letter from a Head of Government of an African country saying that if the financial sanctions that the rest of them had agreed actually worked, it would be very tough on his country and would make things much worse, and could he please have extra aid to deal with it. I said no. People must suffer the consequences of that which they put their hand to.

Mr. Quentin Davies (Stamford and Spalding): Does my right hon. Friend agree that, since we had made an explicit reserve about our attitude towards sanctions in the communiqué, nothing could have been more normal than that we should either explain that reserve or continue to advocate the policies that seemed sensible to us? Therefore, will she dismiss the synthetic indignation on this subject as the cant that it is? My right hon. Friend enjoys the strongest support in this country for the robust line that she took in the face of the hypocritical pressure on sanctions. Will she tell some of her colleagues in the Commonwealth that if the Commonwealth desires to turn itself into an international tribunal of human rights, there are a great many better targets, from China to Peru and including one or two in the Commonwealth, which might better repay their attention?

The Prime Minister: I am grateful to my hon. Friend. One of two things happens with economic sanctions. If they do not work, it is because other countries take up the trade. To some extent, that has already happened in South Africa. Our share of the trade in South Africa is less than it was, and Germany and Japan have taken up that trade. If they do work, they work by punishing the most vulnerable—as Archbishop Tutu said about Panama— and making them suffer poverty and even starvation in a country with no social security.

I find it repugnant that people at the Commonwealth conference should sit round a table, having been entertained in excellent hotels with excellent facilities, and decide who will suffer poverty and starvation in another country. We support Operation Hunger, which is aimed at relieving poverty in South Africa. It is absurd that other people in the Commonwealth are trying to magnify what we are trying to relieve.

Miss Joan Lestor (Eccles): In reiterating the statement on substantial aid to the front-line states, will the Prime Minister take into account that, since 1979, aid has decreased to only 83 per cent. of what it was when we left office, representing in 1985 prices a reduction of £20 million? Therefore, when does she intend to increase aid to the front-line states? Will she deal with a point raised by my right hon. Friend the Leader of the Opposition? How is it that she can sign a communiqué pledging herself to the GNP target of 0·7 per cent. of aid for the Third world when aid has, until last year, been steadily reducing under this Government?

The Prime Minister: Since 1980, we have spent the considerable sum of £1·1 billion on aid to the front-line states, in assisting them to create new transport routes so that they do not have to go through South Africa. In addition, we are providing military training in Zimbabwe. When I went there recently, there was an unusual occasion when I went to the eastern highlands and, with President Mugabe on one side and President Chissano on the other, watched British military officers training the Zimbabwean army and the Mozambican army. That is considerable extra help.

Few countries have reached the target of 0·7 per cent. of aid. However, the amount of private investment from this country to other Commonwealth countries is considerable, and one of the highest. It would be higher still if some were to take off some of the central planning and control that prevents a good deal of investment from going to their countries.

Sir Giles Shaw (Pudsey): If acts rather than words are important in this massively hypocritical debate about sanctions, has not the share of United Kingdom trade to South Africa declined far faster and further than that of any other Commonwealth country? I believe that, since the last Heads of Government meeting in Canada, Canadian trade with South Africa has increased.

The Prime Minister: Yes, Canadian trade with South Africa has gone up since we last met in Vancouver.

Mr. D. N. Campbell-Savours (Workington): Can I have an open, honest and frank response? Whose decision was it to issue the dissenting statement? Was it that of the Foreign Secretary or that of the Prime Minister? Is it not true that, if this had been left to the Foreign Secretary, there would have been no statement?

The Prime Minister: My right hon. Friend and I both decided to issue the statement. What people are complaining about is that it was an effective statement. That is why there was such a row about it. The dissent was on the face of the original communiqué. The explanation was on the face of the communiqué which my right hon. Friend and I jointly issued.

Sir Jim Spicer (Dorset, West): Does my right hon. Friend agree that in two short months the Government of South Africa have made dramatic changes in their way of thinking? Does she further agree that the one certain way of throwing all that into reverse is to follow the line that has been put forward by the Opposition and by the other Heads of Government in Kuala Lumpur?

The Prime Minister: Yes. I agree with my hon. Friend. The de Klerk Government have done extremely well, first, in making it quite clear that the demonstrations could take place without interference, which they have. Secondly, the South African Government have released political prisoners. Thirdly, even while some people were trying to curb our freedom of speech in Kuala Lumpur, the South African Government were agreeing to an ANC demonstration at which Mr. Sisulu could speak freely. It was an ironic juxtaposition of events.

Dr. David Owen (Plymouth, Devonport): How can the Government justify snubbing the ANC delegation at Kuala Lumpur and not meeting it when the former Foreign Secretary had met the ANC and when the Government have recently seen Jonas Savimbi? In similar stages in the liberation struggle, the Government have been prepared to meet the Patriotic Front and SWAPO.

The Prime Minister: We treat it in precisely the same way as we have done the PLO, for example, and said that if it would renounce violence my right hon. Friend the Foreign Secretary would see members of the ANC. The right hon. Gentleman will be aware that the Eminent Persons Group concept is negotiations in return for the suspension of violence. In these days, that is perhaps handled in a slightly different way by saying "peaceful negotiations". That means precisely the same thing. My right hon. Friend the Foreign Secretary did not get a reply from the ANC which indicated that it was prepared to suspend or renounce violence, and that is why he did not see it.

Sir Ian Lloyd (Havant): Having recently visited some of the excellent projects that the British Government are funding in South Africa, projects which the shadow Foreign Secretary failed to visit when he was there, I must endorse heartily what my right hon. Friend the Prime Minister has said about that assistance. May I express my profound admiration for her cheerfulness and for the moral courage which she exhibited in Kuala Lumpur?

I suggest that when the agenda for the next Commonwealth conference is prepared, my right hon. Friend suggests to the new secretary-general that he places three documents before all the delegates. The first, if I may say so, is the wonderful cartoon that she and I and those of our generation will remember when Low published it in the *Evening Standard* in June 1940—"Very well, then—alone!" I suggest that the second document should be the Amnesty International report, which should be left open at the page marked "India" for all those concerned to see. Finally, may he lay before all the delegates the wonderful speech which was made by Burke in this place just over 200 years ago when he reminded the House that there was no way known to him in which one could "condemn an whole people"?

The Prime Minister: I am grateful to my hon. Friend, who has made his own points extremely effectively. I am grateful to him for the confirmation that he gives that our approach of alleviating problems of black South Africans is one of practical help and not of posturing. I notice that many of the states in Africa that demand comprehensive sanctions do not apply them themselves. There are, for example, no airlines flying from the United States directly to South Africa, but they fly to the capitals in black Africa, from where the passengers are then promptly flown down to Johannesburg. That hardly seems to be doing what they are preaching.

Mr. Jack Ashley (Stoke-on-Trent, Central): Following the Prime Minister's unhappy exchanges with President Mugabe of Zimbabwe, when he called the right hon. Lady "despicable" and she called him "ritualistic", what was the point of her comment that he was only too happy to accept British aid? Was this not a patronising and insulting way of telling him that freedom of speech was the payment for any economic assistance from Britain?

The Prime Minister: Mr. Mugabe said some things about our attitude to apartheid which he knew were entirely untrue, and which were shown to be untrue on the face of the document which we ourselves issued, which stated that Britain is fully at one with the rest of the Commonwealth in utterly condemning apartheid. We have been very generous, and will continue to be, in helping Zimbabwe—I made that perfectly clear—both with military training and with aid. I do wish sometimes that people would not use some of the language that they do, which tempts one to reply in the same coin. I did not, in fact.

At the same time I expressed to President Mugabe considerable sympathy with the difficulties that he is in over the ivory ban. There are far too many elephants in Zimbabwe, and they have to cull them, which they do very well. They finance that operation by selling the ivory from the elephants which are properly culled. President Mugabe does not lack support from me in the things which I agree he is doing extremely well.

Mr. James Kilfedder (North Down): May I congratulate the Prime Minister on injecting clarity and common sense into the deliberations of the Commonwealth conference? Will she visit the Republic of South Africa after the long-awaited release of Nelson Mandela and after further political progress has been made in that country —political progress that has been prompted by the actions of this Government?

The Prime Minister: I have not made up my mind about visiting South Africa. I should like to go there some time, but I do not think that now is the right time. More steps must be made towards solving the fundamental constitutional problem, and then I shall consider going. I repeat that we give practical help to black South Africans. Those who wish to impose economic sanctions will create poverty and hardship in South Africa, and that is not our way.

Mr. Robert Hughes (Aberdeen, North): Is it not the case that, when the draft agreement was presented to the Heads of Government, some Prime Ministers sought to make changes to it but the right hon. Lady insisted that it could not be changed because it was an agreed document, so the document was proposed in its entirety? Therefore, are not her protestations that she has been exercising free speech and clarification quite preposterous?

Is the right hon. Lady aware that her demeanour at the Dispatch Box today absolutely confirms that her intention in producing that statement an hour later was to repudiate the part that related to sanctions? That is quite clear. Is not the reason for all that the fact that she has a secret agenda with de Klerk, and that her part of that agenda is to prevent change taking place? She makes so much noise about people losing their jobs, but is she aware that people in South Africa are afraid of losing their lives—or perhaps that is what she prefers?

The Prime Minister: The main parts of that document are agreed and were a compromise agreement. If anyone wished to change those parts of the document, we also would have wished to change them. We agreed to leave them precisely as they were. The four main parts of the document were disagreed, and it states, "with the exception of Britain" or "Britain disagrees". It is on those parts that we issued an especially clear statement.

Our view on apartheid is clear and our practical help for South Africa is clear, as is our hatred of economic sanctions. The hon. Gentleman is one of those who wish to impose punitive economic sanctions—*[Interruption.]* Economic sanctions are punitive. That is the only way in which they can work. If the hon. Gentleman is not in

[The Prime Minister]

favour of that, he must be very glad that our way prevailed and that black South Africans will not suffer from punitive economic sanctions.

Mr. Robert Banks (Harrogate): While I give a warm welcome to the statement that there will be a study into the role of the Commonwealth in the 1990s, will my right hon. Friend reaffirm this country's commitment to the Commonwealth institution and seek ways to improve its functions in the areas of mutual help, of trade, of education and of the understanding of democratic principles?

The Prime Minister: Yes. Some people were arguing that perhaps we needed to have a new role for the Commonwealth. I do not necessarily envisage a new role, but the Commonwealth exists on the basis of principles set down in the Singapore declaration in 1971, and those are the principles of freedom under a rule of law and democracy. The 48 and 49 of us co-operate closely on many matters, especially those mentioned by my hon. Friend such as scientific and technical co-operation and the advice upon education and other matters that we give. We also girdle the world and so have an instant way of seeking local views on any matter which may arise anywhere in the world.

One of the most impressive things about the Commonwealth conference is that it is the only big international conference that I attend which requires no translation or interpretation of any kind, making the debate active, without rancour and very clear. Such an organisation has a great future ahead.

Several Hon. Members *rose*——

Mr. Speaker: Order. I have to take into account the subsequent business. We have business questions and a heavy day in front of us. I shall call three more hon. Members from each side and then we must move on.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Does the Prime Minister agree that, notwithstanding her ritual condemnation of apartheid, her performance at Kuala Lumpur demonstrates what everybody, particularly black South Africans, know—that she is and remains, at every international occasion that she attends, an indefatigable fifth columnist for apartheid?

The Prime Minister: Nonsense. As the hon. Lady knows, and as I reminded the Commonwealth conference, when there was naked racialism on the part of some African countries, throwing out the Indians because they were highly successful, it was Britain that took them; a considerable number came to my constituency, where they have been very successful indeed.

Mr. John Carlisle (Luton, North): Does my right hon. Friend agree that, if South Africa did not exist, it would soon be invented by many Commonwealth leaders to cover up the problems in their own backyard, particularly the violation of human rights? Is it not time that we considered leaving that club, the members of which seem intent on inflicting poverty and hunger on those whom they purport to try to represent in South Africa?

The Prime Minister: South Africa exists. It has the strongest economy in Africa. Many people vote with their feet and go to work in South Africa in order to get a better living there and they remit a good deal of their earnings to the front-line states. If the economy of South Africa were to collapse, the economies of the front-line states would quickly follow. It is important to keep that economy strong and not to cause more poverty. Britain relieves the people who are being fed under Operation Hunger at a cost of £1·3 million and tries to reduce the hardship there; other people seem to wish to increase it.

Mr. Alexander Eadie (Midlothian): With regard to the Prime Minister's strictures earlier about language, her reported statement that she felt sorry for the other 48 members of the Commonwealth may be good language, but would it not be interpreted as supreme arrogance by any Head of State?

Secondly, will the Prime Minister try to clarify the Foreign Secretary's role in relation to the statement? A recorded press interview shows that when the Foreign Secretary was interviewed he did not know anything about the statement that was issued. Will she clarify that, please?

The Prime Minister: Nonsense. The hon. Gentleman saw my right hon. Friend the Foreign Secretary. He is totally and utterly misrepresenting the Foreign Secretary. My right hon. Friend wrote part of the document and we both agreed to issue it. However much the hon. Gentleman tries to use language to counter that, it is not true. We both wrote and we both issued the statement.

Sir William Clark (Croydon, South): Does my right hon. Friend agree that some of the Commonwealth countries that are critical of the United Kingdom Government's stance on South Africa have themselves been criticised for their actions in their own countries by the latest report from Amnesty International? Is it not the height of hypocrisy for some of our critics, when their own house is not in order and when there are violations of human rights there, to criticise anybody, whether it be about South Africa or not?

The Prime Minister: I am grateful to my hon. Friend. Four countries in the Commonwealth have states of emergency, and a number do not have democracy at all in our sense of the term. Nevertheless, most of us recognise that it is our task to try to sustain them through periods of difficulty, hoping that they will eventually come through with freedom, the rule of law, full democractic rights and a plurality of parties.

Mr. Pat Wall (Bradford, North): The Prime Minister referred to the election of Chief Anyaoku as Secretary-General of the Commonwealth, and a joint declaration against all forms of terrorism. Did she use the opportunity of her visit to Kuala Lumpur to discuss with representatives of the Nigerian Government the introduction of a state of emergency there, and the arrest of trade unionists and other elements of opposition within Nigeria, who have been held without trial and often without charge? Did she raise with Chief Anyaoku the farce of a Government who are calling an election in which they nominate the two parties allowed to stand, and forbid the Nigerian Labour party its right to stand?

The Prime Minister: I did not discuss those particular matters with the Nigerian representatives, but the hon. Gentleman knows that the members of the military

Government have made it quite clear that they will not stand in the democratic elections that they hope will be held fairly soon.

Mr. Ivor Stanbrook (Orpington): As we are now undoubtedly out of step with the rest of the Commonwealth—old and new—on the question of sanctions against South Africa, is it not all the more important for my right hon. Friend to emphasise Britain's appreciation of the value of membership of this worldwide, multiracial, English-speaking organisation, the source and raison d'être of which—fruitfully for us—is the British connection?

The Prime Minister: I agree with my hon. Friend. The origin of the Commonwealth is its historic connection with Britain. It is, after all, the first empire in the world that has finally resolved itself into a commonwealth of friendly nations agreeing to co-operate and help on many matters, and I think that it is extremely valuable and important.

Business of the House

4.18 pm

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): With permission Mr. Speaker, I should like to make a statement about the business for next week:

MONDAY 30 OCTOBER—Remaining stages of the Football Spectators Bill *[Lords]*

Remaining stages of the Brunei (Appeals) Bill *[Lords]*

TUESDAY 31 OCTOBER—Opposition day (20th Allotted day). There will be a debate on an Opposition motion entitled "The crisis for mortgage payers, tenants and homeless people".

Motion on the Licensing and Clubs (Amendment) (Northern Ireland) Order.

WEDNESDAY 1 NOVEMBER—Until 7 o'clock motion relating to the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations.

Motion to take note of EC document on control of nitrate pollution. Details will be given in the *Official Report*.

The Chairman of Ways and Means has named opposed private business for consideration at 7 o'clock.

THURSDAY 2 NOVEMBER—There will be a debate on economic and monetary union on a motion for the Adjournment of the House. Details of the EC Documents relevant to the debate will be given in the *Official Report*.

FRIDAY 3 NOVEMBER—There will be a debate on road safety on a motion for the Adjournment of the House.

MONDAY 6 NOVEMBER—Progress on consideration of Lords Amendments to the Local Government and Housing Bill.

[Relevant documents:
Wednesday 1 November
Relevant European Community Document
(a) 4136/89 Water pollution by nitrates
Relevant Report of European Legislation Committee
(a) HC 15-xiv (1988-89), para 2
Thursday 2 November
Relevant European Community Documents
(a) unnumbered Economic and Monetary Union
(b) unnumbered Co-operation between Central Banks
(c) unnumbered Convergence of economic performance
(d) 7550/89 European Currency Unit
Relevant reports of European Legislation Committee
(a) HC 15-xxi (1988-89), para 5
(b) HC 15-xxxv (1988-89), para 2
(c) HC 15-xxxv (1988-89), para 3
(d) HC 15-xxviii (1988-89), para 2.]

Mr. Frank Dobson (Holborn and St. Pancras): I thank the Leader of the House for his statement. I also thank him for doing as we asked and providing prime time for the debate on the GPs' contracts, and also for providing a day for a debate on the Delors report on economic and monetary union.

Will the right hon. and learned Gentleman tell us when we are likely to have the report of the Clapham rail crash inquiry? Could he also oblige us by not presenting that report to the House next Tuesday, in an exercise of news

[Mr. Frank Dobson]

management intended to keep the debate on the housing crisis out of the first items in the television news broadcasts?

Is there any possibility of an early debate on the release of the Guildford Four and associated matters, particularly as at present the case is not sub judice but should any prosecutions commence it would become so? Can the Leader of the House guarantee that there will be no more instant guillotines announced next week? In particular will he ensure that no more business statements are made without proper notice being given to the Opposition?

Sir Geoffrey Howe: I thank the hon. Gentleman for his appreciation of the arrangements made through the usual channels for handling the debate on general practioners' contracts and on economic and monetary union. My right hon. Friend the Secretary of State for Transport proposes to make a statement on the Clapham report shortly. I had not thought of the idea that the hon. Gentleman suggested, but I will bear it in mind. I cannot give the hon. Gentleman an answer on when there will be a debate on the Guildford Four, but I shall certainly look into the matter.

On the hon. Gentleman's final point, I shall have to make, at whatever time and stage it is necessary, whatever arrangements are needed to secure the continued dispatch of the business before the House. I regret that, owing to a misunderstanding, when I intervened last night in a move to report progress—I intended at the same time to make some proposals about the remainder of business—the normal conventions for giving notice were not observed. I apologise for that to the hon. Gentleman and to the other parties. However, the substance of the matter has been for the convenience of the House and such matters may have to be considered again.

Mr. Nicholas Winterton (Macclesfield): Although I fully appreciate the pressure of business facing the Government, it is extraordinary that in the statement on the Commonwealth conference no question was put on a matter which is perhaps more relevant than any other—the independence process in Namibia. Will my right hon. and learned Friend find time for either a debate or for a Government statement, where an assurance could be given to the House that the United Kingdom Government will insist upon the 1982 principles being adhered to in Namibia and that they will not recommend that the Security Council should recognise any government that may result from the elections in the constituent assembly unless the 1982 principles have been fully honoured?

Sir Geoffrey Howe: I cannot be accountable for topics that hon. Members raise during questioning on statements such as the one we have just listened to. My hon. Friend's interest in Namibia is well known and understood. Of course, Her Majesty's Government are intensely interested in the elections that are to take place shortly in Namibia. We will bear in mind the points that were made by my hon. Friend. I have no doubt that he will be as ingenious as ever in finding other opportunities to express his concern on this matter.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): Will the Leader of the House consider an early debate on procedure? Does he recognise that eight Bills this Session have been subject to the guillotine and that there is growing irritation not just in the House but in the other place and outside? The early clauses of Bills are discussed at inordinate length and the later clauses are discussed hardly at all. That is not a satisfactory way of legislating. Will he look again at a process of voluntary timetabling of major Bills from the beginning?

Sir Geoffrey Howe: I am obviously studying the wide range of proposals that have been made over the years affecting procedures on matters of this kind. However, I cannot promise to come to the conclusion that the right hon. Gentleman urges upon me. The volume of amendments concerned in some of the Bills—for example, the Children Bill—reflect the Government's willingness to respond positively to the wide-ranging debate that has taken place.

Sir Philip Goodhart (Beckenham): My right hon. and learned Friend will be aware that some of us deeply deplore the decision forcibly to repatriate the Vietnamese boat people. Can we have a debate before that depressing decision is implemented?

Sir Geoffrey Howe: I am familiar with my hon. Friend's continuing interest in this matter which he has brought before the House on a number of occasions and which he will no doubt raise again. He must recall that the international community has accepted for some time that all those screened out as non-refugees should be returned to Vietnam. As my right hon. Friend the Prime Minister pointed out earlier, it is increasingly feared that voluntary returns cannot provide a comprehensive solution to the problem. However, I shall bear in mind the points that my hon. Friend makes.

Several Hon. Members *rose*——

Mr. Speaker: In view of the hon. Gentleman's letter to me, I call Mr. Anthony Banks.

Mr. Tony Banks (Newham, North-West): You are very kind to an old man, Mr. Speaker.

Does the Leader of the House agree that dealing with 48 Commonwealth Prime Ministers is a mere doddle compared with dealing with my hon. Friend the Member for Bolsover (Mr. Skinner) during the early watches of the morning?

As the Prime Minister made quite lengthy mention of elephants and elephant ivory and said—and I disagree entirely—that in certain parts of southern Africa there are large elephant populations that should be culled——

Dame Peggy Fenner (Medway): Zimbabwe.

Mr. Banks: In southern Africa. Will the Leader of the House please arrange for a statement from the responsible Minister who was in Lausanne for the CITES conference discussing the future of the ivory trade? In view of the fact that in Hong Kong there are so many tonnes of ivory that should be destroyed rather than put on to the market, we must have that debate. There is a great deal of public concern.

Sir Geoffrey Howe: Even in response to a question from the hon. Gentleman after some secret exchange with which he is so pleased, I shall not respond to his invitation to pay tribute to his colleague the hon. Member for Bolsover (Mr. Skinner).

On the serious topic with which the hon. Gentleman is concerned, whatever the differences of opinion, he

appreciates that there are differences between the stocks in certain southern African countries and those in other parts of the world. He also appreciates that Hong Kong's possession of substantial existing stock is different again. Clearly it would be helpful to find an opportunity to debate these matters. I do not know whether we will be able to find such an opportunity, but I shall bear in mind the general point that he raised.

Mr. Jonathan Aitken (Thanet, South): Although the House will be grateful for next week's debate on the Delors report on economic and monetary union, that debate is taking place four months after the Madrid summit at which we might have had some influence on the Government's thinking had there been a debate at that time. As a former Foreign Secretary with new responsibilities, will my right hon. and learned Friend start to have some sympathy for the point of view that we continually debate European matters either too late in the political process or too late at night and that some reforms in that sphere of parlimentary business really are necessary?

Sir Geoffrey Howe: Having been concerned with such matters from the first moment of introduction of the European Communities Act 1972 and the Foster report which laid the foundations of our present procedure, I fully understand the importance of that point to the whole House. As my hon. Friend knows, it is now being considered by the Procedure Committee, and obviously we shall look forward to the opportunity of considering that report when it is forthcoming.

Mr. Alfred Morris (Manchester, Wythenshawe): At Blackpool two weeks ago, the right hon. and learned Gentleman urged his colleagues to do more listening. Will the Government be listening next Monday as Britain's war widows launch their new campaign for justice, a campaign that is massively backed on both sides of the House? Will there be a statement next week and will the Leader of the House put it to his ministerial colleagues directly involved that to listen is to understand and to understand is to want to help?

Sir Geoffrey Howe: The whole House will acknowledge that there is scarcely any group whose case is likely to be listened to with more attention than that mentioned by the right hon. Gentleman. They will certainly be listened to, although I cannot promise what the consequences will be.

Miss Ann Widdecombe (Maidstone): What plans does my right hon. and learned Friend have for a proper parliamentary debate on the implications of and the implementations of the Polkinghorne report?

Sir Geoffrey Howe: I understand my hon. Friend's interest in the Polkinghorne report which was delivered to health Ministers shortly before the summer recess. Given the speed of recent developments, Department of Health Ministers decided that the new code of practice on the use of foetal tissue for research and treatment should be published without dalay. I shall take account of my hon. Friend's expression of interest in the prospect of a debate.

Mr. Jack Ashley (Stoke-on-Trent, South): Is the Leader of the House aware that when the proceedings of the House are televised, thousands of deaf people will be deprived of their basic rights to follow them because they will not be subtitled? Can the Leader of the House help with that urgent matter because we are being televised in a few weeks' time? May we please have a debate next week?

Sir Geoffrey Howe: The point made by the right hon. Gentleman was drawn to my attention in Blackpool two or three weeks ago. It is touched on in the report of the broadcasting Select Committee, and I am examining the matter in the light of those references. I shall do so with more energy in the light of the urging of the right hon. Gentleman.

Mr. Patrick Cormack (Staffordshire, South): May I return to the terrible plight of the haemophiliac AIDS victims? We still have not had a statement from a Minister on the subject. The Government's record is extremely good and they have shown their sympathy in the past, but the plight of these people is desperate. If they have to wait for the courts, they will mostly be dead. May we please have a statement next week?

Sir Geoffrey Howe: The matter has already been drawn to the attention of my right hon. and learned Friend the Secretary of State for Health, and the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) has been asking my hon. and learned Friend the Member for Putney (Mr. Mellor) questions about it. I shall ensure that the point raised by my hon. Friend is drawn to the attention of the Secretary of State.

Mr. Sydney Bidwell (Ealing, Southall): May I draw the right hon. and learned Gentleman's attention to early-day motion 1293?

[That this House welcomes the united efforts of Hertsmere Borough Council and the Hindu community to find an equitable solution to maintain the continuity of Hindu worship presently accommodated at Bhaktivedanta Manor in Hertfordshire; and supports the recognition of very special circumstances as defined in planning law, of the needs of the Hindu community in this case.]

It is an all-party motion on Hindu worship and Hertsmere borough council. If the right hon. and learned Gentleman cannot arrange an early debate, will he draw the matter to the attention of his right hon. Friend the Secretary of State for the Environment, because I understand that the ball is in his court? The matter has been a vexatious problem for several years, but agreement has been reached between the borough council and the Hindu community. Will the right hon. and learned Gentleman kindly assist in this respect?

Sir Geoffrey Howe: I understand the significance of the matter raised by the hon. Gentleman. My right hon. Friend the Secretary of State for the Environment is currently considering appeals against an enforcement note order and a discontinuance order made by the council and also two appeals, including one on a temple and other accommodation that will, in part, replace those activities. He expects to announce his decision shortly, taking into account the possibility of there being special circumstances that could override the strong presumption against development in the green belt.

Mr. Tim Smith (Beaconsfield): May I reinforce what my hon. Friend the Member for Staffordshire, South (Mr. Cormack) said about the haemophiliac AIDS victims and draw my right hon. and learned Friend's attention to early-day motion 1307?

[Mr. Tim Smith]

[That this House is gravely concerned by the tragic situation facing 1,200 sufferers from haemophilia who were treated by the National Health Service with the blood product Factor VIII which has subsequently been shown to have been contaminated with the HIV virus; is deeply saddened by the deaths of 100 of these patients who developed full blown AIDS; is seriously worried about the future well being of their families and asks the Government to recognise that the patients are the victims of a medical accident brought about by a lack of knowledge rather than negligence and that they be compensated without the costly, time-consuming process of law during which many of them may die.]

This is, by definition, an urgent matter. I very much hope that it will be possible for the Government to make a statement in this Session.

Sir Geoffrey Howe: I understand, if only for the reason that the point has been raised with me by hon. Members at each of my appearances at business questions, that there is widespread feeling about this matter, and that by definition there is a degree of urgency about it. As I have said already, I shall draw the matter to the attention of my right hon. and learned Friend the Secretary of State for Health.

Mr. Alex Salmond (Banff and Buchan): After the Leader of the House left us this morning, he may be aware that the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food told the House that a decision on a decommissioning scheme for the fishing industry would be made before Christmas. Given that statement, should we not have a debate in Government time on this most urgent matter so that the House can fully explore the role of the Minister of Agriculture, Fisheries and Food in blocking and sabotaging proposals for a decommissioning scheme emanating from the Scottish Office? I am sure that the Leader of the House will be aware of the urgency of the position, given the crisis in the fishing industry in Scotland. I hope for a favourable reply.

Sir Geoffrey Howe: I cannot give an undertaking about the prospect of a debate in any particular form. I can confirm what was implicit from what was said from the Dispatch Box last night—that this is an urgent matter and that the Government are urgently considering the measures necessary to deal with it.

Mr. Charles Wardle (Bexhill and Battle): My right hon. and learned Friend may recall a debate on drug abuse on the motion for the Adjournment of the House on 21 July. Will he consider finding time for another such debate before long, perhaps early in the new Session, to concentrate on the growing and terrible menace of crack? Does he agree that crack not only ruins the lives of those who succumb to it but threatens the public with a spiral of violence by addicts, who need money to buy it? Should not the House continue to give the matter the closest possible attention?

Sir Geoffrey Howe: I cannot undertake to arrange a debate on the topic at any particular time. My hon. Friend is entirely right about the need to keep this desperate problem well to the fore of our agenda.

Mr. Stuart Bell (Middlesbrough): In view of the exchanges that we have just had on the Prime Minister's statement on Kuala Lumpur, will the Lord President of the Council promise us an early debate on the Commonwealth, because we had some interesting exchanges with the Prime Minister and her Back Benchers? In the debate, it would be interesting to elucidate what she meant when she got on the plane and said to a *Daily Mail* reporter, "I think they are jolly lucky that we colonised them, not someone else." It may be that during the debate we should be able to elucidate what the Prime Minister meant by that remark.

Sir Geoffrey Howe: The hon. Gentleman will be able to regale the House with this interrogation when my right hon. Friend has the opportunity to discuss this topic in, for example, the debate on the Gracious Address.

Mr. Rupert Allason (Torbay): Will my right hon. and learned Friend try to find time for a full debate on the laws of defamation? Several recent events have caused grave disquiet, not just in the legal profession but in the world of journalism. I refer in particular to two recent decisions, one of which was the decision by my right hon. Friend the Home Secretary to prevent two retired intelligence officers from giving evidence in a libel case. At the same time he is allowing a retired intelligence officer to bring a libel case against a senior academic. We need a debate at the earliest possible moment to clarify the Government's policy on this issue.

Sir Geoffrey Howe: I cannot comment on any security matters raised expressly or by implication in my hon. Friend's question. On the wider matter of press relations with the rest of society, no doubt there will be opportunities as the year's business proceeds to discuss these matters.

Mr. Harry Ewing (Falkirk, East): May I raise with the Leader of the House a serious and important matter involving the Scottish Office? Will he arrange for a statement to be made next week as a matter of urgency, preferably by the Prime Minister in her role as head of the Civil Service? The Secretary of State for Scotland, through his private secretary and, I understand, with the support of the permanent under-secretary, has given an instruction that all background and discussion documents on Government policy must be sent to the chairman of the Conservative party in Scotland whose office is in Chester street, Edinburgh. Does not the Leader of the House see a serious and dangerous situation in that? If the chairman of the Tory party in Scotland is to get all these documents, why should not the chairmen of the Labour and Scottish National parties and of the Liberal Democrats—all of which are represented in the House—get them also?

I put it to the Leader of the House that, once these lines of communication are open between senior civil servants in the Scottish Office and Tory party headquarters and its chairman at Chester street, Edinburgh, it will be difficult for the incoming Labour Government and their Ministers, once they go into New St. Andrew's house, in a few years' time, to have any confidence that those lines have been closed.

Sir Geoffrey Howe: The hon. Gentleman must understand that the chairman of the Conservative party in Scotland is a member of Her Majesty's Government and receives communications about matters in that capacity.

The other office holders whom the hon. Gentleman mentioned—the chairman of other political parties—are not, and I hope for a very long time that they will not hold that position.

Mr. Harry Greenway (Ealing, North): I support the call by the hon. Member for Newham, North-West (Mr. Banks) for a debate or statement on the future of the ivory trade. Could such a debate be wide enough to take account of the fact that elephants in some areas are nearly extinct?

May we also have a proper debate on sanctions against South Africa rather than short statements, such as the one that we have had this afternoon, which do not allow all hon. Members who wish to speak to do so? Could such a debate be wide enough to take account of the views recently expressed by Mr. Jim Baker, the United States Secretary of State who said that further sanctions against South Africa would be inappropriate at the present time and that we should support my right hon. Friend the Prime Minister in her support for President de Klerk as the best means of moving South Africa towards an improvement?

Sir Geoffrey Howe: My hon. Friend has made such an all-embracing set of observations on that topic that I doubt the need to provide any further special occasion to discuss them.

Mrs. Ann Clwyd (Cynon Valley): Will the Leader of the House consider having an early debate on Government policy on Cambodia? There was yet another example of double-speak at the Kuala Lumpur conference. The Prime Minister signed a communiqué on the section on South-East Asia which clearly stated the right of the Cambodian people to determine their destiny without foreign interference. At the same time, *Jane's Defence Weekly* says that the United Kingdom has been training Cambodian guerrillas at four secret bases in Thailand over the past four years. Given the great public interest in this subject, people have a right to know exactly where the United Kingdom Government stand on this issue.

Sir Geoffrey Howe: Although the hon. Lady may have difficulty in securing any very large space in it, there is to be an Adjournment debate on this topic on Wednesday next week. I shall draw the attention of the Minister who is to reply to that debate to the point that she has made.

Mr. Stephen Day (Cheadle): Incitement to murder is still a criminal offence in Britain as I understand it. Therefore, will my right hon. and learned Friend make it possible for the Home Secretary to make a statement as to why certain leaders of the Moslem community have remained immune from prosecution under that law and allow the House to express the view that I am sure will be supported by right hon. and hon. Members on both sides, that such incitements to murder have no place in a multi-religious, multicultural and multiracial free society?

Sir Geoffrey Howe: The whole House will readily agree with my hon. Friend that incitement to murder should not be tolerated in any society, and certainly not in our own. However, for action of the kind that my hon. Friend has in mind to be taken, a decision has to be made, not by the Home Secretary or any other Minister, but by the prosecuting authorities, who are, no doubt, considering the matter.

Mr. Jeremy Corbyn (Islington, North): Further to the reply that the Leader of the House gave to my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), will he be more specific about when a debate could be held on the innocence of the Guildford Four and the Guildford and Woolwich pub bombings, on the methods that the police used to obtain confessional evidence on which the convictions were made, why that information was not made available to defence lawyers or anybody else during the past 15 years, and the practice of the police investigating the police when malpractice appears?

We should also discuss the operation of the Prevention of Terrorism Act 1974, bearing in mind that my constituent Paul Hill has just been released after serving 15 years for a crime that he did not commit and that he was the first person to be accused under that Act. Does the Leader of the House agree that a debate on these matters is urgent and important in view of the miscarriages of justice that have taken place?

Sir Geoffrey Howe: I am not able to offer any conclusion about a proposal for a Government debate of that kind. It is clearly a matter that could be considered by the official Opposition as a topic for debate if they so wish. I shall draw the hon. Gentleman's point to the attention of the Home Secretary.

Mr. Bob Cryer (Bradford, South): Will the Leader of the House press the Secretary of State for Trade and Industry to make a statement next week on the Department's response to the Silberston report on the multi-fibre arrangement? The Government do not seem to be sufficiently seized of the serious nature of this report, which affects the clothing and textile industry which employs almost 500,000 people. In Bradford that industry employs about 14,000 people in wool and textile mills. The phasing out of the multi-fibre arrangement, which has been suggested by Professor Silberston, would put their jobs in jeopardy. The report suggests the loss of about 33,000 jobs and it is causing a good deal of concern among workers who have been most helpful and co-operative for many years in the development of the industry. I hope that the Leader of the House will press the Department for a statement so that we can ask questions about it.

Sir Geoffrey Howe: The hon. Member understands that Professor Silberston's report on the implications of the multi-fibre arrangement for the United Kingdom economy represents the professor's own view. That does not mean that it is not helpful to the Government and others when they are considering this issue. However, I cannot undertake to find Government time for consideration of the report before the House prorogues. I have little doubt that there will be a chance to consider it once we return.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that when he had to come to the House to change Government business last night, after midnight, some people said—hon. Members on both sides of the House but particularly Opposition Members—that he had been left holding the baby because of the Whips' inability to keep the troops in? As the right hon. and learned Gentleman probably now knows, the Government have to have 100 people in the Chamber to close a debate. The Leader of the House had to come and pick up the pieces.

[Mr. Dennis Skinner]

One of the bones of contention in that debate, apart from the legislation itself, which is in a tidy old mess, is that the Associated British Ports (No. 2) Bill is scheduled for consideration next week. It is on——

Mr. Speaker: Order. That is the business for next week——

Mr. Skinner: It is on next week, on Wednesday, after 7 o'clock.

Mr. Speaker: But I do not think it was announced——

Mr. Skinner: Sometimes this place is in a hubbub and I know that you cannot hear everything, Mr. Speaker. I know that you turn a deaf ear to some of the words and expletives that are used as well—[HON. MEMBERS: "From the Tory Benches".] If the present Leader of the House had done what the last one did and had had consultations with interested parties about this flawed Bill which had as its chairman an adviser to the British Chemical Engineering Contractors Association, which had some connection with the promoters of——

Mr. Speaker: Order. Yes, but it is indeed set down for business next week and that is the time to make these comments.

Mr. Skinner: But, I mean, the lad is new and I am trying to put him in the picture and explain why the Bill ought to be taken off. If the Government want the Bill they should start it again next year. If the Leader of the House does that he will make a more promising start and he might not get dragged out of bed after midnight.

Sir Geoffrey Howe: The Chairman of Ways and Means, as the hon. Gentleman knows, has identified the Bill to which he referred for discussion in opposed private business at 7 o'clock next week. During the discussions I have learnt quite a lot about this interesting piece of legislation and I have no doubt I shall learn more next Wednesday, possibly even from the hon. Gentleman. He has not enlightened me greatly in his discussion of last night's proceedings because despite his lurid expectations, my right hon. and learned Friend the Chief Whip had a well-manned majority in the House. *[Interruption.]*

Mr. Speaker: Sir Geoffrey Howe.

Companies Bill *[Lords]* and Children Bill *[Lords]* (Allocation of Time)

4.46 pm

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe) *rose——*

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Speaker.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker.

Sir Geoffrey Howe: I beg to move——

Hon. Members: On a point of order.

Mr. Speaker: What is the point of order?

Mr. Madden: Earlier this afternoon the Home Secretary was invited to apologise for the gross miscarriage of justice experienced by the Guildford Four. Mr. Speaker, you will have heard that he gave what must have been the most graceless apology for what is clearly a serious miscarriage of justice. At the time, justified protests were made. My point of order is that the Guildford Four are in the process of submitting claims for compensation for the miscarriage of justice that they have suffered, and the view that was expressed this afternoon on their conviction may influence the amount of compensation awarded.

Mr. Speaker: Yes, but that is not a matter for the Chair or for order in the House. I said at the time, and I took the points of order at the time because they arose immediately out of the answer to that question, that it is a matter not for me but for the Government.

Mrs. Mahon: On a point of order, Mr. Speaker. Earlier this afternoon the Home Secretary informed my hon. Friend the Member for Huddersfield (Mr. Sheerman) that I had given my unreserved support to the so-called women's safety charter. He was referring to a press report in which I make it quite clear that I do not give that charter unreserved support. I accuse Ministers of using the charter to obscure their failure to tackle the root causes of violence against women. It is important that Ministers of such high rank do not misrepresent matters.

Mr. Speaker: Again that is not a matter for me.

Mr. Tim Devlin (Stockton, South): On a point of order, Mr. Speaker.

Mr. Speaker: We have already started on the timetable debate.

Mr. Devlin: This is an important matter.

Mr. Speaker: Very well.

Mr. Devlin: May I refer you to column 871 of yesterday's *Hansard* Mr. Speaker in which the right hon. Member for Swansea, West (Mr. Williams) referred in a point of order to part-time Tory Members, following a point of order that I raised at 4.45 pm. Can you advise me, Mr. Speaker, as a relatively junior Member of the House —in fact a very junior Member—whether it is in order for one hon. Member to refer to another as a part-time

Member when the hon. Member who did the calling has a worse voting record and was referring to an occasion when he too was absent?

Mr. Speaker: We must never attribute any dishonourable actions to each other in this House, but being called a part-time Member does not quite come within that category and it is not an issue in this debate, which has already started.

Mr. Alan Williams (Swansea, West): Further to that point of order, Mr. Speaker. I do not want to upset a new Member of Parliament. My comment may have caused him embarrassment in his constituency, but I must point out to him that what was said in the course of heated debate was not meant to cause him any personal harm or embarrassment. In his particular case, I withdraw my comment.

Sir Geoffrey Howe: I beg to move,

That the following provisions shall apply to the remaining proceedings on the Companies Bill *[Lords]* and the Children Bill *[Lords]*:—

Report and Third Reading

COMPANIES BILL *[Lords]*

1.—(1) The proceedings on Consideration and Third Reading of the Companies Bill *[Lords]* shall be completed in one allotted day and shall be brought to a conclusion at the Times shown in the following Table:—

TABLE

Proceedings	*Time for conclusion of proceedings*
New Clauses, new Schedules and amendments relating to Parts I to IV of the Bill.	9.50 pm
New Clauses, new Schedules and amendments relating to Part V of the Bill.	11.00 pm
New Clauses, new Schedules and amendments relating to Parts VI and VII of the Bill.	Midnight
Remaining new Clauses and amendments and Third Reading.	1.00 am

CHILDREN BILL *[Lords]*

2. The proceedings on Consideration and Third Reading of the Children Bill *[Lords]* shall be completed in one allotted day and shall be brought to a conclusion three hours after the commencement of adjourned proceedings on consideration.

Dilatory Motions

3. No dilatory Motion with respect to, or in the course of proceedings on either Bill shall be moved except by a member of the Government, and the Question on any such Motion shall be put forthwith.

Order of proceedings

4. No Motion shall be made to alter the order in which proceedings on Consideration of either Bill are taken.

Extra time on allotted days

5. Paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings on both Bills.

Conclusion of proceedings

COMPANIES BILL *[Lords]*

6.—(1) For the purpose of bringing to a conclusion any proceedings on the Companies Bill *[Lords]* which are to be brought to a conclusion at a time appointed by this Order and which have not previously been brought to a conclusion, Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question that all new Clauses standing in the name of, or moved by, a member of the Government and all new Schedules standing in the name of a member of the Government be added to the Bill;

(d) the Question that all remaining amendments standing in the name of, or moved by, a member of the Government be made to the Bill;

(e) any other Question necessary for the disposal of the business to be concluded.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

CHILDREN BILL *[Lords]*

7.—(1) For the purpose of bringing to a conclusion any proceedings on the Children Bill *[Lords]* which are to be brought to a conclusion at the time appointed by this Order and which have not previously been brought to a conclusion, Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question that all new Clauses and new Schedules standing in the name of a member of the Government be added to the Bill;

(d) the Question that all remaining amendments standing in the name of a member of the Government be made to the Bill;

(e) any other Question necessary for the disposal of the business to be concluded.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

Supplemental orders

8.—(1) The proceedings on any Motion moved by a member of the Government for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings.

(2) If the House is adjourned, or the sitting is suspended, before the time at which proceedings on either Bill are to be brought to a conclusion under this Order no notice shall be required of a Motion moved at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

9. Nothing in this Order—

(a) prevents any proceedings to which it applies from being taken or completed earlier than is required by the Order; or

(b) prevents any business (whether on the Bill in question or not) from being proceeded with after the completion of all such proceedings on that Bill.

Re-committal

10. No debate shall be permitted on any Motion to re-commit either Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

11. In this Order "allotted day", in relation to the Companies Bill *[Lords]* or the Children Bill *[Lords]* means any day on which that Bill is put down as first Government Order of the day, provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day, or is set down for consideration on that day.

The House does not need me to remind it that it is fundamental to the way in which the House operates that the elected Government are entitled, on reasonable terms, to look to the House for the passage of their business. That does not mean that we do not have a responsibility to listen to the points made by hon. Members of all parties. In the case of these two Bills, we have been listening with great

care, and that has been reflected in many amendments designed to improve and clarify the two measures. We also have a responsibility to respect the right of hon. Members of all parties, including, of course, the official Opposition, to debate and challenge the Government's legislation.

In the case of the Companies Bill and the Children Bill, it cannot be argued that the Opposition, or indeed the whole House, have not been given that chance. We have almost completed consideration of both measures and it would be most unwelcome to many outside the House if the Government were to allow the Bills to be put at risk at this late stage, when they have been successfully piloted to this stage with the agreement of the House at each stage.

At about this time last year, the House agreed to a somewhat similar approach by my predecessor, when a timetable was put on the last stages of the School Boards (Scotland) Bill and the Housing (Scotland) Bill to ensure that those important measures would be allowed to complete their passage. My motion today is in no sense unprecedented and it is even more justified in light of the way in which progress on these Bills has been delayed.

Mr. Bob Cryer (Bradford, South): Will the Leader of the House tell us how many amendments there were to the Bills that he has just cited as precedents? Were there more than the 1,000 Government amendments on the Companies Bill or the 400 amendments on the Children Bill? Surely it is the weight of Government amendments that has caused the difficulties. The Government have not provided adequate time for scrutinising the many, often complicated, amendments to two complicated Bills.

Sir Geoffrey Howe: That is not the substance of the matter. In the case of the Children Bill, the overwhelming majority of the amendments were tabled, as my hon. and learned Friend the Minister of State pointed out in the course of the debate earlier this week, in response to representations made by organisations outside the House and by the Opposition. During the period when the matter was proceeding normally, amendments were considered and disposed of by the hundred and dozens were dealt with each hour. That was no obstacle to progress and was a sensible way to handle matters in response to the wishes of the House. It is a matter of particular regret that we have been unable to make the good progress that was not merely expected but actually being achieved on the Children Bill.

The Children Bill is the most comprehensive and far-reaching reform of this branch of the law ever introduced. It meets a long-felt need for a comprehensive and integrated statutory framework to ensure the welfare of children. The establishment of a new statutory scheme to protect children in emergencies is particularly important and it was introduced in response to the Cleveland and other tragedies involving child abuse. Nobody doubts that and it has been made clear by Opposition speakers that, although there are disagreements on points of detail, the Bill commands wide support in the House. That was made apparent in Committee, when my hon. and learned Friend the Minister of State, a man who is not always given to high exhilaration, described his time in Committee as a "happy experience" and hon. Members will know that that cannot be said of all Committees. In 16 Committee sittings which considered 439 amendments, the Committee divided only seven times. Many amendments made were designed to ensure that the Bill continued to command an overwhelming measure of cross-party support.

When the Bill returned to the Floor of the House on Monday, the House was content to consider 290 amendments in eight and a half hours with only one Division. In the first 23 minutes, we completed consideration of the first 53 clauses and in that time only two Opposition Members spoke. Until that point, proceedings on the Bill had been characterised by a mass of common sense.

The question is why it was then thought necessary to divide at the first opportunity on Tuesday night—a Division in which 183 hon. Members voted in favour and none against. The House knows why that Division took place and the hon. Member for Monklands, West (Mr. Clarke) was kind enough to put it on record for the House. The Division was obviously not related to opposition to the clause because the hon. Member for Monklands, West said:

> "The Front Benches have endeavoured to co-operate to ensure that the Bill reaches the statute book."—[*Official Report*, 24 October 1989; Vol. 158, c. 806.]

He went on to explain that other hon. Members representing mining areas felt it necessary to demonstrate because of their feelings that they had a grievance. It was not related to the Children Bill which, as he said, every hon. Member, including the Opposition Front Bench, supported.

The hon. Member for Monklands, West was kind enough to observe that I was a "reasonable man" and I am content to accept that description for the purposes of this presentation. However, I could not easily sustain that reputation if I were to tell the public and the organisations that have devoted thousands of hours to working for and improving this measure that the Bill was to be lost as a result of a grievance quite unrelated to this necessary and widely expected Bill.

We have already spent 12½ hours this week on Report, as well as five and a half hours on Second Reading debate and 39 hours in Committee. It would be a tragedy for the Bill to be lost at this stage after so much hard work and, above all, after such a welcome measure of co-operation.

Mr. Madden: As an hon. Member who was here on Tuesday night and Wednesday morning and was, with other hon. Members, eagerly awaiting the passage of the Children Bill, which we widely support, may I ask the Leader of the House to explain why, at 1.30 am, it was the Minister of State who moved the adjournment of consideration of the Bill, which was then debated for half an hour? There was a Division at 1.55 am in which 110 Conservative Members voted to adjourn the business while 22 hon. Members—all Labour—voted against adjourning the business. We were perfectly happy, as we made clear several times, to stay here all night and through the next morning to ensure that the Bill was carried. The protests of the Leader of the House ring extremely hollow. This is the most cosmetic controversy that the House has known for a considerable time.

Sir Geoffrey Howe: The hon. Gentleman is not quite so simple as he sounds. He knows the background to those events perfectly well. The whole House, in line with the agreements and understandings made through the usual channels, was expecting to proceed to a conclusion on the matter that night. The hon. Member for Monklands, West

was as startled and dismayed as every other hon. Member by what happened. It was wholly sensible, and made more sensible by the events the hon. Member for Bradford, West (Mr. Madden) has described, to move to next business at that stage so that we could get to the stage that we have now reached.

The Companies Bill, as the House knows, is aimed primarily at creating an up-to-date framework of company law within which enterprise can flourish and it also provides the necessary safeguards for investors and creditors. It contains provisions to implement European Community directives on consolidated accounts and the regulation of orders, both of which have to be implemented by the end of this calendar year, and it also includes certain reforms to ease the statutory requirements on companies. The Bill also contains a number of other less important but significant provisions.

In this case, some of the provisions are undeniably politically controversial, in contrast to those in the Children Bill. Others, as always with companies legislation, are technical. Even so, good steady progress was made in Committee, when about 600 amendments were considered over 15 sessions. Four hundred amendments were accepted by the Government, the level of debate was generally constructive and there was no evidence of what might be called obstructive tactics. In other words, the Bill was duly and carefully considered, sensible amendments were made and it came back to us for those changes to be confirmed. Sadly, last night we moved into a wholly different story.

Until 9 pm we had had three lively but well-contested debates on the areas of prime political controversy in the Bill. That was entirely as expected and reflected the interest of hon. Members on both sides in such matters as political donations. What followed was less edifying and, in some respects, rather strange. Only three of the remaining groups of amendments were considered during the next two hours simply because Divisions were forced by Opposition Members on each and every amendment as it came before the House.

That those Divisions were scarcely motivated by any consideration of the substance or merit of the amendments was demonstrated not just by the lack of any debate, but by the nature of some of those which attracted such unexplained opposition. That conduct was extremely strange, especially as two of the amendments, nos. 13 and 14, on which Opposition Members forced Divisions were tabled to fulfil pledges specifically given to the Opposition in Committee. I commend to the House the view that that underlies the conclusion that the Opposition Front Bench has now entirely lost control of its ability to co-operate in managing the business of the House. It is difficult to see more convincing evidence of that than that provided by the Divisions on those amendments.

In the face of those circumstances, the motion will allow more time for consideration of the remaining amendments than was in prospect under earlier arrangements that Opposition Members failed to deliver.

Mr. Nicholas Bennett (Pembroke): Will my right hon. and learned Friend give the Labour deputy Chief Whip the opportunity to explain why he voted against an amendment which merely replaced the word "part" with "section"?

Sir Geoffrey Howe: It is for the hon. Gentleman to explain that remarkable proposition. There will be ample time for further explanation to be forthcoming as the timetable motion has been carefully drafted to allow sufficient time for the Opposition to make their points—even points as important as the difference between "part" and "section"—provided that they do so with a normal degree of reason and restraint. There is the opportunity to spend additional time on the Companies Bill if we finish this debate in less than three hours.

I am sure that many hon. Members would agree that the time would be better spent on further consideration of the Bill than on debating the merits of this unarguably sensible and necessary measure. The amount of time available will increase for every minute that can be shaved off the debate on the motion. If the Opposition are truly interested in debating the Companies Bill, they will save their powder for later. I urge them to do so and I commend the motion to the House.

5.2 pm

Mr. Frank Dobson (Holborn and St. Pancras): What a mess the Government are in.

The speech we have just heard is nothing more than a confession of failure and an acknowledgement that the Government have totally mismanaged their business. The Government have an overall majority of almost 100 and they have a majority of almost 150 over Labour. Now they are reduced, however, to having to introduce more guillotines in one Session than at any time in the history of parliamentary Government.

What a sad spectacle the Leader of the House presents today. When he took up his present job he told a BBC audience:

> "I think the Government as a whole needs the support of somebody of my experience, particularly when we are facing a new round of problems on the home front".

The right hon. and learned Gentleman was putting himself over as a sort of philosopher king in Hush Puppies. Later briefings to newspapers suggested that, relieved of the pressing demands of the Foreign Office, he would abandon his usual abrasive image and would be able to stand back from the day-to-day hurly-burly to take a strategic overview and to steer the SS Thatcher to calmer waters by his characteristic delicate touch on the tiller. What went wrong? What happened to the long view? What has happened to all that wisdom and experience? As soon as we have a few votes late at night and a few demoralised Tory Back Benchers refuse to stay up to do their duty, blind panic sets in.

Last night, as we awaited the chimes at midnight, the deputy Prime Minister shuffled into the Chamber—or so I am told, as I was in the Tea Room at the time——

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): Why?

Mr. Dobson: I was contemplating the advice given in Hamlet:

> "It has now struck 12; get thee to bed Francisco"

I thought that we would all be better off in bed apart from those enthusiastic people who wanted to discuss the Bill. The deputy Prime Minister, however, shuffled into the Chamber to announce that the Government would guillotine the Children Bill and the Companies Bill. Such was their panic that the Government business managers could not even find time to follow the convention of this

[Mr. Dobson]

place by warning the Opposition that they intended to change the business. To be fair, the Leader of the House apologised for that in business questions today. I thank him, and accept his apology.

I am not sure what will happen now the Prime Minister has got home. If she complains that she has come back to a legislative shambles, I suggest that the right hon. and learned Gentleman should tell her not to pick on him as that shambles only imitates the shambles in Kuala Lumpur and the general shambles in Nos. 10 and 11 Downing street.

It is unfair to blame the new Leader of the House for much of this. He inherited this fine mess from his predecessor and from the Government Chief Whip, who appears to be absent at the moment. The Leader of the House must be rather daunted as he gradually discovers just how badly the Government business has been managed since the election. In case his colleagues have not entirely come clean, I shall spell out the facts.

The Government have an overall majority of almost 100. After the 1987 general election, the first Session of Parliament stretched from June 1987 until November 1988, a total of 218 sitting days—the fourth longest this century. With that majority and all that time, the Government got through just 49 Government Bills. The average for the first Session of a Parliament is 70, and the record is 104. For the Government even to achieve that measly total of 49 meant that they had to guillotine six Bills—one more than in any Session in this century.

The Government preach efficiency and improved output to everyone else, but, this year, their productivity has been even worse. This Session is likely to last for about 175 days, yet the number of Government Bills is likely to total just 37 and that will be the lowest number of Bills passed in an ordinary Session in an ordinary year since the second world war.—[HON. MEMBERS: "Hear, hear."] The shirkers on the Conservative Benches are cheering their own incapacity. To make things absolutely clear, those 37 Bills include four consolidation measures which usually go through on the nod. I say usually, as there is one in the House of Lords at the moment.

Sir Geoffrey Howe: The hon. Gentleman might like to swap a quotation from Hamlet with a quotation from Tacitus, who prudently said that his society, whereas it formerly suffered from crimes, had come to suffer from laws. That is why the Government believe in less law and not more.

Mr. Dobson: I am sure that everyone will recognise that the Government is led by a sub-Tacitus. She believes that we do not have a society. We certainly have more crime, but, apparently, in response to that we shall have fewer laws.

The Leader of the House should get things sorted out because, until fairly recently, Mr. Bernard Ingham and people from the right hon. and learned Gentleman's predecessor's office were constantly briefing the press—people who are not easily misled—about the massive load of legislation that they were pushing through. That was done in an effort to convince Tory Members that they should turn up at night and vote occasionally.

Mr. Cryer: Although the boasts of the Leader of the House about the reduction in the amount of legislation passed reverberate through our deliberations with such dynamism, will my hon. Friend bear in mind that the number of statutory instruments which the Government are pouring out has increased year by year? This is the Government who threatened to take legislation off our backs. They are simply using the Chamber to hand over power to Ministers so that they can oppress us even more.

Mr. Dobson: What my hon. Friend says is certainly true. He has had rather more experience of this than most hon. Members, because he chairs two Committees on Statutory Instruments. Indeed, my hon. Friend is, rightly, so concerned about this problem that he has been involved in organising an international conference so that hon. Members from this House can meet people from other legislatures to see what we can do about improving our scrutiny of statutory instruments. That should be a good development. I only hope that we learn a little from other members of the Commonwealth at the conference with which my hon. Friend is involved, even if we cannot learn in Kuala Lumpur.

The Government have already used a guillotine on six Bills. Even before today, they had repeated the record total. However, they now propose to guillotine two more Bills, setting a new record of eight guillotined Bills in one Session. The Prime Minister sometimes says, "Winston did this; Winston did that," so I have been checking what Winston did. In this one Session of Parliament, the Government will have used guillotines on more Bills than the Churchill and Eden Governments used in total, in the period of their combined Prime Ministerships. Turning to a slightly more up-to-date Tory Government, the Heath Government used a total of only five guillotines in four years.

So what about the guillotines that are proposed today? One applies to the Children Bill, which, as the Leader of the House pointed out, has all-party support for most but not all of its provisions. Probably the most important point that I can make about the Children Bill is that, on Tuesday night, after the Division to which the Leader of the House referred, we had a debate from just before 11 pm to 1.18 am on proposals covering the registration and regulation of day care facilities. As my hon. Friend the Member for Durham, North-West (Ms. Armstrong) said, that matter is central to the protection of children. That was a serious and well-argued debate in which hon. Members of all parties participated, at the end of which the Minister did not criticise what any hon. Member had said —nor did he suggest that any hon. Member had wasted time.

There was then a vote, in which other Opposition parties, apart from the Labour party, joined Labour Members to try to put that important new clause on the statute book. The Government—as they are entitled to do —voted it down. However, as soon as the Division on that important matter was over—at the end of that careful and well argued debate—the Minister of State jumped up and said that he wanted the House to adjourn, and used the Government's majority to push through the adjournment. The Government adjourned their own business.

Mr. Keith Vaz (Leicester, East): I served on the Standing Committee on the Children Bill and spoke at 2 o'clock this morning to pay tribute to the work of the Minster of State, Department of Health. I pointed out that

hon. Members of all parties wished to proceed with the Bill in a spirit of all-party agreement because it is very much a consensus Bill.

Early on Tuesday morning, my hon. Friend the Member for Middlesbrough (Mr. Bell) and I pressed the Minister to continue with the debate in that sitting. We said that we did not feel it appropriate that the sitting should be adjourned, and were happy to stay on to complete our consideration of the outstanding matters in the Bill, such as those relating to grandparents' rights and wardship. We did so because we felt that those issues were important and we wanted to retain the consensus felt about the Bill. We did not want our consideration of it to end in this squalid way.

Mr. Dobson: I believe that the Minister of State intends to reply to this debate, so perhaps he will explain his activities. However, I should explain that adjourning our consideration then means that 232 new clauses and amendments remain to be dealt with. Since that point, the Government have not approached the Opposition to ask us to agree to any informal timetable so that we can get the remaining parts of this important Bill through the House. Instead, they have insisted on this guillotine motion which, at most, provides 180 minutes to debate those 232 new clauses and amendments. That works out at about 46 seconds for each provision. The Government's actions are treating the Children Bill with contempt. I am not suggesting that the Minister of State who has been pursuing the Bill through Committee is party to all this, because I suspect that he is embarrassed by it.

I turn now to the Companies Bill. When the Bill was first presented, it was put before the House as the sort of measure that could be commended on Second Reading —as I recall, it had its Second Reading late at night—and as a worthwhile measure that should be passed and made company law. However, since then, over 1,000 amendments have been tabled, mainly by the Government. About 250 of them remain to be considered, of which all but four are Government amendments, for which the Government's guillotine provides about four and a half hours. According to my calculations, that works out at about 64 seconds per amendment, which is marginally better than the Government are providing for the remaining amendments to the Children Bill.

However, that does not provide much time for us to scrutinise carefully the important aspects of a Bill that covers exployees' rights, mergers and the technicalities of company accounts. God knows, nearly all the fraud in the City takes place because the present legislation was not carefully enough drafted or scrutinised. We should ensure that the stuff we are considering now is up to the task. Those are the restrictions that the guillotine motion will impose. It is symbolic that more time will be provided for the completion of the Companies Bill than for the completion of the Children Bill.

Most of the Government's problems spring from their arrogance. They are arrogant not only abroad but at home. They have certainly displayed arrogance over their legislative programme. Generally speaking—I exclude the Children Bill from this description—the genesis of the Government's legislative programme goes something like this. They come up with some half-baked idea from a Right-wing think tank. The idea gets a standing ovation at the Tory party conference. It is then brought back from Blackpool or Brighton and goes to Whitehall, where some hapless parliamentary draftsman is expected to turn lunacy into workable law. A Bill is produced. It is inevitably full of contradictions and riddled with inconsistencies and is incapable of reflecting what happens in the real world. Comments are then made about it by practical people in the real world and points are raised in Committee by my assiduous hon. Friends, and even by some Conservative Members. At that point, Ministers realise that they need to amend the Bill——

Mr. Tim Smith (Beaconsfield): Can the hon. Gentleman name one provision in the Companies Bill that fits that description?

Mr. Dobson: I am told by my hon. Friend the Member for Dagenham (Mr. Gould), who has spent rather more time on this subject than I have, that the Insolvency Bill suffered from the same shortcomings and, as we know, the Financial Services Bill needed massive corrections at this stage. If the Bill did not need correcting—if it had no shortcomings—why were 1,000 amendments tabled? Hundreds were produced in Committee——

Mr. Dennis Skinner (Bolsover): One of that series of amendments was designed to deal with the crookedness of the City and the casino economy. As my hon. Friend knows only too well, because his constituency is close to the City, crookedness in the City is growing rapidly. Every time the Government introduce such a Bill, they have to amend it substantially. This latest Bill is an attempt to keep the legislation in line with the present crookedness of Lloyd's and others. Hence the tabling of several, if not scores of, Government amendments. A number of things are happening at Lloyd's—money is being lost by so-called "names" and there are prospective losses. The Government are trying to tighten things up because some of the accountants whom the hon. Member for Beaconsfield (Mr. Smith) represents have not been doing their jobs properly. Ferranti is a good example.

Mr. Dobson: I quite agree. As ever, my hon. Friend puts it in a nutshell. These shoddily drafted Bills are brought before the House, and then hundreds of amendments are produced in Committee and on Report, here and in the House of Lords. As I have said, more than a thousand were tabled to the Companies Bill.

For some reason that I cannot understand, the Government purport to be surprised—and they certainly panic—when hon. Members insist on doing their job properly and on scrutinising the legislation. Some amendments are politically contentious, others are not. For instance, I assume that Conservative Members want to catch the fraudsters—we certainly do—so it would be as well if the technicalities of the Bill permitted them to be caught, prosecuted and gaoled on the basis of proper evidence, not of confessions.

Some amendments are not politically contentious but are produced in response to points made by the Opposition, and we welcome that. The Minister responsible for the Children Bill has responded to many points made by outside organisations and hon. Members in the Committee to try to improve the Bill. However, the fact that he has produced amendments does not guarantee that they will achieve what they are intended to achieve. All of them need to be examined carefully to ensure that they are soundly worded.

[Mr. Dobson]

This applies with equal or even greater force to Bills such as the Children Bill, the aspirations behind which we all support. All hon. Members want the time and opportunity to do this part of the job that we were elected to do. The Government have failed to provide the time, partly because no conceivable amount of time can compensate for the sloppy drafting and the multitude of amendments made in Committee and in the House—in some cases only a matter of hours before they are to be debated.

Mr. David Martin (Portsmouth, South): When will the hon. Gentleman come to the real reason for the guillotine, which has nothing to do with the merits of the Companies Bill or the Children Bill and everything to do with those who are supposed to be in charge of the Opposition losing control of their wild boys over the issue of coal? I sat up a great many hours last night waiting to get on with the Bill and saw the 10 o'clock business motion opposed by the Opposition when we wanted to get on with discussion of the real issues.

Mr. Dobson: Apparently, everything was caused by some wild coalmen, but I did not see any about last night.

Mr. Nicholas Bennett: The hon. Gentleman was not here.

Mr. Dobson: I was here most of yesterday evening. I popped out at about midnight, just about the time when the Leader of the House shuffled in and caused us to hold those debates——

Mr. Nicholas Bennett: The hon. Gentleman has just said that he was here most of the evening. Can he explain why he did not vote in any of the Divisions?

Mr. Dobson: The hon. Gentleman is witless, blind and stupid, because I did vote in some of the Divisions. He had better start by finding the right *Hansard*.

Mr. Frank Haynes (Ashfield): We had a serious debate yesterday on business contributions to the Conservative party. The Conservative Members all stood up blocking our new clause and wasting time, but our case was first class and we were doing our job as an Opposition—*[Interruption.]* I hope that the hon. Member for Beaconsfield (Mr. Smith) will listen to me, because I am responsible to the Chair, not to him.

The new clause would have done a first-class job on behalf of a community that is crying out for it. The Government have told the trade unions to hold ballots on raising money for a political levy to give to the Labour party, but when we suggested that companies should consult shareholders with a ballot on whether they wanted the business to contribute to Conservative party funds they turned down the idea. Conservative Members went into the Lobby and voted against it. They were filibustering nearly all night and they should be ashamed of themselves.

Mr. Dobson: In his usual mild-mannered and persuasive way, my hon. Friend has put his finger on the Government's double standards where contributions to the Labour party by trade unions are concerned. Trade unions must set up a separate fund and conduct ballots of all their members, and if they decide to set up such a fund and ask their members to make contributions every one of them can opt out. Last night the Tories stuck by their position, as ever, that there should not be a ballot, a separate fund or opting out for companies.

As the point made by hon. Friend the Member for Ashfield (Mr. Haynes) shows, there are other double standards. We put forward a new clause; Conservative Members can speak against it at considerable length and then vote against it. Such debates are legitimate, as are such votes, but when we want to debate and vote on amendments that the Government table they do not want us to. Apparently we are breaking their rules. The rule of this arrogant Government is, "We tell everyone what to do, including the House." But as a distinguished former Cabinet colleague of the Leader of the House told me yesterday, the Government have forgotten one iron rule: in the part of the Session coming up to July, the Government have the Commons over a barrel; in the spill-over period, the Commons have the Government over a barrel. So the Government would be wise to run their business so as not to expose themselves as badly as they have done on this occasion by their incompetence.

The Minister for Health (Mr. David Mellor) *rose*——

Mr. Dobson: I shall not give way now—I am sure that we shall hear the hon. and learned Gentleman's point later.

These guillotines will make matters worse. They will prevent the House from doing justice to either of these important Bills. Forty-six seconds per new clause or amendment for the Children Bill cannot be right. Tonight we shall vote, not against the Children Bill, but against the guillotine that imposes those 46 seconds.

5.28 pm

Mr. Roger Sims (Chislehurst): I rise to support the motion, but with somewhat mixed feelings. One of those feelings is relief that my right hon. and learned Friend the Leader of the House has stepped in to save the Children Bill, progress on which was being followed anxiously by many organisations. There seemed to be a real danger that the Bill could be wrecked by a handful of hon. Members who may claim to represent the interests of the miners but are clearly not concerned with the interests of children in this country.

My other feeling is one of sadness. In 15 years in the House I cannot recall a Bill for which a timetable motion was less appropriate. The Bill is the product of years of inquiries, White Papers, campaigns and representations by people and organisations. It was given detailed scrutiny in both Houses in a non-partisan atmosphere. That we should have been expected to complete the final stages of such an important Bill in the small hours of the morning merely because the Opposition insisted on inserting into our business a debate on the economy was regrettable. That we are now obliged to complete the Bill as the second business on a Friday and subject to a timetable is to be deplored.

I know the frustrations of being in opposition. I sat on the Opposition Benches for five years. Happily, in our system we do not engage in fisticuffs or worse, and even the use of strong language is somewhat circumscribed. I can therefore well understand why some people feel that they want to demonstrate their annoyance and, sometimes, their sense of outrage at some of the things that the Government of the day are doing.

To use parliamentary procedural tactics to delay and upset Government business is perfectly legitimate. When we were in opposition we did that individually and collectively, but such tactics need to be employed with discretion. It is one thing for the Opposition to use all the available means to impede a measure which is clearly contrary to their political philosophy, but it is quite another to do so in respect of legislation which is not subject to party political differences and is supported in all parts of the country. There can be no better example of that than the Children Bill.

We should have been able to finish consideration of the Bill on Tuesday night. Some Opposition Members would no doubt argue that we could have done so. The evidence that I heard and saw suggested that we could well have spent a long and unproductive night and possibly part of the morning. We saw that pattern beginning to emerge last night. I do not suggest that Oppossition Front Bench Members or their colleagues with an interest in the Bill would have been party to any such tactics, but we all know that a small number of hon. Members can frustrate progress.

We also know that agreements and understandings, however well meant, do not always work. The shadow Leader of the House, the hon. Member for Holborn and St. Pancras (Mr. Dobson), made the plea that nobody had approached him to come to some understanding about how the Bill should be handled. However, I am afraid that we have learned that such understandings are worthless. We have seen that the Opposition simply cannot control their Members. In the circumstances, the Government's business managers had no alternative but to introduce a timetable motion. Its term allow three hours, which should be adequate to consider the amendments. Despite all the statistics expounded by the hon. Member for Holborn and St. Pancras, the hon. Gentleman knows perfectly well that many of the amendments are purely technical and that many of them meet points made in Committee.

Mr. Dobson: I agree with the hon. Gentleman that many of the amendments are technical. Does he agree that there is considerable evidence that many of them are technically faulty and incorrect and need to be improved if the Bill is to work properly? I am rather fortified in my view about that by a former Tory Cabinet Minister who is now a Member of the House of Lords. He sought me out and told me how much he agreed with what I had said during a debate on a previous guillotine motion when I talked about this very aspect.

Mr. Sims: I have seen few amendments to amendments tabled by the Opposition. If they have spotted faults they should have drawn attention to them in that manner.

The three hours proposed in the motion will give us more time to discuss the Bill than the time allowed in the original understanding between the two sides. I have no great complaint about the three hours, but it is unfortunate—to put it no higher—that we shall have to discuss these matters tomorrow under some pressure of time. That is a sad end to the proceedings on the Children Bill which up to now had shown Parliament at its best. It is a turn of events which discredits the Labour party—a matter which does not distress me particularly—but it also discredits the House, which distresses me considerably.

5.34 pm

Mr. Stuart Bell (Middlesbrough): It is a pleasure to follow the hon. Member for Chislehurst (Mr. Sims) because I know how hard he has worked on the Children Bill for many years. He was right when he said that its history goes back several years through a variety of law commissions and reviews of the law. It also had the impetus of the Cleveland child abuse crisis. I do not agree with the views that he expressed in the latter part of his speech because they contradict some of his earlier statements when he said that the guillotine had been used by previous Governments.

The tactics that we have seen this week were used in the past by the Conservatives. When the deputy Leader of the House referred to the Churchill-Eden era, he reminded me of my first visit to the House of Commons. I was in the Strangers' Gallery and listened to Sydney Silverman advancing an argument during a debate on a guillotine motion not dissimilar to that advanced by the hon. Member for Chislehurst. He said that there are times when the guillotine is appropriate and times when it is not.

Without wishing to incur the wrath of Conservative Members I can say that I think that the guillotine was appropriate in 1976 when we had to push the shipbuilding and dockyard nationalisation schemes through. We had to do that because of the tactics used by the Conservative Opposition at that time. They did everything that they could legitimately and within parliamentary means to prevent a Labour Government with a mandate putting on the statute book two vital elements of their legislative programme. The guillotine was used at that time by the then Leader of the House, my right hon. Friend the Member for Blaenau Gwent (Mr. Foot). In 1968 he and Enoch Powell frustrated the will of a Labour Government about the reform of the House of Lords and they used parliamentary tactics to do that.

We all know that the guillotine goes back to the time when Irish Members frustrated the business of the House to such an extent that it had to be used to make progress. The Children Bill was at the heart of the speech by the hon. Member for Chislehurst. That Bill reflects what the Lord Chancellor said, that the upbringing of children is the fundamental responsibility of parents. The object of the Bill is to establish rights for children and parents and to look at the erosion of parental rights. It looks at the means by which we can protect children such as Doreen Mason, about whom the hon. Member for Chislehurst spoke, and Kimberley Carlile, about whom I have spoken in the past.

We all know that children are at risk in society, and that we must protect them while not intruding in family life as we understand it. That is the balance that we sought to strike in Committee. The Bill was non-political and the Minister of State and the Solicitor-General took us through it on a non-political basis. My hon. Friend the Member for Monklands, West (Mr. Clarke) took us through it carefully. We had long discussions and amendments proposed by Back Benchers were considered by the Government and by civil servants. After careful consideration we came up with a Bill which we hope, with foresight rather than hindsight, will protect children and will do so without unnecessary intrusions. In Committee we saw the abolition of the place of safety order which was used extensively in Cleveland and we created an emergency

[Mr. Stuart Bell]

protection order and child assessment orders for the protection of children. We had legitimate debate on all those matters.

The shenanigans on Tuesday evening which prevented us from moving forward were in a sense a parliamentary occasion. I have often looked upon my hon. Friends the Members for Bolsover (Mr. Skinner) and for Bradford, South (Mr. Cryer) as being rather like Blücher at the battle of Waterloo. They plough in from the side, change the nature of our business, make their point and then go across and shake the hand of the Duke of Wellington and a great victory has been won. We are all more aware today of the Associated Ports (No. 2) Bill than we were two days ago.

I gave a commitment to the National Union of Mineworkers in Durham that I would support them in their efforts to prevent a coal terminal coming to Middlesbrough. I did that as part of the strategy to have proper planning for all our energy requirements and to keep the Durham coal field, with its 10,000 miners, going. Therefore, I was not particularly enamoured of any technique on the Floor of the House to try to prevent the Children Bill going through.

As my hon. Friend the Member for Leicester, East (Mr. Vaz) said, at 1.30 in the morning we were prepared to stay here throughout the night. In the six years that I have been in Parliament, there have been many occasions when the Opposition have taken the Government through the night, through to 1.30 the following day, and the Government have lost the business of the House for that day. We had assurances from those who were wishing to make a point on the Associated British Ports (No. 2) Bill that they would not prevent the Children Bill from reaching its remaining stages by the close of business.

The Government had their quorum in place. As my hon. Friend the Member for Bradford, East (Mr. Madden) said, there were aye votes of 101 and 102 at 1.30 in the morning. The Opposition were prepared to go through the night, and if we had done so the Children Bill would have gone through its remaining stages in this House. My hon. Friend the Member for Leicester, East made that proposition to the Minister, but other decisions had been made, and the Government moved the adjournment of the House. Until tonight, when the Leader of the House referred to discussions with the usual channels, I had thought that there had been discussions through the usual channels and that we could reach a reasonable agreement on the remaining stages of the Bill that would have allowed us the proper amount of time to discuss it.

Mr. Mellor: As the hon. Gentleman knows, I hold him in great respect generally, and particularly on the issue of children. He has had the grace to acknowledge that a group of Members with no great interest in the Children Bill took action because they wanted to make a point. Does the hon. Gentleman really think that it would be in the right spirit of the debate on the Bill that had otherwise proceeded so sensibly that we should have to run the gauntlet of people ready to have a Division on matters of no substance in order to make a point? In those circumstances, is it not better to get back to a framework of discipline, within which we can take a common-sense approach to the Bill?

Mr. Bell: I understand the point that the Minister is making, because there is no doubt that we would have had a disruptive evening, with votes on a variety of amendments. However, our view is that it was up to the House of Commons to force a passage through such obstacles and to discuss the amendments as best we could. All the Opposition Members who had served on the Committee were in their place. For example, my hon. Friend the Member for Ogmore (Mr. Powell), who had tabled new clause 10 dealing with the rights of grandparents, was there, as were those who supported him. I agree with the Minister that we would have had to run the gauntlet, but we were prepared to be here and to have that discussion over and above what was happening on the sidelines, with Blücher coming in from the wings.

As the hon. Member for Chislehurst and my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) have said, we are now left with 46 seconds for each amendment. Many of them are technical amendments, but we have lost control over the remaining stages of the Children Bill, and we shall not be able to cover those final amendments in the way that we would have done if we had had a proper Report stage. If we had a proper debate, we could pick up, even at this late stage, the rucks in the texture, as Lord Denning once described parliamentary evasion or lack of clarity. In the final stages of the Bill, we have lost the opportunity to exercise foresight, rather than hindsight.

The guillotine represents the power of the Executive over the Legislature and the Opposition must submit to that power because we do not have a majority. However that power should be used sparingly and wisely. It ought not to be used simply because the quorum of Conservative Members who had to be in the Palace of Westminster for the duration of the business wanted to get home early. The time of 1.30 in the morning may seem late to members of the public, but hon. Members on both sides of the House know that it is not late in parliamentary terms. The power to guillotine was used unwisely on this occasion. I can only hope that, in the final stages of the Bill, the other place will look carefully at the amendments that we have not been able to go through properly so that when the Bill reaches the statute book and is used to protect children and parents in the best possible way it will be as good as if it had left the House of Commons without being guillotined.

5.44 pm

Mr. David Hinchliffe (Wakefield): I am particularly angry at the guillotine motion because, along with others who are here tonight, I served on the Standing Committee on the Children Bill and both sides of the Committee played a constructive part in bringing forward progressive helpful and long-overdue legislation. I am angry about the way in which the Government have tried to deflect responsibility for the shambles that has occurred in their business management. They have had plenty of opportunities to allow time for the Bill to be properly considered at a sensible time of day rather than in the middle of the night. Now we have just 46 seconds for each amendment.

I am worried about that because a number of important amendments have still to be discussed. I accept that many of the amendments are technical, so there will possibly be no debate on them and they will be nodded through. However, a number deal with detailed concerns. For

example, new clause 10 deals with grandparents. Like many other hon. Members, I have constituents who are grandparents and who feel deeply aggrieved at the way in which the law affects them and their relationship with their grandchildren. The granddaughter of a woman who lives near to me has recently been adopted, and the grandmother no longer has contact with the child whom she raised for the first six years of the child's life. I feel strongly about that and I know that both the child and the grandmother also do. This is a deeply emotional issue for many people. Many other hon. Members have similar cases, and some that are even more heart rending.

I am concerned about the rights of children in care, which are affected by a number of amendments that remain to be discussed. I have experience in social work and I have seen how children get into care and how our treatment of those children negates basic human rights. I am particularly concerned about care-leavers because, as a result of the way in which the Government have changed the rules in social security, vast numbers of young people are left vulnerable to exploitation when they leave care. I hope to raise this issue when we debate tomorrow two of the amendments that I have tabled. However, I suspect that they will be dealt with only briefly. Only yesterday I was talking to a probation officer who told me of the way in which the Government's changes in social security legislation, which have changed single payments to a loan, have resulted in one client, a young girl who had left care, going out as a prostitute to get some furniture for her flat. That is happening directly as a result of the Government's policy.

I respect the hon. Member for Chislehurst (Mr. Sims), who made an important contribution to the Bill. However, he seems to see the legislation in narrow terms. He sees it as being the answer to problems, but wider issues, many related to the Government's policies, should be addressed.

I know that there is concern about the exclusion orders, or ouster orders. I have experience of social security work, and I mentioned this case in Committee at some length. I had to remove a girl whose sister had made allegations about sexual interference by the mother's boyfriend. It was an awful experience. I had to take police officers to surround the house, get hold of the 12-year-old girl who had just come out of hospital after having her appendix removed, and take her into care. The law is wrong in such cases. The person who should be removed is the perpetrator of the abuse, not the child who was the victim. We have to do someting about that, and we cannot do it on the nod. It is criminal to allow only 46 seconds to discuss such serious issues and I am appalled at what democracy has come down to.

Mr. Vaz: My hon. Friend will recall that, a week ago, in discussions with the Minister of State, hon. Members on both sides of the House said that they were concerned that we would not get the full two days that we were promised to discuss the provisions of the Bill. Clearly, we shall not get those days. I can see only one Tory Back Bench Member who served on the Standing Committee here this afternoon, although others have issued press statements about this matter. If they were honest, they would tell the House that they had originally asked for more time to discuss this measure.

Mr. Hinchliffe: I entirely agree with my hon. Friend. I well recall the meeting that we had in the Cathedral room at the Department of Health the week before last when the hon. Member for Batley and Spen (Mrs. Peacock) criticised the way in which the Government were arranging the business and causing the Children Bill to be considered in the early hours of the morning. The hon. Lady opposed that because she considered it to be unsatisfactory.

Mr. Sims: I am sure that the hon. Gentleman will agree that, it having been arranged originally that we should have two full days to debate the Bill, his right hon. and hon. Friends then insisted that there should be a full day's debate on the economy. That was why the Government had to make the arrangement that they did.

Mr. Hinchliffe: I shall deal with that argument in a few minutes. There is a clear connection between what happens to the economy of our society and what happens to children in that society. I am sorry that the hon. Member for Chislehurst fails to recognise that connection.

It has been alleged that time has been wasted during our consideration of the Bill. When the Minister replies, I challenge him to produce one example of time wasting in Committee. I attended virtually every sitting when the Bill was being considered in Committee and I do not recall an irrelevant speech being made from either side of the Committee. The debate which took place on the Floor of the House the other night on day care, for example, was extremely interesting. Some valuable comments were made by hon. Members who had not hitherto been involved in the Bill. I read the report of the debate in *Hansard* and I could not find one area of it that was not directly relevant to the issues that were before us.

Mr. Mellor: Although the hon. Gentleman and I have disagreed about certain parts of the Bill, and although we can always argue about how long it should take to formulate a point, I am not criticising him or any of his hon. Friends who served in Committee for advancing their arguments. Our consideration of the Bill in Committee remains for me one of the more pleasurable experiences of my time in this place. If the hon. Gentleman is being fair, and I know that he wants to be, he must explain why it was that at the beginning of the second day of our consideration of the Bill on Report an entirely uncontroversial amendment was made the subject of a Division. The Division was called by two hon. Members who had played no previous part in our consideration of the Bill. It was clear, as the hon. Member for Middlesbrough (Mr. Bell) has conceded today, and as the hon. Member for Monklands, West (Mr. Clarke) conceded on Tuesday night, that that was part of a tactic that would have continued and would have had the effect of souring the atmosphere. The hon. Member for Wakefield (Mr. Hinchliffe) cannot delude us about that. However sincere he and his hon. Friends who were members of the Committee which considered the Bill may be, others were determined to make a monkey of the business of the House, and that is a fact.

Mr. Hinchliffe: I am happy to tackle head-on the issue of the private Bill to which the Minister has referred obliquely. There is a direct connection between the implications of that Bill and the welfare of children. I shall come to that. The Minister is seeking to dodge the reality that the Government have their priorities wrong. Bearing in mind the time that they have had and the issues that we have debated—many of them have been far less serious

[Mr. Hinchliffe]

than those raised by the Children Bill—there has been sufficient time for the Bill to be considered fully at a normal time of day. It is the Government, not the Opposition, who have their priorities wrong.

The hon. Member for Chislehurst referred to the debate on the economy which took place yesterday. It is not the Opposition's fault that there is a slight problem with the balance of trade. It is not our fault that there is a trade deficit, that inflation is increasing and that interest rates are going through the roof. Equally, it is not our fault that people are having to go on council house waiting lists because they cannot meet mortgage repayments. All these factors have a direct bearing on children. There are families in my constituency who will become homeless because their houses are being repossessed because they cannot afford the huge repayments which are the result of increased interest rates. If Conservative Members—*[Interruption.]* It seems that some hon. Members wish me to name names. If they wish to see some of the details, I shall be happy to supply them. I shall certainly do so if the people concerned are prepared to have their names put forward. I shall be quite happy to take Conservative Members to see these people. I do not make up these stories. Some of us have surgeries every week—in some instances, several times a week—and we meet the people. We are aware of the day-to-day realities in our constituencies as a result of the Government's actions. There is a direct connection between the economy and the welfare of children, and it angers my hon. Friends and me that that is not recognised by the Government.

Mr. Mellor: I took the hon. Gentleman's word that he wanted seriously to explore the matters which lie behind the Children Bill. I put the argument to him again. How can he explain the decision taken at the beginning of the second day of consideration of the Bill on Report by two of his hon. Friends, who had hitherto taken no part in the consideration of the Bill, to call a Division on a purely technical amendment? Does he not know as well as I do that it was common currency and discussion around the House that his two hon. Friends intended to call Divisions throughout the night if we had gone on with our consideration of the Bill? That was the truth of the matter.

Mr. Hinchliffe: To be fair, following the Minister's previous intervention I said that I would deal with that matter. It is something about which I feel strongly. I happen to understand and sympathise with the actions of my hon. Friends the Members for Doncaster, North (Mr. Welsh) and for Bolsover (Mr. Skinner). I suspect that my hon. Friend the Member for Doncaster, North, who called the Division to which the Minister has referred, was not fully aware of the issues raised by the clause. When he was made aware of them, he did not vote against the clause, and nor did anyone else. No one wished to see that clause defeated. My hon. Friends and I continued to support it. There would have been Divisions only on issues that were contested, and there were a number of those. There are serious issues which separate the two sides of the House.

Ms. Hilary Armstrong (Durham, North-West): Perhaps my hon. Friend will care to put to the Minister that the debate which we were due to have on the evening of Tuesday following the Division to which he has referred was on new clause 10, which concerned grandparents. There would have been no rogue vote on that new clause. Hon. Members had come to the Chamber ready to debate the new clause. We were no later reaching it than we expected earlier. It was clear, however, that the Government would not be able to keep their troops in the House. The Government were concerned and they brought the consideration of the Bill to an end. There would have been no rogue votes. The debate on grandparents would have taken place whatever the circumstances and whatever the attitude of my hon. Friends to any other measure.

Mr. Hinchliffe: My hon. Friend is correct. My hon. Friend the Member for Doncaster, North, who called what has been described as the rogue vote, is a grandfather. I know that he feels deeply about the issues that we were to debate and the surrounding issues. I have no doubt that he would have contributed to the debate, as he did to the debate on day care.

The central issue is that the Children Bill deals with the needs of the most disadvantaged in our society. Unfortunately, the Government are attaching less priority to it than to numerous other measures that are designed further to advantage the advantaged. Privatisation measures are designed to allow those who have plenty to have even more. That is the kernel of the debate. Under this Government Bills which deal with human need, such as the Children Bill, take second place to Bills which deal with human greed.

I shall give an example. We learnt today that next Wednesday we are to be faced with a squalid little measure, the Associated British Ports (No. 2) Bill. Can anyone explain why that private Bill is being given prime time?

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman cannot go into those matters now. Those issues are not referred to in the motion before the House. The hon. Gentleman must confine his remarks to that motion.

Mr. Hinchliffe: With great respect, Mr. Deputy Speaker, I accept your ruling. As one who has been a Member of this place for only two years, I find it strange that we have to sit up for half the night, as we did on Tuesday, to discuss disadvantaged children, the care of children and child abuse because, we are told, there is no other Government time when time can be made available for a squalid private Bill which involves the interests of certain hon. Members. Hon. Members have been on freebies to South Africa——

Mr. Deputy Speaker: Order. I remind the hon. Gentleman of what I said a few minutes ago, that he must confine his remarks to the motion before us. The matters to which he referred are set down for debate next week, and I think that we had better wait for next week to discuss them.

Mr. Skinner: On a point of order, Mr. Deputy Speaker. I know that the House is discussing the effects of our proceedings last night and the fact that the Government are now in a complete shambles, but I want the Government spokesman to tell us when the Government will make a statement about the resignation of the Chancellor of the Exchequer, which has just been announced on the tapes. Why is it that in the middle of a debate, which has been brought about because of the

shambles within the Government, there is no spokesperson available to tell us about the dramatic resignation of the Chancellor? Why is not the Prime Minister in the Chamber to tell the House why that has happened? Has the Chancellor been driven out by Sir Alan Walters? Who will succeed the Chancellor? Those are very important questions.

I know that the debate is important and that my hon. Friend the Member for Wakefield (Mr. Hinchliffe) is doing a fair splash job on the question of the guillotine, but the resignation of the Chancellor is a most important matter. Obviously there has been a dramatic confrontation between the Prime Minister and the Chancellor during the past few hours, which has reached its untimely conclusion with the resignation of the Chancellor. Why is there no one on the Government Front Bench ready to explain what has happened? They have a duty to explain to this House why the Chancellor has resigned.

Mr. Deputy Speaker: The House knows that I have no responsibility for the resignation of the Chancellor.

Mr. Cryer: Further to that point of order, Mr. Deputy Speaker. Surely you have a responsibility if a request is made by the Government to make a statement about the Chancellor's resignation. You would have to consider whether and how to fit in an emergency statement with the business of the day. The question would then arise whether any statement would come out of guillotine motion time because we have recently resolved to have a three-hour debate. Not only would there need to be consideration of whether a statement on this important economic matter should be allowed, but on what effect it would have on this three-hour debate. I seek your guidance, Mr. Deputy Speaker. It is a time of great economic crisis and I wish to know whether the Prime Minister has sought leave to come to the House to make a statement on what appears to be the biggest crisis of this Parliament.

Mr. Dobson: Further to that point of order, Mr. Deputy Speaker. The Leader of the House was swift to come to the Chamber at midnight to make a statement. He is here now, and I wonder whether he has approached you and confirmed what is now being reported on the tapes and on BBC television news—that the Chancellor has resigned in the middle of one of the most profound economic crises that this country has faced. It is right and proper that a Government Minister, and preferably the Prime Minister—who is First Lord of the Treasury—should come to the House and explain what is happening.

Mr. Alan Williams (Swansea, West): Further to that point of order, Mr. Deputy Speaker. It is clear that we are trapped in the procedures of the House. The debate is due to continue for a set time, yet decisions will be taken at the end of that time that will pre-determine what happens tomorrow. I do not wish further to venture into the seriousness of the present situation, but it is clear that the House will wish to have an opportunity to question and to discuss the matter. Either there must be a statement this evening or there must be one early tomorrow.

In order to ensure that this debate can proceed in a sensible manner, would it not make sense to have a brief Adjournment of the House while the usual channels discuss the way in which we can deal both with the business before us and with the problems that we all wish to address?

Mr. Bell: Further to that point of order, Mr. Deputy Speaker. Although I understand your position, the Opposition sat through Prime Minister's questions this afternoon when the right hon. Lady gave her backing to the Chancellor. The question is whether, when the right hon. Lady made that statement, she knew of the pending resignation and whether she was deceiving the House. We have a right to know whether she made that statement in the full knowledge of the facts or whether she was unaware of the facts.

It is for the Government of the day to control the business of the House and to make the necessary statement at this time. We sympathise with our hon. Friends who are trying to discuss the guillotine motion, but in the national interest it is right that the Prime Minister should make a statement now, especially in the light of the probable impact on interest rates. The Prime Minister said today that the Chancellor had her full support and that the civil servant at No. 10 did not have that same support. It is therefore right and proper not only that there should be a statement, but that that statement should be made by the Prime Minister.

Mr. Andrew F. Bennett (Denton and Reddish): Further to that point of order, Mr. Deputy Speaker. May I press on you the suggestion made by my right hon. Friend the Member for Swansea, West (Mr. Williams) that there should be a short adjournment of the House so that the matter can be dealt with sensibly and reasonably? It is extremely unsatisfactory for the House not to be told the full facts. A proper statement must be made at the earliest opportunity. There would be little point in continuing to raise points of order and to force the Government to make a statement. It would be simple for the Leader of the House to stand up and ask for an adjournment, which would enable the Prime Minister to come to the House and make a clear statement about what has happened. It is the right hon. Lady's duty to report to the House before making statements outside.

Mr. Tony Banks (Newham, North-West): Further to that point of order, Mr. Deputy Speaker. Good news does, indeed, move quickly. As the Leader of the House and the Chief Whip are both here, it is right to ask them for a statement. The implications of the Chancellor—even this Chancellor—resigning will be profound upon the stock market and on international confidence in the pound. I assure you, Mr. Deputy Speaker, that many of my constituents will be worried about their gold stocks, their shares and all the other assets that they have managed to accumulate during the past 10 years. In those circumstances—*[Interruption.]* I note, Sir, that I have your close and undivided attention.

I suggest that there is a statement because I, for one, am becoming rather concerned about the fate of the Chancellor. He is not the most lovable person, but if he jumped from No. 11 Downing street there would now be a very large hole in the road, which could be catastrophic for the Prime Minister as she rushes back in her bullet-proof chauffeured limousine. It is because we feel such great concern for the Chancellor that we must know exactly what has happened to the poor fellow. He must be having a very rough time.

Dr. John Reid (Motherwell, North): Further to that point of order, Mr. Deputy Speaker. Is it not opportune to remind the Leader of the House that less than three hours

[Dr. John Reid]

ago the Leader of the Opposition asked a specific question about the Chancellor and about part-time advisers—*[Interruption.]* We are completely in the dark. The Prime Minister gave no sign of what was to happen. It is a crucial time, yet we have absolutely no idea of who is now to marshal the economic resources of this country. However, a few moments ago I did notice that my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) had been called from the Chamber, so perhaps interesting developments are taking place. Because this matter was discussed no more than three hours ago and because of the grave implications for the stock market and the economy, we are in order to demand a statement to the House.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I remind the House that the matters being raised are not the responsibility of the Chair. Equally, I well understand the seriousness of the situation. I very much hope that hon. Members will bear that in mind in their points of order.

Mr. Cryer: On a point of order, Mr. Deputy Speaker. I am grateful to you for calling me as I have a genuine point of order—as, indeed, has every Opposition Member. There has been a suggestion that the House should adjourn while we consider the economic crisis that is engulfing the country because of the incompetence of the Government's conduct of affairs, the resignation of the Chancellor and the issues arising from the guillotine motion that is currently before the House.

My right hon. Friend the Member for Swansea, West (Mr. Williams) requested an adjournment of the House, and I wonder whether that would be treated as a dilatory motion or whether it would be accepted. If it were to be treated as a dilatory motion under the terms of the guillotine, it could be moved only by a Government spokesman. It is incumbent upon the Government to rearrange the proceedings of the House and to make a statement. It is outrageous that such events can happen and that the arguing and bickering between No. 10 and No. 11 about Professor Walters can result in the resignation of the Chancellor, with the information being given to television and radio but not to this House. We are the accountable body.

Mr. Deputy Speaker: The hon. Gentleman began by saying that he had a genuine point of order, but he is now raising matters that have nothing remotely to do with me. Only a Minister can move a dilatory motion and even that would not make provision for added injury time.

Mr. Skinner *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman knows that he must keep his seat while I am standing.

That would not of itself add to the time allowed for the guillotine motion.

Mr. Dobson: On a point of order, Mr. Deputy Speaker. With the exception of the wind-up speeches and the interrupted speech of my hon. Friend the Member for Wakefield (Mr. Hinchliffe), there are not many Members any longer wishing to take part in the debate on the guillotine motion.

I seek your advice, Mr. Deputy Speaker. If we are to ensure that the opportunity arises within the rules of order for a statement to be made, would it not be necessary for us to pass the guillotine motion? As I understand it, that would then foreclose the proceedings for the rest of the day. I hope that either by your ruling, or by discussions through the usual channels, we can ensure that the most senior member of the Government has the opportunity to come to the Chamber to explain what has happened and why, in the middle of an economic crisis, the Chancellor of the Exchequer has resigned. That is a most important matter to the British people and to people abroad. It will affect markets and it must be cleared up. It will not be satisfactory to hon. Members on either side of the House for the situation to be explained and clarified by Mr. Bernard Ingham. The place for it to be clarified and reported to the British people is in the elected House of Commons. That is our job.

Sir Geoffrey Howe: Further to the points of order in which Opposition Members have expressed some interest, Mr. Deputy Speaker. I would suggest two things. First, the resignation, or proffered resignation, of a member of the Government does not normally lead to the making of a statement, and so it does not follow that that should happen as a matter of course. Secondly, it would certainly not follow that there should be any deflection of the business before the House for a variety of reasons, including those referred to by the shadow Leader of the House. I suggest that the business of the House, the debate now taking place and that which is to follow, should proceed. I shall see whether I can consider through the usual channels the possibilities that have been suggested, but I do not want to imply that the business would be interrupted or any presumption of a statement on the matter. However, I can show my willingness to listen.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. It might be helpful if the House were to reflect on what the Leader of the House has said. The Chair has not yet received any intimation from the Government of a wish that a statement be made, but if there were such an intimation the Chair would have to consider it seriously. I am advised that whatever happens, at 7.46 pm, when the three hours provided for the guillotine motion expire, the Question must be put, notwithstanding the seriousness of other matters that have intervened. I am sure that the House will wish to consider whether it would like to have a view from the Front Bench spokesmen before the House is required to make its decision on the guillotine motion. In the meantime, the Chair will listen to any further genuine points of order and, while those are being dealt with, those responsible may wish to consider the appropriate response in the circumstances.

Mr. Dobson: Further to that point of order, Mr. Deputy Speaker. I recognise all the problems that the Leader of the House faces and the dilemma that you face. May we have a clear ruling on whether, if the guillotine motion were to be passed, the Government could interrupt the then guillotined business in order to make a statement? We should not proceed with the discussion on the guillotine motion until we know that.

Mr. Deputy Speaker: Let me respond to that immediately. I have made it clear to the House that the

time available for the guillotine motion will expire at 7.46 pm and at that time, if not before, the Chair will be required to put the Question. If the hon. Gentleman is asking what might be the situation if there were a request for a statement to be made at a time after that, doubtless, as in the past, arrangements can be made for a subsequent statement to be made.

Mr. Dave Nellist (Coventry, South-East): On a point of order, Mr. Deputy Speaker. Can you confirm that under normal circumstances any hon. Member wishing to make an application under Standing Order No. 20 would have had to have submitted an application to Mr. Speaker before 12 o'clock today unless circumstances arose after that time which, in the view of the Chair, were sufficiently urgent to allow a later application? Must not the Chancellor's resignation, and hence the collapse of the Government's direction of economic policy, be the one occasion in this Session when an application under Standing Order No. 20 from me or from one of my hon. Friends should be accepted by the Chair and the business of the day set aside for a debate, if for no other reason than to find out whether the deputy Prime Minister is going to get his house back?

Mr. Deputy Speaker: Our Standing Orders rule out any application under Standing Order No. 20 being made in the course of this day's sitting. Equally, an application for an emergency debate under Standing Order No. 20 cannot be made on a Friday. If there were a request for a statement to be made and the Chair conceded that a statement should be made after the conclusion of the motion that is before the House and before the first guillotine falls, it would take time out of that provided in the motion before the House.

Mr. Ron Leighton (Newham, North-East): On a point of order, Mr. Deputy Speaker. Can you give us some guidance? We are not sure who is running the country or who is speaking for the Government. Yesterday, we were assured by Ministers, and it was confirmed by the Prime Minister today, that advisers advise but Ministers decide. Now the Minister has resigned, so what credence can we give to the guarantees that have been given to us? The House of Commons needs to know who is running the Government. Is it the advisers or is it the Ministers? Are other Ministers going to resign? I want a clear statement in the House of Commons on the present position.

Mr. Tony Baldry (Banbury): On a point of order, Mr. Deputy Speaker. It will not go unnoticed in the country that the vast majority of these points of order are an abuse and that the Labour party's response was to start singing the "Red Flag" in Committee Room 10 and to turn this Chamber into something like a knockabout Whitehall farce.

Mr. Skinner: On a point of order, Mr. Deputy Speaker. Further complications have arisen during the past two or three minutes which make the passage of the guillotine motion on the Companies and Children Bills more problematical.

The Foreign Secretary has now been given the Chancellor's job. That being so, it could well be that the Leader of the House is going back to the Foreign Secretary's job. If that is the case, we have not got a Leader of the House to carry the guillotine through.

I believe that the House needs to adjourn, because while this pack of dominoes is falling we are not sure which Minister is in what charge of which Department. I think it imperative at this point, as the Leader of the House has now left the Chamber—presumably to get the Foreign Secretary's job, his own job, back—for us to adjourn for the matter to be resolved.

Mr. Deputy Speaker: Let me remind the House that these are very grave matters, which should be dealt with very seriously by the House.

Mr. Dobson: On a point of order, Mr. Deputy Speaker. These are indeed very serious matters, and I think that that is all the more reason why it is right and proper for a senior Minister—whoever he may be at the moment—to come to the House and explain what is going on, who is being reshuffled and who has resigned. If the matter is to be dealt with properly, I think that the sitting should be briefly suspended to give the Government the opportunity to sort out who is going to make the statement, and then deal with this in a proper and seemly manner; otherwise, there is no possibility of the current debate continuing in any sensible way.

I hope that you will accept my request for a brief suspension of the sitting, Mr. Deputy Speaker. I think that there would be no objection on either side of the House.

The Parliamentary Secretary to the Treasury (Mr. David Waddington): Unaccustomed as I am to public speaking, Mr. Deputy Speaker, in an effort to help the House, may I tell the hon. Member for Holborn and St. Pancras (Mr. Dobson) that serious consideration is now being given to the making of a statement at the end of the debate on the guillotine motion?

Mr. Alan Williams: We are obviously very grateful to the——

Mr. Deputy Speaker: Order. I did not call the right hon. Gentleman. I wonder whether——

Mr. Williams: On a point of order, Mr. Deputy Speaker. We are very grateful for the intervention: it was helpful. The question remains, however, not only of the statement but of who makes the statement. *[Interruption.]*

Mr. Deputy Speaker: Order. We could continue with such points of order interminably, and that would not help us. I should have thought that the House might have found the statement that has just been made very helpfully constructed.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. If, as now seems very likely, we will not be able to return immediately to the guillotine motion, and are going to lose time, it might make sense for the House to have a brief cooling-off period. I suspend the sitting for 10 minutes.

Sitting suspended.

On resuming——

6.33 pm

Mr. Speaker: Procedurally there is no way in which we can change the motion before the House. The Question will have to be put at 7.46 pm. If the Government decide that a statement should be made, it could be made at that time. We should now proceed with the debate.

Mr. Dobson: On a point of order, Mr. Speaker. Further to your ruling, the Opposition agree entirely that the best way of dealing with this serious matter, following the brief suspension of the sitting, is that the Government should make a statement following the Division at the end of the debate. Therefore, we think that the debate should proceed.

Mr. Hinchliffe: I am grateful for the support that I have had from hon. Members during—*[Interruption.]*

Mr. Speaker: Order. Will hon. Members kindly leave the Chamber quietly?

Mr. Hinchliffe: I was making the point—it now seems quite pertinent—that there is clearly a direct connection between the economic circumstances affecting many families, which are the direct consequences of the Government's policies, and the need to pursue some of the legal provisions that are contained within the Children Bill.

I wish to express my concern at the narrow view held by many Conservative Members concerning the way in which the legislation affects children. Clearly, we need to look at the reasons why young people are abused or have to be removed from home. It is clearly connected with the Government's policies on poverty, homelessness, the economy and unemployment. That is where my view differs from that of hon. Members who have criticised some of my hon. Friends from the miners group who, quite rightly, have been fighting valiantly the various ports Bills.

The issue concerning hon. Members—including myself—and others representing coalfield areas is how unemployment affects children, families and communities. In my area, communities have been wiped out as a direct result of the Government's policies on the coal industry. When the Government took office in 1979, within the Wakefield district 17,000 people were employed in 20 pits. That figure has now been reduced to some 3,000 employed at five pits. Fourteen thousand jobs have been wiped out, and that has a direct bearing on the prosperity of families, children and the lives that people lead. Therefore, I hope that hon. Members can see why some of my hon. Friends are concerned about the way in which children will be affected by the Bill coming before the House next week.

My constituency has been affected directly by pit closures. In addition, there has been a knock-on effect in the mining-engineering industry where 1,000 jobs have gone since 1979 in companies within my constituency supplying materials to the coal mining industry. It is important that we make the point that the ports Bills have a direct bearing on the worsening of the problems. I am deeply concerned about the impact those Bills will have on many coalfield communities in my area, the wider parts of Yorkshire and the midlands. The coalfield communities campaign said that if imports went ahead at projected levels 36 more pits would close.

Mr. Vaz: On a point of order, Mr. Speaker. My hon. Friend the Member for Wakefield (Mr. Hinchliffe) and I have served for many hours on the Standing Committee of the Children Bill. The Prime Minister's Parliamentary Private Secretary was conducting a conversation in the corner of the Chamber but he has now gone. Surely it would be fair and proper for the House to listen to what my hon. Friend has to say.

Mr. Skinner *rose*——

Mr. Speaker: Order. There has been a good deal of Back-Bench discussion on both sides of the House. That is understandable, but I think that we should hear what the hon. Gentleman has to say.

Mr. Skinner: Further to that point of order, Mr. Speaker. I want to make sure that my hon. Friend, who was rudely interrupted by a number of people, including myself, when we heard that the Chancellor of the Exchequer had resigned, should be listened to decently. When the Parliamentary Private Secretary to the Prime Minister comes in here, we know what his game is. He is doing two things. He is saying to the Government Back Benchers, "This is the line. The Chancellor of the Exchequer is saying that he wanted Alan Walters sacked. That is not true"—

Mr. Speaker: Order. But he has not said it in the House or to me, so it is not a proceeding of Parliament. It is not a matter for the Chair.

Mr. Skinner: The second point, which is very important, concerns what happens in future. If the Parliamentary Private Secretary to the Prime Minister says to Conservative Back Benchers. "Say what I say and what the Prime Minister says", they do so, hoping to get a job in the reshuffle. There will be a number of jobs available in that reshuffle, so instead of listening to my hon. Friend they have been sorting out jobs for themselves in the Tory reshuffle.

Mr. Hinchliffe: I fully appreciate the points that have been made. I am concerned that there is a clear connection between the impact that the ports Bills will have on the coalfield communities in Yorkshire, north Derbyshire, the midlands and across the country, and the lives of families and children. I see a clear connection between what is contained in the Children Bill about the welfare of children and the action that has been taken by some of my hon. Friends to draw attention to the way in which the ports Bills will have a direct effect on people's lives in their constituencies.

If the ports Bill that we are to discuss next week in time that should have been accorded to the Children Bill and other Bills about the welfare of individuals goes ahead, 36 more pits will close and 51,000 jobs will go. Those jobs directly affect the lives of children for whom we are legislating in the Children Bill.

We differ in our views on child welfare in that Opposition Members believe that child abuse is not just about nasty people. It is about marital stress, marital problems, isolation, deprivation, poverty and, above all, unemployment. Research after research shows a clear connection between job losses—*[Interruption.]*

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I would be very much obliged if those hon. Members who wish to carry on conversations would do so on the other side of the swing doors. We must now get on with the business of the House.

Mr. Hinchliffe: My voice is going, so I will conclude my remarks.

My central point is that the Government take a very narrow view of child protection. Child protection is not just about legal measures but involves wider social and economic policies. It is about poverty, inequality and unemployment. I urge the House not just to look at the

symptoms that have been dealt with by the legislation, but at the causes. Some of those causes are sitting on the Government Benches tonight.

6.42 pm

Mr. Keith Vaz (Leicester, East): The House should pay tribute to my hon. Friend the Member for Wakefield (Mr. Hinchliffe), who began the discussion on the Children Bill and whose speech was interrupted by the suspension of the sitting. As many hon. Members on both sides of the House have said—and as the hon. Member for Chislehurst (Mr. Sims) said in his speech—the Children Bill was an all-party Bill. Indeed, if the former Chancellor of the Exchequer were here today, he would be supporting the measure. One of the features of the Children Bill is the fact that it has been a consensus Bill.

As we all know, it was introduced last November by the Lord Chancellor and received Second Reading in the House of Lords. At that stage it was clear that hon. Members on both sides of the House who were to take part in its deliberations would do so in a constructive and positive way. They would ensure that constructive comments were made concerning the improvement of the Bill. I am delighted to say that when the Bill was considered in the House of Lords and in Standing Committee the response of the lead Ministers both here and in the House of Lords has been remarkably fair.

I hope that it will not damage the hon. and learned Gentleman's career if I pay tribute to the Minister of State at the Department of Health, the hon. and learned Member for Putney (Mr. Mellor), for the way in which he has conducted himself during the passage of the Bill. He has been fair and reasonable. As a relatively new Member of the House, I have occasionally discussed with other more senior colleagues the way in which the Minister has approached the Bill. They were very surprised when I told them that the Minister adjourned the Committee over a crucial aspect of policy in the Bill—the rights of social workers to take emergency action to remove children during periods of stress. He adjourned the Committee and offered us his officials—Rupert and other people who have assisted in the passage of the Bill. We had a long discussion on ways in which we could improve the Bill.

Unfortunately, the Minister could not accept the amendment in my name and that of other hon. Members, which sought to introduce the child production notice. However, he listened to our comments, and came back during the recess and at the start of the new session with constructive suggestions. Until last Wednesday and Thursday he was prepared to discuss with us at great length the circumstances surrounding the child assessment orders. Indeed, he was so reasonable that when he had a visitor from America, the actor Charlton Heston, he was able to bring along Mr. Heston, who has played God in the movies on a number of occasions, and introduce him to members of the Committee. I was disappointed that the all-party nature of the Bill was broken when Charlton Heston was introduced to Conservative Members and not to the Opposition. However, despite that minor circumstance, the Committee proceeded in an all-party fashion.

When the matter was brought before the House last Monday, it was agreed that Members on both sides of the House should co-operate as best as they could in deciding on the many Government amendments. Some people may regard the fact that the Government tabled more than 400 amendments as a sign of weakness. I do not believe that that was the case. I think that it was a sign that those who drafted the Bill and were responsible for the conduct of the Bill were concerned to ensure that the Bill was perfect, simply because we have waited more than 100 years for this radical piece of legislation. The last time that child care law was reviewed to such an extent was more than 100 years ago.

The Bill is a radical measure. It seeks to repeal completely six existing statutes including landmark legislation such as the Children Act 1975. It amends 30 other pieces of legislation——

Mr. Skinner: On a point of order, Madam Deputy Speaker. I know that it is an unusual day and that an afternoon is a long time in politics, but we were wondering about the consequential changes in the Government team. I happen to ask the right hon. and learned Gentleman, who is supposedly the Secretary of State for Health, who is on the Front Bench, whether he has become the Leader of the House. He says he does not know.

Madam Deputy Speaker: Order. Had the hon. Gentleman been doing his duty he should have been listening to the hon. Member for Leicester, East (Mr. Vaz). No breach of our Standing Orders has been committed.

Mr. Skinner: If I may continue——

Madam Deputy Speaker: Order. That is not a genuine point of order.

Mr. Skinner: On another point of order, Madam Deputy Speaker.

Madam Deputy Speaker: It had better be a new one.

Mr. Skinner: Yes, it is. My hon. Friend the Member for Leicester, East (Mr. Vaz) is more interested than many others in the Children Bill, as he has demonstrated several times during the consideration of the Bill. Because he has reservations about the Bill—we have discussed it—he wants to know who is to pilot it through its latter stages. We all want to know. If the Secretary of State for Health has been shifted, there may be consequential changes for those who have piloted the Children Bill. I want to know from the Secretary of State for Health whether he is still in charge.

Madam Deputy Speaker: Order. The hon. Member for Leicester, East is articulate enough to ask the right questions for himself.

Mr. Vaz: I do not know whether the Secretary of State for Health wishes to intervene, but he is free to do so during my speech.

The Secretary of State for Health (Mr. Kenneth Clarke): The hon. Gentleman will be reassured to learn that I am still Secretary of State for Health. I am present because the Bill is part of my departmental responsibility. It is being ably handled by my hon. and learned Friend the Minister for Health.

Mr. Vaz: Will the Secretary of State for Health nod from a sedentary position to indicate whether the Minister for Health will remain in charge of the Bill? I am inviting him to intervene, but he does not wish to do so. I see that he is giggling. The Secretary of State is such a charming person. He was described by my hon. Friend the Member

[Mr. Vaz]

for Monklands, West (Mr. Clarke) as "Mr. Nice"—or was it "Mr. Nasty"? I cannot remember the description. I assume that the hon. and learned Gentleman will remain in charge of the Bill.

The Bill was designed radically to reform the law on child care. It aims to replace six statutes and amend 30 others.

One of the features of the Bill when it was introduced by the Lord Chancellor in another place was the desire to ensure that it is enacted on a fixed date—1 April 1991. Those involved with child care matters were concerned about the large amount of legislation which had been passed by the House, some of it on an all-party basis, but which had not been brought into effect. Many of the provisions of the Children Act 1975, which was regarded as landmark legislation, have never been brought into effect, and because of the Children Bill they will never be brought into effect. It is important to remember the Lord Chancellor's explanation that when the Bill becomes law it should take effect immediately.

Last week, we had meetings with the Minister for Health and his officials to discuss the crucial rights of social workers to intervene in child care proceedings. With the assistance of the Family Rights Group—I place on record my gratitude for its assistance—I drafted new clause 5, which aimed to change the way in which social workers notify parents of their concerns. My proposal for a child production notice and the Minister's proposal for a child assessment order were discussed at half-past nine last Wednesday in the Cathedral room at the Department of Health. Twenty four hours later, in keeping with the way in which the Minister had approached the Bill, we again discussed with officials the possibility of limiting the amount of time for which the child assessment order should continue. The Minister was prepared to reduce the period of the child assessment order from 14 days to seven.

At that stage, hon. Members registered their first concerns that we were not to be given the full two days to discuss the Bill. One of the reasons why I and other Labour Members who served on the Committee were so co-operative with the Minister and did not speak unnecessarily in Committee was the promise that we would have much time to discuss the Bill on Report.

In Committee, we had lengthy discussions on a new clause moved by the hon. Member for Stockton, South (Mr. Devlin), who is not present, which introduced proposals for a family court. I was pleased to second the proposal because I believed that it was an all-party issue. We took an entire sitting of the Committee to discuss it. We did not press it to a Division because we wanted to consider on Report whether we had had sufficient time to convince the Government of the need for family courts. That is why, when we discussed the allocation of time with the Minister last week, we wanted the two full days that we were promised.

The hon. Member for Batley and Spen (Mrs. Peacock) said that she did not believe that it was right for the two days to be curtailed. At that stage—looking back, it was probably appropriate—the Opposition decided to hold a debate on the economy. Although hon. Members believed that it was necessary to discuss the Children Bill for a full day on Monday and a full day on Tuesday, we accepted the need to discuss the economy. Therefore, we did not dissent from the fact that a large chunk of Tuesday would be spent discussing the economy, and as a result of the resignation of the Chancellor today that seems to have been an appropriate decision.

We were told that the second discussion on the Children Bill would begin at 10 o'clock on Tuesday evening and continue until 2 am on Wednesday. We were happy to agree to that. Indeed, when I spoke to new clause 1 on Monday evening, I ensured that I kept my remarks to a minimum to enable other clauses to be debated at length. I further ensured that there was no dispute about the way in which we proceeded.

Labour Members did not oppose the proposal for child assessment orders, although there were differences among us about how best to proceed, because we did not believe that it would be helpful to do so. I could have pressed a vote on new clause 5. Indeed, I raised a point of order with Mr. Speaker and asked him to call a Division on new clause 5. He said that he did not feel that that was appropriate because the matter had been dealt with by the House agreeing to new clause 13. I did not press the matter to a vote because we had to discuss the 400 amendments introduced by the Government and because it was necessary to prepare for the debate, which was ably and eloquently dealt with by my hon. Friend the Member for Durham, North-West (Ms. Armstrong).

Other hon. Members came into the Chamber to take part in the debate. My hon. Friend the Member for Aberdeen, South (Mr. Doran) raised the issue of transracial adoptions and gave us the benefit of his personal experience. Other hon. Members took part in the debate and raised issues which concerned them. My hon. Friend the Member for Ogmore (Mr. Powell) and others were concerned about grandparents' rights, which is an important issue. Grandparents were left out when representations and rights were allocated under the Children Act 1975.

Before I became an hon. Member, I worked as a senior solicitor for the London borough of Islington. My entire case-load was concerned with child care work. One of the reasons why we decided not to institute proceedings in the juvenile court under the Child Care Act 1980 or the Children and Young Persons Act 1969 but instead to ward children who came within those categories in Islington was that we believed that it was extremely important for grandparents—as interested parties concerned about their grandchildren, and who in many cases looked after them and gave them parental support—to be able to appear before the High Court in wardship proceedings, declare their interests and submit affidavit evidence. That is why I and so many other solicitors in local authorities in London and throughout the country decided to ward. We believed that the High Court was a much better and safer venue to deal with such cases.

Many of my concerns about wardship were met by the amendments tabled by my hon. Friend the Member for Ogmore. I was ready late on Tuesday night to debate grandparents' rights. Labour Members decided to place the arguments before the Minister in the hope that he would take on board our constructive comments and continue in the same spirit in which he began the Bill—a spirit of compromise and reasonableness. We were not able to do that.

In an intervention during the speech of my hon. Friend the Member for Wakefield, the Minister raised his concerns about the activities of the miners group, or

whatever it is called. The Children Bill was so important that we were prepared to sit all night on Tuesday and into the early hours of Wednesday to resolve the matter. My hon. Friend the Member for Bradford, West (Mr. Madden), who has an interest in grandparents' rights, raised this issue. I have re-read his contribution on Second Reading in April this year. The issue was one of the first matters that he raised with the Minister of State.

Mr. Cryer: Does my hon. Friend agree that it would have been necessary for us to sit all through the night to provide the time for debate that was originally agreed—the second of two days? It was only the intervention of an important economic debate, which we initiated and which appears even more important now in the light of present circumstances, that produced a debate on the Children Bill after 10 o'clock, which by virtue of two Divisions meant 10.30 pm. In effect, the Government curtailed debate shortly after the second day of consideration had begun. If we had started at the usual time of half-past 4 or 5 o'clock, that action would have been equivalent to the Government curtailing the debate at, say, 7 or 7.30, which is patently absurd.

Mr. Vaz: My hon. Friend is right. We were prepared to discuss this important measure. Many hon. Members had decided to drive into Westminster that evening. My hon. Friend the Member for Coventry, South-East (Mr. Nellist) told me that he did so because he wanted to raise a number of points. It was no secret that our deliberations were to start at 10 o'clock and go on until 2 o'clock in the morning.

I was surprised when the Minister of State rose in his place and moved that the House should adjourn. I do not think that he wanted to do that. Judging by his handling of the Bill, I believe that he would have liked to proceed. It was not a matter of the hon. Gentleman wanting to get back home. I have lived in Richmond, which adjoins Putney. It takes about 20 minutes to get to Richmond, and I am sure that it takes the hon. Gentleman a similar time to return to his constituency. I believe that he would have liked to continue the discussion, but he is not responsible. He is not yet Leader of the House, although he may be by the end of my speech, so he is not responsible for the way in which the business of the House is managed. The Opposition do not hold him responsible for what happened.

The Opposition were prepared to continue the debate because of the amendments that had been tabled. The House should know about the contribution of the voluntary sector to the passage of the Children Bill. We want it to reach the statute book. I wish that the Minister had accepted my amendment rather than proceeded with the child assessment order, but I accept the decision of the House. As one who has practised law, I feel that it is vital to codify child care law and that, instead of the piecemeal law which has existed for more than a century, there should be one definitive statute to which we and parents can go to find out what the law is. We have a legal duty and a moral responsibility to ensure that the Bill reaches the statute book. We were prepared to sit throughout Tuesday night, into the early hours of Wednesday morning, through lunchtime and into the afternoon to ensure that the Bill was saved. The voluntary sector believed that that was necessary.

As Ministers know, ever since the Lord Chancellor introduced the Bill in the other place, voluntary organisations have been writing to him, his officials and members of the Committee about the operation of child care law.

Mr. Ray Powell (Ogmore): I appreciate what my hon. Friend says about the Minister's co-operation on the whole Bill. Were any reasons given to my hon. Friend or other members of the Committee as to why the Government wanted to pull stumps at that time in the morning, when the Opposition had offered to debate the whole Bill? The 400-odd Government amendments and other issues which we wanted to raise could have been given a full, open debate. Instead, the Government are trying through the guillotine motion to curtail discussions on certain items on which most of us would like to contribute if there is time.

Mr. Vaz: I was happy to give way to my hon. Friend, who was not in the House when I paid tribute to him——

Mr. Powell: I was.

Mr. Vaz: My hon. Friend was here. I paid tribute to him for his work on the grandparent amendments. The Minister of State gave no reason why the debate had to be adjourned. In his intervention during the speech of my hon. Friend the Member for Wakefield, he said that he did not feel that it was proper for the debate on the Children Bill to proceed while many Divisions were being forced on largely technical amendments. The hon. Gentleman may not have felt that that was an appropriate way to proceed, but the way in which the Government are proceeding now is much worse. What a squalid way to end this landmark piece of legislation. What an appalling way to treat such an important statute. This is not the proper way to proceed on a measure on which there is consensus and to which many people have been waiting many years to contribute.

Before every Committee sitting we met representatives of the voluntary sector, including the Family Rights Group, the Children's Legal Centre, the British Agencies for Adoption and Fostering and the British Association of Social Workers. The Minister and his officials made a great effort and took much time to ensure that they had the support of the Association of Directors of Social Services and the National Society for the Prevention of Cruelty to Children before introducing the new clause on the child assessment order.

I vividly remember the Minister coming before the Committee in the middle of a sitting with a piece of paper and stating that at last the war between the ADSS and the NSPCC about the idea of a child assessment order was over and they were happy with it. Those organisations —two of the most powerful agencies dealing with child work—wrote to us saying that a compromise had been reached. Because of that news, the sitting was adjourned.

Groups such as the well-respected Family Rights Group, which is located in Islington, and the Children's Legal Centre, which had prepared an enormous amount of work through briefing materials and amendments, need to be carried with us. If they know, as the country now knows, that the Government wish to proceed on this historic measure in this squalid way, they will be bitterly disappointed that, after all the concessions and co-operation achieved in the past, this is how it ends.

[Mr. Vaz]

The hon. Member for Stockton, South (Mr. Devlin) has joined us. I do not know whether during his absence he has issued another press release. During my speech, he made some comments from a sedentary position.

Mr. Tim Devlin (Stockton, South): I thank the hon. Gentleman for giving way, because I always enjoy interrupting his speeches. He has said that this is a squalid way to conduct matters. If a guillotine were not imposed on the Bill now, would not the legislation fall at the end of the Session? When I was here last night, the hon. Gentleman said that he was prepared for this important legislation to be carried over into the new Session. He knows as well as I know that many voluntary bodies which have been briefing him and me during the Bill's passage in Committee have been anxious to ensure that the Bill reaches the statute book and is implemented as soon as possible. It is a sad turnaround that the Labour party is prepared to sell this Bill down the river in pursuit of narrow mining interests.

Mr. Vaz: That is the ultimate cheek, coming from the hon. Member for Stockton, South who was not present during the second, late sitting on the Children Bill. The hon. Member told me that he stayed for the Division on child registration fees and then went home because he did not believe that there was anything of importance left to discuss, despite the fact that we have all these amendments to consider. It is a cheek to come to this House, having issued a press release which received a lot of coverage in *The Times* criticising the Labour Opposition for what they had done.

I am sorry if this is beginning to sound like a mutual admiration society—I assure the House that it will last only for the duration of the Children Bill—but I must again commend the Minister, who was brave enough to repudiate the words of the hon. Member for Stockton, South and issue a denial that any Opposition member of the Committee was responsible for the delay.

Mr. Devlin: It is clear from *Hansard* that, during that evening's proceedings, an agreement that had been reached was broken. It had not been intended that there would be any further Divisions that evening. That was accepted on both sides of the House. Then a group of Labour Members came to the House, forced a Division in which no Labour Member voted, and subsequently claimed that they had not spoken and had had nothing to do with it. Yet it was quite clear from the atmosphere in the House at the time that that group of hon. Members intended to continue to force Divisions on matters which, until that time, had not been in any way controversial.

Mr. Vaz: The hon. Member for Stockton, South must have bionic sight as he talks about the mood of the House at 1.30 am on Wednesday, when he was not even here but in bed at the Barbican, or wherever his flat is. He could not possibly know the mood of the House. It is no wonder that his colleagues refer to him as the Peter Bruinvels of the current Session. He is not able to be present for the debate but apparently he has no need to take part to judge the mood. What an extraordinary person he must be—although he is away from the House he knows its mood and what agreements have been reached.

Yes, there was an agreement that this issue should be dealt with by 2 am this morning, but because of the passionate debates which had occurred earlier, and because the debate on registration charges went on a little longer than anticipated, the debates proceeded more slowly than had been intended.

The hon. Member cited the support of the voluntary sector. Of course the voluntary sector wants the Bill to become law. Of course we want it on the statute book. If the hon. Gentleman had been here at the start of my speech he would have known what I said—that we want the Bill to become law as soon as possible. If the hon. Member for Stockton, South has read the Bill—perhaps that is what he is doing now—he will know that the date for its implementation is 1 April 1991, so it will make no difference if it is introduced in the new Session. Members have come to the House to confuse the public by talking about the new Session as though it were 100 years away. As far as I know, prorogation is between 15 and 22 November, which is only a week. If the Government believe that the Bill needs to be considered carefully, it is important that we should take time to ensure that we discuss the amendments in detail.

Mr. Devlin: If the Bill is not passed by the end of this Session, it falls and has to start through all its parliamentary stages once again. As the hon. Member for Leicester, East (Mr. Vaz) knows, because he is a lawyer, there could be a carry-over motion. The hon. Member for Leicester, East has been studying my activities with great care, and has just said that he thought I might be reading the Bill. During many hours in Committee I have had ample opportunity to study the Bill, its provisions and all the amendments, including my own amendment which the hon. Gentleman supported.

On Tuesday the hon. Member for Monklands, West (Mr. Clarke), the Front Bench spokesman for the Labour party, said:

"That said, however—I say this especially in the presence of the Leader of the House, the Deputy Prime Minister, who is, of course, a reasonable man—when other reasonable hon. Members representing mining areas feel it necessary to demonstrate, as they have done, because they genuinely feel that they have a grievance about Associated British Ports—"

which is exactly what the hon. Member for Leicester, East has just said. Then the hon. Member——

Madam Deputy Speaker: Order. This is a very long intervention.

Mr. Devlin: I apologise, Madam Deputy Speaker. The hon. Member for Leicester, East has been watching my actions with great care. I should like to direct him to the next sentence which states that

"the Front Benches have endeavoured to co-operate to ensure that the Bill reaches the statute book. That remains our position. I hope, of course, that time will be found in which to continue the Bill's remaining stages. I repeat that our position is that we shall not seek to oppose the Bill. We want to see it on the statute book".—[*Official Report*, 24 October 1989; Vol. 158, c. 806.]:

Madam Deputy Speaker: Order. The hon. Gentleman must come to a conclusion.

Mr. Devlin: I ask the hon. Gentleman what he thinks about that in the light of his remarks.

Mr. Vaz: That intervention does not take us any further. The hon. Member for Stockton, South should put his comments to my hon. Friend the Member for

Monklands, West (Mr. Clarke), who is not able to be present in the House this evening due to pressing constituency business—he has had to attend a funeral—and who was not aware that this issue would be debated this afternoon. The first we knew about it was at 2 am today, when we were here to take part in discussions on the Companies Bill, and I was here to present a petition on the problem of gipsy encampments near my constituency. My hon. Friend the Member for Monklands, West is therefore not able to be here to answer.

Mr. Madden: Despite the bluff and bluster that we have heard from Conservative Members throughout the debate on the guillotine motion, there were hon. Members present during the early hours of Wednesday morning who were willing, able and would have been pleased to complete all the remaining stages of the Children Bill and who would have given it their blessing on its way to the other place.

The other fact that Conservative Members seem to wish to avoid is that, after just two hours of Committee debate, the Minister moved an adjournment motion which the Government carried, despite the fact that 22 Labour Members voted against it, demonstrating their willingness to complete all stages of this important Bill, which we have supported throughout.

Madam Deputy Speaker: Order. This is another very long intervention.

Mr. Vaz: I greatly respect my hon. Friend the Member for Bradford, West (Mr. Madden), who assisted me when I first came into the House when we were on the Immigration Bill Committee together. He has great knowledge of these issues, and he is right. Opposition Members wished to proceed with the debate. I and other hon. Members went into the Division Lobby to ensure that the House did not adjourn. I was happy to stay late last night because I had a petition to present and therefore had to be here.

The hon. Member for Stockton, South talked about the wishes of the voluntary sector. I believe that the voluntary sector wants us to get this Bill right and to take a great deal of time debating and analysing the amendments which have been put forward, quite properly, by the Minister. The voluntary sector believes that it will be a long time before Parliament will find the time and political will to debate these issues again, because we have waited until the very end of this Government's term of office to consider legislation covering children. It is a sign of the fact that it is not given a high priority. If it were, we should have been discussing it in 1979, rather than at this stage.

A Labour Government will clearly be elected at the next general election and will wish to ensure that time is made available, but I am worried that there will be so many other pieces of legislation that we shall have to implement that the children issue and the area of social policy concerning children may not come back again. I assure the Minister that when we come back to new clause 13 the new Labour Government will amend that provision fairly swiftly.

The voluntary sector wants to ensure that the Bill is a good Bill and that all the technical difficulties have been sorted out. A short delay at the final stage would not go amiss. As the hon. Member for Stockton, South knows, the Minister of State was in negotiation with Labour Members and others in Committee. His officials had emergency meetings with the Association of Directors of Social Services and the National Society for the Prevention of Cruelty to Children last Thursday evening to get through the provision on the child assessment order. Had we waited another week, the period of seven days for child assessment orders might have come down to three days as a result of the negotiations taking place. A short delay might well have been in order.

The hon. Member for Stockton, South says that the House will have to introduce a carry-over motion. I do not know what a carry-over motion is, but I accept that the hon. Gentleman has read the necessary documents. I am sure that the Leader of the House and the shadow Leader of the House, my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), could come to some arrangement to enable us to agree a carry-over motion so that the Bill could be dealt with after the new Session begins.

We must bear in mind our long wait for the Bill and the fact that it will not even come into effect until 1 April 1991, because many of its provisions need to be the subject of scrutiny by local authorities and many of the provisions concerning legal proceedings and the amendments introduced by the Solicitor-General require rules of court. It is not possible to implement the Children Bill unless the rules of court have been sorted out.

The hon. Member for Stockton, South, as a lawyer, will remember that those points were raised in Committee when we discussed the need to have the Government's proposals brought before the Committee so that we could discuss issues such as the time necessary for the local authority to serve a notice on parents. We had a discussion on time limits. When I pressed the Minister in Committee on why he had suggested a period of 72 hours as the necessary time for a parent to challenge an emergency protection order, he said that he had to come to some decision on time. He had decided on 72 hours because it was a reasonable time and he believed that it gave parents a reasonable chance to challenge the order that was to be made. He then went on to promise me and the other members of the Committee that rules of court would be made. That shows that there is plenty of time to decide on the necessary rules of court and plenty of time in which to conduct negotiations on the most appropriate time available.

Mr. Robert Key (Salisbury): It is important to clear up this matter. As I understand it, there is no way in which there could be a carry-over motion. There is no question of the Bill being able to go into the next Session. If we do not get it now, we shall not get it at all. I think that you, Madam Deputy Speaker, can confirm that no carry-over motion is possible. Either we get the Bill this Session, or it is lost.

Madam Deputy Speaker: That is the case. I refer the House to the proposal for suspending or resuming Bills. Proposals have been made for provision either by statute or by Standing Orders for the suspension of public Bills from one Session to another or for resuming proceeding upon such Bills, notwithstanding a Prorogation. There is no mechanism by which there can be a carry-over motion for a public Bill. It is up to the Government to get their Bill through during this Session.

Mr. Vaz: I am most grateful to you, Madam Deputy Speaker, your Clerk and the hon. Member for Salisbury (Mr. Key) for correcting the misleading information given

[Mr. Vaz]

by the hon. Member for Stockton, South. It is so reminiscent of Peter Bruinvels in Leicester that the information given was clearly not necessarily correct.

Mr. Madden: I am grateful for the advice that you gave the House, Madam Deputy Speaker. Will you also confirm that there was no impediment to the Bill completing its Report stage and Third Reading during the early hours of Wednesday morning?

Madam Deputy Speaker: The hon. Gentleman cannot tempt the Chair down that road. I have given a factual statement about carry-over motions.

Mr. Vaz: Obviously, we accept your advice and I am grateful to you, Madam Deputy Speaker.

Madam Deputy Speaker: Order. It is not advice—it is fact.

Mr. Vaz: I am grateful for the facts that you have given, Madam Deputy Speaker, and to the Clerk for researching the point. In view of that, I urge the Government to look at the business of the House until 15 November. We now know when the Queen's Speech will be, so we can decide on our priorities. If the Children Bill is a priority, as I believe it is, it is necesary to remove some of the other pieces of legislation proposed for the next three weeks. I suggest the Football Spectators Bill, for example. I was a member of the Committee on that Bill and I believe that if the Minister spoke to his hon. Friend the Minister for Sport and suggested that the Bill should wait until the new Session, when we have the Taylor report, the Children Bill could be debated for the whole of Friday, which would give us sufficient time.

It is important that we hear the Minister's response. However, I want to mention one point that will be discussed tomorrow because, unfortunately, I shall not be able to be in the House tomorrow afternoon to make the point then. We need a discussion on wardship. The Minister of State has said often that he accepts the advice given by the NSPCC. Its advice at present is that clause 84 should be amended and that the Government should delay the implementation of the wardship provisions. The Opposition, the NSPCC and other voluntary organisations do not believe that wardship should be curtailed. I urge the Minister to consider that point.

This is a squalid way to end a Bill of such importance, but there is a way out. I accept the guidance that you have given, Madam Deputy Speaker, and I ask the Government and the Minister, in all honesty, to find the extra time that we need next week to discuss the Children Bill. It is a very important piece of legislation and it is unlikely that we shall return to consider this area of law for many decades to come.

7.27 pm

Mr. Alan Williams (Swansea, West): My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) in his opening speech this afternoon described the situation as a shambles. Subsequent events perhaps have rather dwarfed this debate and given it an element of anticlimax, but they do not alter the fact that we are discussing the chaotic position of the Government's legislation. I would wager that what the Prime Minister said at Kuala Lumpur was a model of diplomacy compared with what she said to her Leader of the House and her Chief Whip when she returned to London yesterday.

I recall an item in, of all newspapers, one much liked by Conservative Members—*The Sun*—which said five years ago:

"Come home, Maggie. Rarely can any bunch of Government Ministers have presented such a spectacle of bungling, pathetic incompetence as was unveiled at Westminster yesterday.

At the centre of this comedy of errors—or, more accurately, tragedy of errors—was the hapless Sir Geoffrey Howe . . . Has someone stolen his political judgment, or his political instincts?"

Although that was written five years ago, it could have been rerun this morning and it would have been absolutely relevant.

But what happened last night at midnight? The Leader of the House recovered his diplomatic touch. He crept in here when he thought that no one would notice and at a stroke destroyed the links and the channels between the Opposition and the Government. He abandoned them unilaterally and arbitrarily. He came with a statement about which he had not warned us and he introduced not one but two guillotines about which he had not told us. All that was done without warning and without discussion. His actions were arbitrary and unilateral—exactly the same as those that he pursued at GCHQ when he tore up existing agreements.

The right hon. and learned Gentleman skulked in here and launched on the House his double-bladed guillotine. His timing was superlative. We are in the final two weeks of the Session and the date for the one state opening of Parliament has been set. This is the time that the Government most need the co-operation of the Opposition, but the right hon. and learned Gentleman managed to destroy it. If we now echoed what he did to us last night, the Government would already be dismantling the arrangements for the State opening of Parliament.

The Prime Minister must dread going away—that is even more apposite in view of today's events. I have a cartoon with me from the *Sunday Express* which appeared five years ago at the same time as the quote that I read from *The Sun*. It shows two monks carrying candles in some vaults peering into a barrel and saying:

"You can't hide here for long, Sir Geoffrey. She'll get you sooner or later now she's back".

She got him just before midnight last night and we are now debating the consequences. At least we should give the man credit. He has beeen in the job for three months and he is already in the record books. In this one Session of Parliament eight guillotines have been introduced. Today, when we complained about lack of time, the right hon. and learned Gentleman had the impudence to suggest that we should guillotine the two guillotines by not taking the full three hours to debate the motion.

I do not blame the Minister for Health. I have been impressed by the good will he has engendered on our Benches. The biggest obstacle to both Bills has been the Government, not the Opposition. The problem is not just the number of amendments tabled, but their sheer complexity and intricacy. The Children Bill attracted 38 pages of amendments and the Companies Bill 99 pages. The Government then complain that we wasted 15 minutes on what they considered an unnecessary vote.

By the time we finished at 11.26 pm on Monday, we had dealt with 293 amendments and new clauses to the

Children Bill—288 of which had been tabled by the Government. The following night, however, at 1.30 am, well before any agreed deadline, the Minister moved the adjournment of the debate. We voted against that and a study of the vote shows that only 110 Tory Members voted, among whom there were only 19 Ministers or Whips. The debate was adjourned because the Leader of the House and the Chief Whip panicked. They were afraid that they would not be able to muster 100 Tory Members to vote and, despite our willingness to continue, they ended the debate. The sole excuse that they could offer was that we had dared to have one vote—there were not attendant speeches—which took up 15 minutes on an item which the Government considered did not warrant a vote. That is a measure of the indictment against us.

Mr. Devlin *rose*——

Mr. Williams: I have little time available to me. The hon. Gentleman has already made his speech. Earlier, I wondered whether I should interject in his interjection.

The Government have also complained about the Companies Bill, but who came here with a statement that lasted an hour and a quarter before we started our deliberations on that Bill? We did not do that—they did. Who tabled 300 amendments on the day of the debate? Not us. The Government should not pretend that the Opposition are responsible for the chaos, as they made the Bill up as they went along. On the last day of our deliberations in Committee, the Minister tabled 15 new clauses. In effect, those new clauses represented a new Financial Services Bill, but the Opposition were not given time to debate them. The Companies Bill is such a masterpiece of the draftsman's art that the Government have moved 1,100 amendments altogether—400 in the Lords, 400 in Committee and 300 yesterday. Now 700 of those amendments must go back to the Lords, so we shall start the process all over again. It is the Government, not the Opposition, who have sabotaged the Bill. They have drowned it in amendments.

I accept that much of the responsibility rests with the Chief Whip and perhaps with Ministers rather than with the Leader of the House. When the Prime Minister appointed the right hon. and learned Gentleman, she might have felt that she now had a winning team in charge of Government business. I am afraid that she must have a poor memory. What a Session the next one promises to be if the right hon. and learned Gentleman remains in post.

The right hon. and learned Gentleman's credentials are exciting and, five years ago, they were noted by the newspapers. The *Daily Telegraph*, no great supporter of us, ran the headline:

"Howe centre of Tory disarray"

The Guardian carried the headline:

"The disaster zone around Geoffrey Howe".

The Sun noted:

"Fury as Howe slips up again".

The *Daily Mirror* ran the headline, "Howe blunder", the *Sunday Mirror* spoke of a "Whitehall farce" and the main headline in *The Times* read, "Embarrassed Howe". My favourite headline is one that appeared on the front page of the *Daily Mirror*. It showed a photograph of the right hon. and learned Gentleman as though standing on his head and the headline ran:

"Dear Sir Geoffrey . . . Have you ever had one of those weeks when nothing goes right?"

That takes us back to where we started when I quoted from *The Sun*. The *Daily Mirror* should rerun that headline tomorrow as it is every bit as relevant today as it was five years ago.

We do not yet know what the right hon. and learned Gentleman will be doing in the next Session, but let us remember that the man who helped to create this mess is the man who sank the economy in one Budget. He is the man who bungled the GCHQ sackings so badly that he gave the Government the worst three days of headlines that they have ever had—until, I suspect, the three days that are about to come. This is the man who will be in charge of the business of the House—we think—for the next 12 months. It promises to be an exciting year for me.

Last night, the right hon. and learned Gentleman demonstrated his fine touch. I look forward to the new Session, assuming that the right hon. and learned Gentleman is not in charge of a nuclear power station in the Outer Hebrides.

7.37 pm

The Minister for Health (Mr. David Mellor): If a week is a long time in politics, I have found that three hours is equally long. I appreciate that some of the interest in this debate may have dissipated during its course. I congratulate all of those who, notwithstanding the eruptions around them, nevertheless sought to keep their eye on the ball. I shall seek to follow in that noble tradition, although I shall not criticise the House if, on this occasion, hon. Members find other matters more compelling than my oratory to talk about. I shall do my best to play out elegantly the time remaining in the debate.

We agree about a lot of things this evening, not least that it is important that the Children Bill should go on the statute book. Far too much work has been done on the Bill for it to be lost. I am grateful that the co-operation across the Chamber on this Bill has been recognised. Such recognition is always the first thing to go out of the window when things get tough. There has been genuine co-operation on the Bill. I have no complaint against the hon. Member for Monklands, West (Mr. Clarke) or the hon. Member for Durham, North-West (Ms. Armstrong), who have worked extremely hard on the Bill. They were supported by an able team in Committee. I believe that the Bill, as it emerged from Committee, is stronger for the careful consideration it was given during 17 sittings.

I believe, however, that there was something missing from the speech of the right hon. Member for Swansea, West (Mr. Williams). He did not recognise the new factor that entered into our discussions at 10.30 pm on Tuesday. We had arranged for the Children Bill to pass into law. However, an unnecessary Division was called by two hon. Members. Whatever other involvements they have in this House—and both are active hon. Members—neither had been active in our deliberations on the Children Bill. They were plainly activated by a grievance other than any objections to the inoffensive technical amendment under consideration. Both the hon. Members for Monklands, West and for Middlesbrough (Mr. Bell) candidly acknowledged that the dispute was about the Associated British Ports Bill and said that it was likely that several Divisions would be called—not because of any objections to what was being proposed by the Government, but simply to advance that grievance.

[Mr. David Mellor]

That is a parliamentary tactic for which there are precedents. However, one parliamentary tactic may be met by another kind of parliamentary tactic and the tactic now being deployed is that of confining the debate. It is being done for three reasons. Once we move from the necessary battle lines that have to be drawn in the artificial huff and puff that has characterised the past three hours—fun though it has been for all kinds of reasons—I imagine that we can agree about those three things.

First, the Bill is necessary. It has been a good thing that, in the course of a busy Session, it has proved possible to find the time for a Bill that could easily have been squeezed out by other more contentious measures. As the hon. Member for Leicester, East (Mr. Vaz) eloquently said, we will not have the chance to return to this issue for quite some time, and we cannot afford to lose the Bill. It must become law.

Secondly, we have to acknowledge the price that has had to be paid. First, there is the care and skill that the parliamentary draftsmen have brought to bear on the legislation. Secondly, as changes have been made in deference to the wishes of the House, the Bill needs to be further considered in the Lords. It is therefore necessary that the Bill is delivered to the other place in good time to allow that consideration to take place. It cannot be left hanging around any more than can the Companies Bill.

Thirdly—this point is highly relevant—there was an arrangement through the usual channels that the Bill must be completed, notwithstanding the amount of time that had been eaten into as a result of the emergency motion on the economy on Tuesday. Perhaps Friday should have been chosen for that debate, but there we are, it happened on Tuesday. Indeed, we know that the Bill's passage could have been completed already if common sense had prevailed among hon. Members throughout the House.

Notwithstanding the fact that it has been necessary to curtail our debate on the Bill, we still have three hours of debate tomorrow. That is actually more than the time that it was originally envisaged that the Bill would take to complete once the last contentious piece of business had been disposed of. There would also have been plenty of time for the Companies Bill to be further considered tonight if it had not been for the point that was argued at length in the House yesterday evening, which in itself was not contentious.

It has been suggested that there was some doubt about whether it would have been possible for us to complete our progress on the Children Bill. There was also some doubt about whether the Government could move as they did. Any doubt that might have existed about whether progress was possible must surely have been washed away by what happened in the House last night when some of the following exchanges took place—*[Interruption.]*

Mr. Speaker: Order.

Mr. Mellor: I know that the House remains riveted by the problems of the Companies Bill. I remind hon. Members that at the bottom of page 4 clause 2 contains the words.

"in the case of a company incorporated after the commencement of that Part, the last day of the month in which the anniversary of its incorporation falls."

A deeply radical and searching amendment of the utmost controversy was tabled in which it was suggested that the word "Part" should be removed and the word "Section" be inserted. One might have assumed that that would pass relatively unnoticed, but no. It caused a Division that took 20 minutes of parliamentary time. Then, lo and behold, if we move on to clause 4(2), we find that it states:

"Schedule 4 to the Companies Act 1985 . . . is amended in accordance with Schedule 1."

Again, a deeply damaging amendment was tabled by the Government that would have added the words "to this Act" to the end of that sentence, yet notwithstanding the relative inoffensiveness of those words a Division was forced.

It was perfectly obvious that, whatever else was motivating hon. Members last night, it was not a deep concern about improving the Companies Bill. That was made abundantly clear by the fact that the Tellers for those Divisions were not the official Opposition Tellers, but were from the group concerned about the Associated British Ports Bill.

There are many precedents for guillotines in the House. Indeed, on one famous occasion the right hon. Member for Blaenau Gwent (Mr. Foot) managed to bring five guillotines to the House in one evening. When pressed about that in a debate last year, he said:

"Those five guillotines were introduced on 20 July. That is quite late in the Session. If we had not had the guillotine motions, all those five measures would have been destroyed. There is not the slightest doubt about that."—[*Official Report*, 22 February 1988; Vol. 128, c. 39.]

From that impeccable parliamentary source has come the reason for tonight's guillotine.

Question put:—

The House divided: Ayes 195, Noes 98.

Division No. 354] **[7.46 pm**

AYES

Alexander, Richard	Clarke, Rt Hon K. *(Rushcliffe)*
Amess, David	Colvin, Michael
Amos, Alan	Conway, Derek
Arbuthnot, James	Coombs, Anthony *(Wyre F'rest)*
Arnold, Jacques *(Gravesham)*	Coombs, Simon *(Swindon)*
Atkinson, David	Cormack, Patrick
Baker, Rt Hon K. *(Mole Valley)*	Couchman, James
Baker, Nicholas *(Dorset N)*	Cran, James
Baldry, Tony	Davies, Q. *(Stamf'd & Spald'g)*
Batiste, Spencer	Davis, David *(Boothferry)*
Bennett, Nicholas *(Pembroke)*	Day, Stephen
Benyon, W.	Devlin, Tim
Blaker, Rt Hon Sir Peter	Dicks, Terry
Boscawen, Hon Robert	Dover, Den
Boswell, Tim	Dunn, Bob
Bottomley, Mrs Virginia	Durant, Tony
Bowden, A *(Brighton K'pto'n)*	Evennett, David
Bowis, John	Fallon, Michael
Braine, Rt Hon Sir Bernard	Favell, Tony
Brazier, Julian	Fenner, Dame Peggy
Brown, Michael *(Brigg & Cl't's)*	Fishburn, John Dudley
Bruce, Ian *(Dorset South)*	Fookes, Dame Janet
Buck, Sir Antony	Forman, Nigel
Burns, Simon	Forsyth, Michael *(Stirling)*
Burt, Alistair	Forth, Eric
Butcher, John	Fowler, Rt Hon Norman
Butler, Chris	Fox, Sir Marcus
Butterfill, John	French, Douglas
Carlisle, John, *(Luton N)*	Gale, Roger
Carlisle, Kenneth *(Lincoln)*	Gardiner, George
Carrington, Matthew	Garel-Jones, Tristan
Carttiss, Michael	Gill, Christopher
Cash, William	Glyn, Dr Alan
Channon, Rt Hon Paul	Goodhart, Sir Philip
Chapman, Sydney	Goodlad, Alastair
Chope, Christopher	Goodson-Wickes, Dr Charles
Clark, Dr Michael *(Rochford)*	Gorman, Mrs Teresa
Clark, Sir W. *(Croydon S)*	Grant, Sir Anthony *(CambsSW)*

Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Higgins, Rt Hon Terence L.
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lester, Jim *(Broxtowe)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Newton, Rt Hon Tony
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raison, Rt Hon Timothy
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Rossi, Sir Hugh
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Stephen Dorrell and
Mr. Tom Sackville.

NOES

Allen, Graham
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Darling, Alistair
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Golding, Mrs Llin
Gould, Bryan
Griffiths, Win *(Bridgend)*
Haynes, Frank
Heffer, Eric S.
Hinchliffe, David
Hughes, John *(Coventry NE)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leighton, Ron
Livsey, Richard
Lofthouse, Geoffrey
Macdonald, Calum A.
Maclennan, Robert
Madden, Max
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Molyneaux, Rt Hon James
Morgan, Rhodri
Mowlam, Marjorie
Nellist, Dave
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Randall, Stuart
Reid, Dr John
Richardson, Jo
Robinson, Geoffrey
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sheerman, Barry
Skinner, Dennis
Smith, Rt Hon J. *(Monk'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Taylor, Mrs Ann *(Dewsbury)*
Vaz, Keith
Wall, Pat
Wallace, James
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy

Tellers for the Noes:
Mr. Robert N. Wareing and
Mr. Martyn Jones.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Companies Bill *[Lords]* and the Children Bill *[Lords]*:—

Report and Third Reading

COMPANIES BILL *[Lords]*

1.—(1) The proceedings on Consideration and Third Reading of the Companies Bill *[Lords]* shall be completed in one allotted day and shall be brought to a conclusion at the times shown in the following Table:—

TABLE

Proceedings	*Time for conclusion of proceedings*
New Clauses, new Schedules and amendments relating to Parts I to IV of the Bill.	9.50 pm
New Clauses, new Schedules and amendments relating to Part V of the Bill.	11.00 pm
New Clauses, new Schedules and amendments relating to Parts VI and VII of the Bill.	Midnight
Remaining new Clauses and amendments and Third Reading.	1.00 am

CHILDREN BILL *[Lords]*

2. The proceedings on Consideration and Third Reading of the Children Bill *[Lords]* shall be completed in one allotted day and shall be brought to a conclusion three hours after the commencement of adjourned proceedings on consideration.

Dilatory Motions

3. No dilatory Motion with respect to, or in the course of proceedings on either Bill shall be moved except by a member of the Government, and the Question on any such Motion shall be put forthwith.

Order of proceedings

4. No Motion shall be made to alter the order in which proceedings on Consideration of either Bill are taken.

Extra time on allotted days

5. Paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings on both Bills.

Conclusion of proceedings

COMPANIES BILL *[Lords]*

6.—(1) For the purpose of bringing to a conclusion any proceedings on the Companies Bill *[Lords]* which are to be brought to a conclusion at a time appointed by this Order and which have not previously been brought to a conclusion, Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question that all new Clauses standing in the name of, or moved by, a member of the Government and all new Schedules standing in the name of a member of the Government be added to the Bill;

(d) the Question that all remaining amendments standing in the name of, or moved by, a member of the Government be made to the Bill;

(e) any other Question necessary for the disposal of the business to be concluded.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

CHILDREN BILL *[Lords]*

7.—(1) For the purpose of bringing to a conclusion any proceedings on the Children Bill *[Lords]* which are to be brought to a conclusion at the time appointed by this Order and which have not previously been brought to a conclusion, Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question that all new Clauses and new Schedules standing in the name of a member of the Government be added to the Bill;

(d) the Question that all remaining amendments standing in the name of a member of the Government be made to the Bill;

(e) any other Question necessary for the disposal of the business to be concluded.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

Supplemental orders

8.—(1) The proceedings on any Motion moved by a member of the Government for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings.

(2) If the House is adjourned, or the sitting is suspended, before the time at which proceedings on either Bill are to be brought to a conclusion under this Order no notice shall be required of a Motion moved at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

9. Nothing in this Order—

(a) prevents any proceedings to which it applies from being taken or completed earlier than is required by the Order; or

(b) prevents any business (whether on the Bill in question or not) from being proceeded with after the completion of all such proceedings on that Bill.

Re-committal

10. No debate shall be permitted on any Motion to re-commit either Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

11. In this Order "allotted day", in relation to the Companies Bill *[Lords]* or the Children Bill *[Lords]* means any day on which that Bill is put down as first Government Order of the day, provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day, or is set down for consideration on that day.

Chancellor of the Exchequer (Resignation)

7.57 pm

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe) *rose*——

Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: What is the point of order?

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. I understand that we are going to hear a statement from the deputy Prime Minister. Have you been informed of why the Prime Minister is not present?

Mr. Speaker: Who makes statements from the Front Bench has never been a matter for the Chair.

Sir Geoffrey Howe: With permission, Mr. Speaker, I wish to make—*[Interruption.]*

Mr. Speaker: Order. These are grave matters.

Sir Geoffrey Howe: With permission, Mr. Speaker——

Mr. Malcolm Bruce (Gordon): On a point of order, Mr. Speaker.

Mr. Speaker: What is the point of order at this stage of the proceedings?

Mr. Bruce: In view of the seriousness of the situation, is it really fit, when the City may be in crisis, for this statement to be made in the absence of the Prime Minister? Could she not be in the House?

Mr. Speaker: The hon. Gentleman evidently did not hear what I said—that it is not for me to state who makes statements from the Government Front Bench.

Sir Geoffrey Howe: With permission, Mr. Speaker, I wish to make a brief statement to the House. As the House will be aware, my right hon. Friend the Member for Blaby (Mr. Lawson) has resigned as Chancellor of the Exchequer. My right hon. Friend the Prime Minister learned of his intention to resign just before 2.30, immediately before she went over to the House to prepare for Questions and her statement on the Commonwealth Heads of Government meeting. In the course of a subsequent conversation between them following her return to No. 10 Downing street, the Prime Minister was unable to dissuade my right hon. Friend. The decision was therefore announced at about 6 pm and the letters that have been exchanged have since been published.

My right hon. Friend the Prime Minister has decided to appoint my right hon. Friend the Member for Huntingdon (Mr. Major) as Chancellor of the Exchequer, my right hon. Friend the Member for Witney (Mr. Hurd) as Secretary of State for Foreign and Commonwealth Affairs and my right hon. and learned Friend the Member for Ribble Valley (Mr. Waddington) as Secretary of State for the Home Department. There is no change in the successful economic policies—*[Interruption.]*—that the Government have pursued in the past and will continue to pursue in the future. In due course the House will no doubt wish to return to the business on which we have just been voting.

Mr. Frank Dobson (Holborn and St. Pancras): I thank the deputy Prime Minister for his statement. The Chancellor's resignation clearly resulted from the Prime Minister's high-handed, intolerable and disloyal treatment of Cabinet colleagues. Her subsequent decision to shift the newly appointed Foreign Secretary to be the new Chancellor showed a great office of state being cast off and passed around like an old coat. It undermines confidence in the Prime Minister's claim to be fit to conduct the nation's affairs. More important, it may undermine confidence in our economy, our currency and our country.

The underlying problems of the economy cannot swiftly be resolved, but changes in the personalities involved will not restore confidence. Changes in policy are required. It is imperative that, at the earliest opportunity, the Government put before the House their proposals to deal with the deepening economic crisis which they have ignored for far too long. The Government must answer to the House. In so doing, they will answer to the people of this country. Tonight, our people, all our people, must wonder what lies ahead for their homes, their jobs, their families and their future. They have already paid too high a price for the consequences of public squabbles between the highest in the land. The Prime Minister must accept responsibility for what has happened. She must answer to the House and to the country, and she must answer soon.

Sir William Clark (Croydon, South): Will my right hon. and learned Friend take it from me that we on this side of the House very much regret the resignation of the Chancellor of the Exchequer? May I press my right hon. and learned Friend to take no notice of the obvious glee with which the Opposition received that news, culminating in the singing of "The Red Flag"? Does he agree that the basic economy of the country is still sound despite the resignation? We welcome my right hon. Friend the Member for Huntingdon (Mr. Major) to his job as the new Chancellor of the Exchequer, because we know that the sound policies that the Government have pursued over the years will continue. Consequently, there is no necessity for the City or the markets to get panicky.

Sir Geoffrey Howe: I join my hon. Friend in paying tribute to the long and magnificent service to the Government and the country given by our right hon. Friend the Member for Blaby. I join him also in expressing confidence in his successor, our right hon. Friend the Member for Huntingdon. I shall respond to the shadow Leader of the House by saying that the reasons for the changes are exactly as stated in the letters of integrity exchanged between my right hon. Friends. The economic policies of the Government will remain unchanged, effective and sensible, exactly as set out by my hon. Friend. The one thing that will enable the people of the country to continue to sleep soundly is the certainty that there is no prospect of our economic policies being replaced by those of the Opposition.

Mr. Paddy Ashdown (Yeovil): I suspect that many hon. Members feel a good deal of sympathy for the right hon. Member for Blaby (Mr. Lawson) whose job has been made impossible, whose position has been made untenable and who has taken the only honourable course open to him. Does the Leader of the House not realise that what is at stake is not the position of the Chancellor of the Exchequer but the integrity of the Government and of a Prime Minister who has shown herself to be arrogant, dictatorial and isolated? We have been told for the last 10 years that there is no alternative. There is an alternative. She must go.

Sir Geoffrey Howe: The integrity of the Government is well maintained by the quality of the appointments that I have just disclosed to the House. Each one of my right hon. Friends moving into these important offices of state has long and substantial experience in those fields. The House may rest assured that the integrity of the Government is in good hands and will remain so.

Mr. Norman Tebbit (Chingford): Does my right hon. and learned Friend accept that, in what might have been for him the difficult moment of making his statement, he had the great advantage of the hon. Member for Holborn and St. Pancras (Mr. Dobson) coming to his aid—in the same way as the Leader of the Opposition normally comes to the aid of the Prime Minister? Will he take it from the House, from all of us I believe, that we wish my right hon. Friend the Member for Blaby (Mr. Lawson) well in whatever activities he engages in? *[Interruption.]* At least we on this side of the House appreciate the work that he has done. Will my right hon. and learned Friend also convey our best wishes to those who have now taken over the heavy burdens of high office that he listed in his statement? Will he take to the Prime Minister a message of thanks that we have been assured that the economic policies of the Government will not change one jot?

Sir Geoffrey Howe: I will certainly convey those sentiments, firmly expressed by my right hon. Friend, not only to the Prime Minister but to the country. The policies remain unchanged, and the Government remain confidently in charge.

Mr. Tony Benn (Chesterfield): Is the Leader of the House aware—he must be—that the Prime Minister is also First Lord of the Treasury, and that this afternoon she made a statement of confidence in her Chancellor knowing full well that it was his intention to resign? Therefore, she misled the House and her absence to explain that is another sign of her failure to take responsibility for actions that are hers and hers alone.

Sir Geoffrey Howe: As is clear from the statement that I have made, my right hon. Friend the Prime Minister, together with the rest of her colleagues in government, plainly regrets her inability to dissuade my right hon. Friend the Member for Blaby from resigning, but that resignation did not become effective until the conclusion of that discussion. There will be ample opportunities for discussion of these matters in the days, weeks and months ahead—opportunities that the Opposition have available to them in the ordinary way. I have no doubt that, throughout those opportunities, the country's confidence in the competence of my right hon. Friend the Prime Minister will reman undiminished and fortified.

Dr. David Owen (Plymouth, Devonport): Since confidence in sterling tomorrow is the most crucial element, and since the Government have already stated that it is their policy to enter the exchange rate mechanism when the time is appropriate, will the Leader of the House convey to the new Chancellor, who carries all our best wishes for restoring confidence, that it would be wise to enter the exchange rate mechanism in the next few days and to announce it publicly?

Sir Geoffrey Howe: I am grateful to the right hon. Gentleman for his good wishes to my right hon. Friend the Chancellor of the Exchequer. The position of the Government on the question that he has raised remains as stated by my right hon. Friend the Prime Minister at the conclusion of the Madrid summit.

Mr. Robert Sheldon (Ashton-under-Lyne): Is the Leader of the House aware that the right hon. Member for Blaby (Mr. Lawson) was in an impossible position? He had the responsibility for running the economy without the powers for so doing. Will the right hon. and learned Gentleman ensure that, if the Prime Minister is to remain long in her job, she does not subvert from next door the policies of the new Chancellor?

Sir Geoffrey Howe: There is no question of that. The circumstances surrounding this matter are as set out by my right hon. Friend the former Chancellor of the Exchequer in his letter of resignation. The matter will now proceed on the basis that not only he but also Professor Sir Alan Walters have resigned, and under the confident guidance of my right hon. Friend the Member for Huntingdon.

Mr. Alex Salmond (Banff and Buchan): Is this a case of the Chancellor of the Exchequer losing his grip on the economy, or of the Prime Minister losing her grip on reality? Did the Prime Minister have no confidence in the Chancellor or did the Chancellor have no confidence in the Prime Minister? Either way, is it not time to test whether the country has confidence in the Government?

Sir Geoffrey Howe: This is the place in which to test the continuing confidence of the country in the Government, and we may have no doubts about the competence of my right hon. and hon. Friends in this Administration— *[Interruption.]*

Mr. Speaker: Order. Will those on the Liberal Democrat Bench please listen to what is going on?

Mr. Joseph Ashton (Bassetlaw): Surely it would have made much more common sense and benefited the economy if the ex-Chancellor could have been persuaded to resign on Saturday or Sunday. Was not resigning now an act of deep vindictiveness, which showed the depth of the split within the Cabinet and the shambles to which he has reduced the economy?

Sir Geoffrey Howe: That is a totally wrong-headed view of the situation. If my right hon. Friend the former Chancellor of the Exchequer had reached the conclusion that he had and sustained it after the discussion that took place, it would be wrong of him to do anything other than resign at the end of that conversation.

Mr. Gerald Bermingham (St. Helens, South): The Leader of the House said that this is the place to test the confidence of the country in the Government. Will he make time available in the next few days for a motion of confidence to be debated?

Sir Geoffrey Howe: The Opposition have their own time available for whatever motion they care to table.

Mr. Martin Flannery (Sheffield, Hillsborough): Is it not clear to all of us—I am sure that Conservative Members agree, whether they say this or not—that the Government are economically and politically in a deep mess from which they do not know how to extricate themselves? At a time like this, surely we have the right to expect a Prime

Minister to have the courage to come here and speak to us herself instead of being such a coward about it and not coming.

Hon. Members: Oh!

Mr. Speaker: Order. That is a reflection on the honour of the Prime Minister. Will the hon. Gentleman please withdraw the word?

Mr. Flannery: I will change the word. To quote the Prime Minister, she is "frit". Therefore, is it not time for us to test the atmosphere by having a general election?

Sir Geoffrey Howe: There are ample opportunities, and there will be ample opportunities during the months and years ahead, for my right hon. Friend the Prime Minister to answer whatever questions are put. I have no doubt that she will do so with the continuing confidence of the House.

Mr. Stuart Bell (Middlesbrough): Will the deputy Prime Minister accept that there will be loud groans from one end of the country to another not because the Chancellor of the Exchequer has resigned but because the Deputy Prime Minister has said that the same policies will continue, with the same high interest rates, the same high balance of payments deficit and the same high unemployment? There will be no hope for the people of our country until the Government go.

Sir Geoffrey Howe: The Government's policies will continue. The real disaster for the people of this country would be if the Labour party were to come into office.

Mr. Heffer: The right hon. and learned Gentleman said that not only has the Chancellor of the Exchequer resigned, but so has Professor Walters. As I am one of those who believe that people should resign from Governments on the basis of principle, could he explain what the principle is? Is it that the right hon. Member for Blaby (Mr. Lawson) cannot stand the Prime Minister because of her interference in everything or is it because they now know that the economy is in such an unholy mess that the Government's policies have failed and the time has come for the rats to get off the ship before it sinks?

Sir Geoffrey Howe: The Chancellor of the Exchequer has resigned for the reasons plainly set out in his letter. Equally plainly, he has made it clear that he will continue his support for Government, as will all my right hon. and hon. Friends.

Mr. Nigel Spearing (Newham, South): The House has been reminded that the Prime Minister is the First Lord of the Treasury. What reasons did she give the deputy Prime Minister for not coming along to face her responsibilities this evening?

Sir Geoffrey Howe: There is no question of giving any reason for that. The House has business before it. I tabled a timetable motion, on which the House has just voted. There is business still to be done as a result of that motion, and I have fulfilled a commitment given to the House by my right hon. and learned Friend the former Chief Whip that I would make a statement as soon as possible. I have done so, and that is right.

Mr. Ron Leighton (Newham, North-East) *rose*——

Mr. Michael Colvin (Romsey and Waterside): On a point of order, Mr. Speaker. That question has already been asked by three other hon. Members. This is becoming a ritual performance by Labour Members. Can we not get on with the business of the House?

Mr. Speaker: We have a heavy evening ahead of us. I propose to allow questions to run for no longer than 10 minutes more and then we must get on, because the first guillotine falls at 9.50.

Mr. Leighton: Is not the real issue the way that the absent Prime Minister runs her Government and her Cabinet, and the arrogant, authoritarian and dictatorial way that she behaves, which has lost her the right hon. Members for Henley (Mr. Heseltine) and for Blaby (Mr. Lawson)? If the deputy Prime Minister had any guts, considering the way in which he has been treated as a door mat, he would resign as well.

Sir Geoffrey Howe: The question now before us is whether we can get on with the business before the House.

Mr. David Winnick (Walsall, North): Does the Leader of the House recognise how discourteous the Prime Minister has been in not coming here, in view of the disarray of her Government and the crisis with which we are now faced? Bearing in mind the fact that the real deputy Prime Minister is Mr. Bernard Ingham, and that Mr. Powell is also a senior adviser to her, is it not a fact that, like most dictators, the Prime Minister wants a court Cabinet and takes more notice of those people than she does of her real Cabinet?

Sir Geoffrey Howe: My right hon. Friend the Prime Minister conducts her Government in accordance with the normal constitutional proprieties, and has, during the time since my right hon. Friend the Chancellor of the Exchequer resigned some two and a quarter hours ago, appointed three senior, experienced and immensely worthwhile colleagues to new offices. The House may have confidence in them.

Mr. Bob Cryer (Bradford, South): Does the Leader of the House accept that the nation is tired of the incompetence and arrogance of the Prime Minister, which have been demonstrated so forcibly by today's startling events? How will the squabble between the former Chancellor of the Exchequer and the Prime Minister, which has been made transparent today, help hard-pressed mortgage payers, who are now wondering every week how they will meet their repayments? How will it help us repay and recover from the biggest balance of trade deficit in the nation's history?

Sir Geoffrey Howe: Along the lines frequently stated by my right hon. Friend the Prime Minister and every other member of the Administration, on the basis that our policies are correctly designed to sustain the health and strength of the economy.

Mrs. Maria Fyfe (Glasgow, Maryhill): Considering that the former Chancellor of the Exchequer resigned because his job was incompatible with the Prime Minister having the ear of Sir Alan Walters or vice versa, and as Sir Alan has resigned as well, has it not been possible for the Prime Minister to invite the former Chancellor of the Exchequer back, and if not, why not?

Sir Geoffrey Howe: The sequence of events has unfolded as it has unfolded.

Mr. D. N. Campbell-Savours (Workington): Does the Leader of the House accept that tonight the Government should be preoccupied with the national interest to ensure stability in the foreign exchange markets tomorrow and to ensure again that the pound does not slide too far? Is that the Government's conviction tonight? Will every statement from Downing street be made with that objective in mind?

Sir Geoffrey Howe: The conviction of the Government will be to sustain the totality of the Government's economic policies, and one part of that is the continuation of the business of the House.

Mr. Peter Shore (Bethnal Green and Stepney): The Leader of the House has referred to the totality of the Government's economic policies and their continuity. Surely it is for the right hon. and learned Gentleman to inform the House and the nation exactly what the policies are that are to be continued. Are they the policies advocated in respect of the European monetary system by the former Chancellor of the Exchequer and by the right hon. and learned Gentleman, or are they the policies that have been advocated by Sir Alan Walters and the Prime Minister?

Sir Geoffrey Howe: As I have already told the House, they are the policies that were enunciated following the Madrid summit of the European Council, as rehearsed by my right hon. Friend the Prime Minister and the former Chancellor of the Exchequer only a few days ago and as rehearsed by me. The policies remain as there stated and remain unchanged.

Mr. Merlyn Rees (Morley and Leeds, South): But, following the point that the Leader of the House has just made, if it is as easy as that that the Government are following the policies laid down at Madrid, why did the former Chancellor of the Exchequer resign?

Sir Geoffrey Howe: For the reasons stated in my right hon. Friend's letter, which do not in any sense call in question the policies to which the Government remain committed.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): With apologies to Shakespeare, does the Leader of the House really believe that the Prime Minister's wimpled, whingeing, purblind, wayward boy is fit to be the Chancellor of the Exchequer? When the pound sinks tomorrow, what does the boy intend to do, or has not the Prime Minister told him?

Sir Geoffrey Howe: The question deserves to be dismissed with contempt.

Mr. Rhodri Morgan (Cardiff, West): May I put it to the Leader of the House and deputy Prime Minister that his statement is seriously inadequate? The right hon. and learned Gentleman has told us who the new Foreign Secretary is, who the new Home Secretary is and who the new Chancellor of the Exchequer is. What he has not told us concerns the most important job of all: who will the Prime Minister appoint as her new economic adviser?

Sir Geoffrey Howe: That is not an office of continuity or an office under the Crown. It is an office that has often not existed. I dare say that that will be the position.

Dr. John Reid (Motherwell, North): First, may I congratulate the deputy Prime Minister on having for the time being avoided reappointment to the Foreign Office? I am sure that another clipping is the last thing that he needs at the moment. Will he agree with me that to lose one economic adviser is bad enough and careless, but to lose two in the same afternoon and 6,000 miles apart takes tremendous incompetence?

Will the Leader of the House confirm that the Prime Minister, as my right hon. Friend the Member for Chesterfield (Mr. Benn) asked earlier, did know of the intention of the Chancellor of the Exchequer to resign when she responded to the questions of my right hon. Friend the Leader of the Opposition? Secondly, given the sequence of events, can he confirm that, as Sir Alan Walters resigned out of "shock" on hearing of the resignation of the Chancellor of the Exchequer, and despite the Chancellor of the Exchequer's threat of resignation and its effect on the pound, Sir Alan was never asked for his advice, consulted or informed before the Chancellor of the Exchequer was allowed to go? Does that not show the utter contempt in which the Chancellor of the Exchequer was held by the Prime Minister?

Sir Geoffrey Howe: I can do without the hon. Gentleman's sympathy and advice in respect of my own position. I cannot add anything to what appears in the statement that I have made or to the letter of my right hon. Friend the former Chancellor of the Exchequer as published.

Mr. Tony Banks (Newham, North-West): May I congratulate the right hon. Member for Huntingdon (Mr. Major) on his new appointment? It seems that he has only to stand up to attract great offices of state. One trembles to think what he might be by this time next week. For how much longer are Ministers to accept the humiliations that are being heaped upon them by the Prime Minister? Is the Leader of the House not aware that a representative of Phillips and Drew said yesterday that the British economy was a banana economy? That was most apposite, given that we are led by a tinpot dictator.

Sir Geoffrey Howe: The hon. Gentleman's abuse does not add any strength to his case.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that it will not have gone unnoticed that only two Tory Members were prepared tonight to defend the changes that have been made? Does the House understand that there has been continuing internecine warfare between the Prime Minister and the Chancellor of the Exchequer over more than 12 months, and that it was characterised by the attendance of Cabinet Ministers to listen to the Chancellor of the Exchequer participate in an important economic debate yesterday? Only two of them were prepared to turn up to hear him.

There is no doubt that the Prime Minister has been wanting the Chancellor of the Exchequer's job and that at the same time the Chancellor of the Exchequer wanted to get out from under because of the economic mess that he and others had created. The net result is that we have managed to get rid of both the Chancellor of the Exchequer and Sir Alan Walters and have shifted several of the top jobs. I should like to know the housing arrangements for all those who are engaged in this reshuffle.

Sir Geoffrey Howe: The hon. Gentleman's rhetoric and fantasy has exhausted itself as usual. My right hon. and hon. Friends are remaining silent because the House wants to get ahead with the business that is before it.

Mr. A. J. Beith (Berwick-upon-Tweed): The question that the Chancellor of the Exchequer and the Leader of the House cannot dismiss is this: what is now the Government's exchange rate policy? Is it the one favoured by the former Chancellor of the Exchequer of supporting the exchange rate by interest rates or the one favoured by the Prime Minister, who believes that one cannot buck the market?

Sir Geoffrey Howe: There is no dichotomy of that sort. I repeat to the hon. Gentleman that, in the course of the past 10 days in the House, my right hon. Friends the Prime Minister and the former Chancellor of the Exchequer and I have each reiterated our support for the same central Government economic policy, built upon the foundations set out in the statement after the Madrid European summit.

Mr. Dave Nellist (Coventry, South-East): As the Prime Minister's support earlier this afternoon for the former Chancellor of the Exchequer was obviously about as welcome as the rope to the hanged man, is not the real issue the fact that, unlike the former Chancellor of the Exchequer and Professor Sir Alan Walters, millions of ordinary people in this city cannot walk away from the consequences of high interest rates and the coming recession? As my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) said, only rats can leave a sinking ship.

Sir Geoffrey Howe: Millions of ordinary people can rest a great deal more confident with the continuity of this Government's economic policy than with the prospect of any sort of economic policy that commends itself to the hon. Gentleman.

Mr. George Galloway (Glasgow, Hillhead): Can we have an assurance that the right hon. Member for Huntingdon (Mr. Major) will bring to his individual office all the strength of character and independence of spirit that he displayed last week in Kuala Lumpur? Is not the major question this afternoon whether a poodle can stand tall enough to open the door of No. 11 Downing street?

Sir Geoffrey Howe: My right hon. Friend will bring to his office all those qualities that have so long commended him to my hon. Friends.

Orders of the Day

Companies Bill *[Lords]*

As amended (in the Standing Committee), further considered.

Schedule 2

[SCHEDULE 4A TO THE COMPANIES ACT 1985]

FORM AND CONTENT OF GROUP ACCOUNTS

Amendments made: No. 15, in page 204, line 14, at end insert—

'11A.—(1) Where a group is acquired, paragraphs 9 to 11 apply with the following adaptations.

(2) References to shares of the undertaking acquired shall be construed as references to shares of the parent undertaking of the group.

(3) Other references to the undertaking acquired shall be construed as references to the group; and references to the assets and liabilities, income and expenditure and capital and reserves of the undertaking acquired shall be construed as references to the assets and liabilities, income and expenditure and capital and reserves of the group after making the set-offs and other adjustments required by this Schedule in the case of group accounts.'.

No. 16, in page 206, line 44, leave out from 'matters' to end of line 27 on page 207 insert—

'(4) The provisions of paragraphs 5 to 11 of Schedule 10A (rights to be taken into account and attribution of rights) apply in determining for the purposes of this paragraph whether an undertaking holds 20 per cent. or more of the voting rights in another undertaking.'.—*[Mr. Redwood.]*

Clause 6

ADDITIONAL DISCLOSURE REQUIRED IN NOTES TO ACCOUNTS

8.30 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): I beg to move amendment No. 17, in page 11, line 37, at end insert—

'(3A) Where advantage is taken of subsection (3), that fact shall be stated in a note to the company's annual accounts.'.

I am grateful that we can now proceed with the Companies Bill. I hope that we can make fairly rapid progress with the technical and fairly straightforward amendments before us, so that we may have real debates on some of the interesting amendments that arise later. As I try to steer my first Bill through Parliament, I cannot but wonder what I have done wrong because every night there seems to be some show arranged that takes hon. Members' minds off the Bill.

Clause 6 of the Bill includes a provision re-enacting existing exemptions from disclosure of the names of certain subsidiaries and related undertakings that date back to the Companies Act 1967 introduced by the then Labour Administration.

This amendment would require a company to disclose in its accounts the fact that it had taken advantage of those exemptions from disclosure. I bring it forward in response to a commitment given in Standing Committee in response to an amendment having the same purpose as this amendment moved by the hon. Member for Norwich, South (Mr. Garrett). We have considered this carefully in the light of our obligations under the fourth and seventh

[Mr. John Redwood]

company law directives and accept that an amendment is needed to give proper effect to article 45.1(b) of the fourth directive and article 35(1)(b) of the seventh directive.

Mr. Jim Cousins (Newcastle upon Tyne, Central): Will the notice of the exemption be reflected in the short statement of company accounts, which is also provided for in the Bill? It is important that all shareholders should be aware of the fact that the exemption is being taken advantage of, and it should therefore form part of the information that is provided in short company statements.

Mr. Redwood: I shall endeavour to ensure that it does so appear because I accept the hon. Gentleman's point.

Amendment agreed to.

Amendment made: No. 18, in page 13, line 2, at end insert 'to this Act'.—*[Mr. Redwood.]*

Schedule 3

[SCHEDULE 5 TO THE COMPANIES ACT 1985]

DISCLOSURE OF INFORMATION: RELATED UNDERTAKINGS

PART I

COMPANIES NOT REQUIRED TO PREPARE GROUP ACCOUNTS

Amendments made: No. 20, in page 212, line 30, leave out 'in'.

No. 19, in page 212, line 44, leave out sub-paragraph (4) and insert—

'(4) For the purposes of any of those provisions, shares held by way of security shall be treated as held by the person providing the security—

(a) where apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights attached to the shares are exercisable only in accordance with his instructions, and

(b) where the shares are held in connection with the granting of loans as part of normal business activities and apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights attached to the shares are exercisable only in his interests.'.

No. 21, in page 219, line 28, leave out sub-paragraph (4) and insert—

'(4) Shares held by way of security shall be treated as held by the person providing the security—

(a) where apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights attached to the shares are exercisable only in accordance with his instructions, and

(b) where the shares are held in connection with the granting of loans as part of normal business activities and apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights attached to the shares are exercisable only in his interests.'.—*[Mr. Redwood.]*

Schedule 4

DISCLOSURE OF INFORMATION: EMOLUMENTS AND OTHER BENEFITS OF DIRECTORS AND OTHERS

Mr. Redwood: I beg to move amendment No. 22, in page 221, line 34, at end insert—

'(4) References to pensions include benefits otherwise than in cash and in relation to so much of a pension as consists of such a benefit references to its amount are to the estimated money value of the benefit.

The nature of any such benefit shall also be disclosed.'.

My hon. Friend the Member for Richmond and Barnes (Mr. Hanley) moved an amendment in Standing Committee with exactly the same purpose as this amendment. He graciously withdrew it when my hon. Friend the Under-Secretary of State for Consumer Affairs promised to bring forward a Government amendment on Report with the same purpose. The effect is to extend slightly what is meant by directors' pensions for the purposes of the disclosure requirements in schedule 4 of the Bill, so that it includes benefits paid in kind and not just cash benefits.

Mr. Jeremy Hanley (Richmond and Barnes): I am grateful to my hon. Friend for introducing the amendments. I wish to take this brief opportunity to ask him to explain how he intends to take into account amendments, other than Government amendments, under the guillotine this evening.

Mr. Redwood: I want to make rapid progress so that we can consider as many amendments as possible in our debates. I understand that there is a power for the Government to move other amendments if they so choose, when the guillotine falls.

Amendment agreed to.

Clause 9

AUDITORS' REPORT

Mr. Redwood: I beg to move amendment No. 23, in page 17, line 1, leave out from beginning to end of line 38.

Mr. Deputy Speaker (Sir Paul Dean): With this we shall discuss Government amendments Nos. 27 to 29, 68, and 111 to 119.

Mr. Redwood: This series of amendments completes the process started in Committee of bringing the provisions on auditors together in part 5 of chapter XI of the 1985 Act.

Amendment agreed to.

Clause 10

PUBLICATION OF ACCOUNTS AND REPORTS

Amendment made: No. 24, in page 18, line 26, at end insert—

'(6) Where copies are sent out under this section over a period of days, references elsewhere in this Act to the day on which copies are sent out shall be construed as references to the last day of that period.'.—*[Mr. Redwood.]*

Clause 11

LAYING AND DELIVERING OF ACCOUNTS AND REPORTS

Amendments made: No. 25, in page 20, line 43, leave out from begining to end of line 10 on page 21.

No. 26, in page 21, line 28, at end insert—

'Civil penalty for failure to deliver accounts.

242A.—(1) Where the requirements of section 242(1) are not complied with before the end of the period allowed for laying and delivering accounts and reports, the company is liable to a civil penalty.

This is in addition to any liability of the directors under section 242.

(2) The amount of the penalty is determined by reference to the length of the period between the end of the period allowed for laying and delivering accounts and reports and the day on which the requirements are complied with, and whether the company is a public or private company, as follows:

Length of period	*Public company*	*Private company*
Not more than 3 months.	£500	£100
More than 3 months but not more than 6 months.	£1,000	£250
More than 6 months but not more than 12 months.	£2,000	£500
More than 12 months.	£5,000	£1,000

(3) The penalty may be recovered by the registrar and shall be paid by him into the Consolidated Fund.

(4) It is not a defence in proceedings under this section to prove that the documents in question were not in fact prepared as required by this Part.'.—*[Mr. Redwood.]*

Clause 12

REMEDIES FOR FAILURE TO COMPLY WITH ACCOUNTING REQUIREMENTS

Mr. Hanley: I beg to move amendment No. 3, in page 25, leave out lines 8 and 9.

Mr. Deputy Speaker: With this we shall discuss the following amendments: No. 285, in page 25, line 39, at end insert—

'( ) Where the court makes an order under subsection (4) it shall have regard to whether the directors party to the approval of the defective accounts knew or ought to have known that the accounts did not comply with the requirements of this Act, and it may exclude one or more directors from the order or order the payment of different amounts by different directors.'.

No. 6, in page 26, line 1, leave out section 245C.

Mr. Hanley: Clause 12 introduces procedures for the revision of defective accounts. This largely replaces the present criminal offence of non-compliance with the accounting requirements of the Act. It also implements one of the recommendations of the Dearing report.

New sections 245B and 245C enable the Secretary of State, or any person to whom the Secretary of State delegates his powers, to apply to the court for an order requiring the directors of a company to prepare revised accounts. It is envisaged that this power would in practice be delegated to the review panel, a body to be set up to implement another recommendation of the Dearing report. It might also be delegated to other bodies, such as the stock exchange.

In the view of the combined consultative accounting bodies, however, if responsibility for action is divided among more than one body, there will inevitably be buck passing and inaction. For enforcement to be effective, it has to be the responsibility of only one person or body. This must be the Secretary of State. We discussed this matter at reasonable length both on Second Reading and in Committee. Amendments Nos. 3 and 6 would ensure that the Secretary of State takes full responsibility by removing the possibility of any delegation of his powers.

New section 245B(4) enables the court to require directors who approve defective accounts to meet the cost of preparing revised accounts. Whether accounts are defective may well be a matter of opinion. Directors could find that they prepare the accounts in good faith, but that the court takes a different view from them of how the accounts should have been prepared. The costs that they would have to meet in such a case might be substantial. This would be unjust if the directors have indeed been acting in good faith.

Amendment No. 285 provides a remedy for this injustice by requiring the court, whenever it makes an order against directors to pay costs, to have regard to whether the directors involved knew or ought to have known that the accounts did not comply with the requirements of the Act. In this way, innocent non-compliance will not be punished unduly.

Amendments Nos. 3 and 6 should be dealt with together, with amendment No. 285 being dealt with separately. I should be grateful to my hon. Friend if he would respond to my points.

Mr. John Garrett (Norwich, South): As the hon. Member for Richmond and Barnes (Mr. Hanley) explained, these amendments seek to restrict power to the Secretary of State to take a company to court to have its accounts revised if they are defective. We discussed this matter in Committee and the Opposition supported that general concept.

The Bill implements the Dearing proposals and introduces a new statutory power under civil law for certain authorised bodies or the Secretary of State to apply to the courts for an order requiring revision of accounts that do not appear to show a true and fair view.

The Dearing report suggested that the authorised bodies should be the review panel of the proposed Financial Reporting Council and the stock exchange. However, we believe that the possible exercise of such a power should be restricted to the Secretary of State. In Committee we adduced two main arguments in favour of that. First, if more than one body is responsible for applying to the courts to seek the revision of accounts there could be an argument about who is ultimately responsible for bringing such a case. The hon. Gentleman referred to that as buck passing. We think that such an arrangement makes for confusion about whose responsibility it properly is to bring such a case and it would lead to uncertainty as to which of the various bodies have the power, authority and will to require the revision of a defective set of accounts.

As was also pointed out in Committee, bringing a case against a company for the revision of its defective accounts could prove to be very expensive, especially if the directors of the company took the case to the House of Lords—which is what happened in the Lonrho case. The review panel's finances are likely to be limited. The stock exchange might also feel that its funds were limited in the light of its cool response to the Dearing proposals. Therefore, it is more appropriate for the Secretary of State and the Department to take upon themselves the responsibility for bringing such matters to proper redress. The chance of defective accounts would be lessened if it was known by the directors, who might otherwise let

[Mr. John Garrett]

defective accounts be published, that the Secretary of State had this power and was known to be willing to use it. In general, the hon. Member for Richmond and Barnes has the right approach to the matter.

Mr. Redwood: I am grateful to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) and to the hon. Member for Norwich, South (Mr. Garrett) for the way in which they have put forward their ideas. I recommend that we accept amendment No. 285. There is a problem which that amendment tackles well.

On amendments Nos. 3 and 6 I have more difficulties. I understand the arguments that have been put forward by hon. Members on both sides of the House but I am afraid that I am not persuaded by them. I am unconvinced that giving more power to more than one person will prove a recipe for buck passing and inaction. It is likely in practice that the Financial Reporting Council and the proposed review panel under it will be concerned only with large companies. In other cases, where the public interest dictates, it will be for the Secretary of State to take action.

The point has been made that the cost of bringing such actions will prove too great for the FRC review panel. I recognise that the financing arrangements for the new arrangements for accounting standards will need to provide adequate resources for that purpose. That will emerge in due course as Sir Ronald Dearing carries out his work.

Let me conclude by saying why the Bill is correct in its present form on those points.

For large companies the likelihood is that the review panel will be in the lead in enforcing accounting standards. A power to apply to the courts strengthens the panel's position and adds weight to its powers of persuasion.

In a wide sense we do not seek legislation to require everything to be funnelled through the Secretary of State. That would be unwelcome in the overall balance of the Dearing proposals.

Above all, it must be right at this stage, when the new institutional arrangements are not yet in place, to keep the options open. The provision in the Bill is permissive; it does not require other bodies to be authorised for this purpose.

Therefore, I ask the House to reject amendments Nos. 3 and 6.

Mr. Hanley: I am grateful to my hon. Friend the Minister for accepting amendment No. 285. In the light of his statement, I shall withdraw amendments Nos. 3 and 6. That is a vote of confidence in Sir Ronald Dearing's appointment yesterday. It would be right to allow Sir Ronald to tackle the job. A person is now in place to look at the issue. Therefore, I ask my hon. Friend to consider carefully the funding arrangements of the exercise as they are crucial to the success of the accounting standards programme.

During the recess we heard that the CBI disagreed with the funding arrangements. The accounting profession feels that they are not the right way forward. It has already been said in Committee that a levy on all companies might be a more sensible and equitable way forward. Therefore, I hope that my hon. Friend will discuss with Sir Ronald the funding arrangements in due course. In the meantime, I beg to ask leave to withdraw amendment No. 3.

Amendment, by leave withdrawn.

Amendment made: No. 285, in page 25, line 39, at end insert—

'( ).Where the court makes an order under subsection (4) it shall have regard to whether the directors party to the approval of the defective accounts knew or ought to have known that the accounts did not comply with the requirements of this Act, and it may exclude one or more directors from the order or order the payment of different amounts by different directors.'.

Clause 14

DORMANT COMPANIES

Amendments made: No. 27, in page 30, line 39, leave out 'sections are' and insert 'section is'.

No. 28 in page 30, line 43, leave out from 'the' to 'in' in line 44 and insert

'provisions of this Part relating to the audit of accounts'.

No. 29, in page 31, line 28, leave out from beginning to end of line 11 on page 32 and insert—

'(4) Where a company is, at the end of a financial year, exempt by virtue of this section from the provisions of this Part relating to the audit of accounts—

(a) sections 238 and 239 (right to receive or demand copies of accounts and reports) have effect with the omission of references to the auditors' report;

(b) no copies of an auditors' report need be laid before the company in general meeting;

(c) no copy of an auditors' report need be delivered to the registrar, and if none is delivered, the copy of the balance sheet so delivered shall contain a statement by the directors, in a position immediately above the signature required by section 233(4), that the company was dormant throughout the financial year; and

(d) the company shall be treated as entitled in respect of its individual accounts for that year to the exemptions conferred by section 246 on a small company, notwithstanding that it is a member of an ineligible group.

(5) Where a company which is exempt by virtue of this section from the provisions of this Part relating to the audit of accounts—

(a) ceases to be dormant, or

(b) would no longer qualify (for any other reason) to make itself exempt by passing a resolution under this section,

it shall thereupon cease to be so exempt.".'.—*[Mr. Redwood.]*

Schedule 7

SPECIAL PROVISIONS FOR BANKING AND INSURANCE COMPANIES AND GROUPS

Amendments made: No. 30, in page 228, line 35, leave out from beginning to '(information' and insert—

'1. In paragraph 10(1)(c) of Schedule 9 to the Companies Act 1985 (disclosure of outstanding loans in connection with certain cases of financial assistance for purchase of company's own shares), after "153(4)(b)" insert ", (bb)".

1A. In paragraph 13 of that Schedule".

No. 31, in page 229, line 11, leave out from 'particulars' to end of line 12 and insert

'of any material departure from those standards and the reasons for it shall be given.'.

No. 32, in page 230, line 13, leave out from 'for' to end of line 14 and insert

'the words from "paragraphs 15" to the end substitute "and paragraph 15".'.—*[Mr. Redwood.]*

Clause 20

POWER TO ALTER ACCOUNTING REQUIREMENTS

Amendments made: No. 33, in page 39, line 34, leave out 'and' and insert—

'(bb) make consequential amendments or repeals in other provisions of this Act, or in other enactments, and'.

No. 34, in page 39, line 35, after 'such' insert 'transitional and other'—*[Mr. Redwood.]*

Clause 21

PARENT AND SUBSIDIARY UNDERTAKINGS

Amendment made: No. 35, in page 40, line 5, leave out 'Act' and insert 'Part'—*[Mr. Redwood.]*

Clause 22

OTHER INTERPRETATION PROVISIONS

Amendments made: No. 36, in page 43, line 5, leave out 'Act' and insert 'Part'.

No. 37 in page 44, line 20, leave out 'Act' and insert 'Part'.

No. 38, in page 45, leave out line 5 and insert—

'annual accounts	section 262(1)
(generally)	section 261(2)'.
(includes notes to the accounts)	

No. 39, in page 45, line 8, at end insert—

'balance sheet (includes notes)	section 261(2)'.

No. 40, in page 45, line 43, column 2, leave out '261' and insert '261(1)'.

No. 41, in page 45, leave out lines 51 and 52 and insert—

'profit and loss account	section 261(2)
(includes notes)	
(in relation to company not trading	section 262(2)'.—*[Mr.*
for profit)	*Redwood.]*

Schedule 10

AMENDMENTS CONSEQUENTIAL ON PART I

Amendments made: No. 42, in page 237, line 12, leave out from beginning to end of line 13.

No. 43, in page 237, line 36, after '343(2)' insert 'and (4)'.

No. 44, in page 237, line 38, leave out paragraph 12.

No. 45, in page 238, line 28, leave out from beginning to end of line 30 and insert—

'702.—(1) An oversea company shall in respect of each financial year of the company deliver to the registrar copies of the accounts and reports prepared in accordance with section 700.

If any document comprised in those accounts or reports is in a language other than English, the directors shall annex to the copy delivered a translation of it into English, certified in the prescribed manner to be a correct translation.'.

No. 46, in page 238, line 32, leave out 'the delivering of' and insert 'delivering'.

No. 47, in page 238, line 39, leave out from 'Britain' to end of line 42.

No. 48, in page 238, line 45, leave out 'for delivering accounts'.

No. 49, in page 239, line 9, leave out from beginning to end of line 11 and insert—

'703.—(1) If the requirements of section 702(1) are not complied with before the end of the period allowed for delivering accounts and reports, or if the accounts and reports delivered do not comply with the requirements of this Act, the company and every person who immediately before the end of that period was a director of the company is guilty of an offence and liable to a fine and, for continued contravention, to a daily default fine.

(2) It is a defence for a person charged with such an offence to prove that he took all reasonable steps for securing that the requirements in question would be complied with.

(3) It is not a defence in relation to a failure to deliver copies to the registrar to prove that the documents in question were not in fact prepared as required by this Act.'.

No. 50, in page 239, line 22, at beginning insert '"balance sheet" and'.

No. 51, in page 239, line 25, leave out 'and' and insert—'"parent company" and "parent undertaking",'.

No. 52, in page 239, line 26, leave out from 'account",' to end of line 27.

No. 53, in page 239, line 27, at end insert ', and "subsidiary undertaking".'.

No. 54, in page 239, line 44, leave out from '(1)' to 'and' in line 46 and insert

', omit "paragraph 60(2) of Schedule 4, or paragraph 19(3) of Schedule 9";'.

No. 55, in page 240, line 2, leave out '(2)' and insert '(1)'.

No. 56, in page 240, line 5, leave sub-paragraph (5) and insert—

'(5) In paragraph 4—

(a) in sub-paragraph (1) omit "(whether as personal representative or otherwise)", and

(b) in sub-paragraph (2) omit ", paragraph 60(2) of Schedule 4 and paragraph 19(3) of Schedule 9";

and at the end add—

"(3) as respects sections 145, 146 and 148, sub-paragraph (1) above applies where a company is a personal representative as it applies where a company is a trustee.".'.

No. 57, in page 241, line 15, leave out '(whether as personal representative or otherwise)'.

No. 58, in page 241, line 25, leave out sub-paragraph (2) and insert—

'(2) "Undertaking" and "shares", in relation to an undertaking, have the same meaning as in Part VII.'.

No. 59, in page 241, line 37, at end insert—

'19A.—(1) Part II of Schedule 3 (prospectuses: auditors' and accountants' reports to be set out) is amended as follows:

(2) In paragraph 16 (auditors' reports), in sub-paragraph (2) for "subsidiaries" substitute "subsidiary undertakings" and for sub-paragraph (3) substitute—

"(3) If the company has subsidiary undertakings, the report shall—

(a) deal separately with the company's profits or losses as provided by sub-paragraph (2), and in addition deal either—

(i) as a whole with the combined profits or losses of its subsidiary undertakings, so far as they concern members of the company, or

(ii) individually with the profits or losses of each of its subsidiary undertakings, so far as they concern members of the company,

or, instead of dealing separately with the company's profits or losses, deal as a whole with the profits or losses of the company and (so far as they concern members of the company) with the combined profits and losses of its subsidiary undertakings; and

(b) deal separately with the company's assets and liabilities as provided by sub-paragraph (2), and in addition deal either—

(i) as a whole with the combined assets and liabilities of its subsidiary undertakings, with or without the company's assets and liabilities, or

(ii) individually with the assets and liabilities of each of its subsidiary undertakings,

indicating, as respects the assets and liabilities of its subsidiary undertakings, the allowance to be made for persons other than members of the company.".

(3) For paragraph 18 (accountants' reports) substitute—

"18.—(1) The following provisions apply if—

(a) the proceeds of the issue are to be applied directly or indirectly in any manner resulting in the acquisition by the company of shares in any other undertaking, or any part of the proceeds is to be so applied, and

(b) by reason of that acquisition or anything to be done in consequence of or in connection with it, that undertaking will become a subsidiary undertaking of the company.

(2) There shall be set out in the prospectus a report made by accountants upon—

(a) the profits or losses of the other undertaking in respect of each of the five financial years immediately preceding the issue of the prospectus, and

(b) the assets and liabilities of the other undertaking at the last date to which its accounts were made up.

(3) The report shall—

(a) indicate how the profits or losses of the other undertaking would in respect of the shares to be acquired have concerned members of the company and what allowance would have fallen to be made, in relation to assets and liabilities so dealt with, for holders of other shares, if the company had at all material times held the shares to be acquired, and

(b) where the other undertaking is a parent undertaking, deal with the profits or losses and the assets and liabilities of the undertaking and its subsidiary undertakings in the manner provided by paragraph 16(3) above in relation to the company and its subsidiary undertakings.

(4) In this paragraph "undertaking" and "shares", in relation to an undertaking, have the same meaning as in Part VII.".

(4) In paragraph 22 (eligibility of accountants to make reports), for sub-paragraph (2) substitute—

"(2) Such a report shall not be made by an accountant who is an officer or servant, or a partner of or in the employment of an officer or servant, of—

(a) the company or any of its subsidiary undertakings,

(b) a parent undertaking of the company or any subsidiary undertaking of such an undertaking.".

No. 60, in page 242, line 12, leave out paragraph 22 and insert—

'22.—(1) In Schedule 15A (renumbered 15B) (provisions applicable to mergers and divisions of public companies), paragraph 6 (documents to be made available for inspection) is amended as follows.

(2) In sub-paragraph (1)(b) (directors' report on merger or division), after "directors' report" insert "referred to in paragraph 4 above".

(3) For sub paragraph (1)(d) and (e) substitute—

"(d) the company's annual accounts, together with the relevant directors' report and auditors' report, for the last three financial years ending on or before the relevant date; and

(e) if the last of those financial years ended more than six months before the relevant date, an accounting statement in the form described in the following provisions."

(4) In sub-paragraph (1), after the paragraphs add—

"In this paragraphs (d) and (e) "the relevant date" means one month before the first meeting of the company summoned under section 425(1) or for the purposes of paragraph 1.".

(5) For sub-paragraphs (2) to (5) substitute—

"(2) The accounting statement shall consist of—

(a) a balance sheet dealing with the state of the affairs of the company as at a date not more than three months before the draft terms were adopted by the directors, and

(b) where the company would be required to prepare group accounts if that date were the last day of a financial year, a consolidated balance sheet dealing with the state of affairs of the company and its subsidiary undertakings as at that date.

(3) The requirements of this Act as to balance sheets forming part of a company's annual accounts, and the matters to be included in notes thereto, apply to any balance sheet required for the accounting statement, with such modifications as are necessary by reason of its being prepared otherwise than as at the last day of a financial year.

(4) Any balance sheet required for the accounting statement shall be approved by the board of directors and signed on behalf of the board by a director of the company.

(5) In relation to a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986, the references in this paragraph to the requirements of this Act shall be construed as reference to the corresponding requirements of that Order.".'.

No. 61, in page 242, line 40, at end insert—

'22A. In Schedule 22 (provisions applying to unregistered companies), in the entry relating to Part VII, in column 1, for "Schedule 10" substitute "Schedules 10 and 10A".'.

No. 62, in page 243, line 39, at end insert—

'(4) In the entry for section 703(1) (failure by oversea company to comply with requirements as to accounts and reports), in column 2 for the words from "s.700" to the end substitute "requirements as to accounts and reports".'.

No. 63, in page 244, line 22, at end insert—

'Aircraft and Shipbuilding Industries Act 1977 (c.3)

26A.—(1) Section 17 of the Aircraft and Shipbuilding Industries Act 1977 (British Shipbuilders: accounts and audit) is amended as follows.

(2) In subsection (1)(c) (duty to prepare consolidated accounts) for "subsidiaries" substitute "subsidiary undertakings".

(3) In subsection (9) (copies of accounts to be sent to the Secretary of State) for "subsidiaries" substitute "subsidiary undertakings" and for "subsidiary" substitute "subsidiary undertaking".

(4) After subsection (9) add—

"(10) In this section "subsidiary undertaking" has the same meaning as in Part VII of the Companies Act 1985.".

Crown Agents Act 1979 (c.43)

26B. In section 22 of the Crown Agents Act 1979 (accounts and audit), in subsection (2) (duty to prepare consolidated accounts) for "subsidiaries" (three times) substitute "subsidiary undertakings", and at the end of that subsection add—

"In this subsection "subsidiary undertaking" has the same meaning as in Part VII of the Companies Act 1985.".'.

No. 64, in page 244, line 25, leave out '(3)(c)(i)' and insert '(1)(c)(i)'.

No. 65, in page 244, line 33, at end insert—

'Oil and Pipelines Act 1985 (c. 62)

29A. In Schedule 3 to the Oil and Pipelines Act 1985 (Oil and Pipelines Agency: financial and other provisions), in paragraph 9(2) (duty to prepare consolidated accounts) for "subsidiaries" (three times) substitute "subsidiary undertakings", and at the end of that sub-paragraph add—

"In this sub-paragraph 'subsidiary undertaking' has the same meaning as in Part VII of the Companies Act 1985.".

Patents, Designs and Marks Act 1986 (c. 39)

29B. In Schedule 2 to the Patents, Designs and Marks Act 1986 (service marks), in paragraph 1(2) (provisions in which reference to trade mark includes service mark) for sub-paragraph (ii) substitute—

"(ii) Part I of Schedule 4 and paragraphs 5(2)(d) and 10(1)(b) and (2) of Schedule 9 (form of company balance sheets); and".'.

No. 66, in page 245, line 25, at end insert—

'(1A) In section 46(2) (duties of auditors of authorised institution), in paragraph (c) for "section 236" substitute "section 235(2)" and for "section 237" substitute "section 235(3) or section 237"; and in section 46(4) (adaptation of references for Northern Ireland) for "236 and 237" substitute "235(2) and 235(3) and 237".'.

No. 67, in page 245, line 48, at end insert—

Income and Corporation Taxes Act 1987 (c.1)

33.—(1) The Income and Corporation Taxes Act 1988 is amended as follows.

(2) In section 180 (annual return of registered profit related pay scheme), in subsection (3) for "section 242(3)" substitute "section 244(3)".

(3) In section 565(6) (conditions for exemption from provisions relating to sub-contractors in construction industry: compliance with requirements of Companies Act 1985), in paragraph (a) for "section 277 and 241" substitute "sections 266, 241 and 242".'.

Dartford-Thurrock Crossing Act 1988 (c.20)

34. In section 33 of the Dartford-Thurrock Crossing Act 1988 (duty to lay before Parliament copies of accounts of persons appointed to levy tolls), for subsection (2) substitute—

"(2) In relation to a company "accounts" in subsection (1) means the company's annual accounts for a financial year, together with the relevant directors' report and the auditors' report on those accounts.

Expressions used in this subsection have the same meaning as in Part VII of the Companies Act 1985.".'.—*[Mr. Redwood.]*

New Clause A

POWER TO MAKE CONSEQUENTIAL AMENDMENTS

'. —(1) The Secretary of State may by regulations make such amendments of enactments as appear to him to be necessary or expedient in consequence of the provisions of Part II of this Act having effect in place of section 389 of the Companies Act 1985.

(2) That power extends to making such amendments as appear to the Secretary of State necessary or expedient of—

(a) enactments referring by name to the bodies of accountants recognised for the purposes of section 389(1)(a) of the Companies Act 1985, and

(b) enactments making with respect to other statutory auditors provision as to the matters dealt with in relation to company auditors by section 389 of the Companies Act 1985.

(3) The provision which may be made with respect to other statutory auditors includes provision as to—

(a) eligibility for the appointment,

(b) the effect of appointing a partnership which is not a legal person and the manner of exercise of the auditor's rights in such a case, and

(c) ineligibility on the ground of lack of independence or any other ground.

(4) The regulations may contain such supplementary, incidental and transitional provision as appears to the Secretary of State to be necessary or expedient.

(5) The Secretary of State shall not make regulations under this section with respect to any statutory auditors without the consent of—

(a) the Minister responsible for their appointment or responsible for the body or person by, or in relation to whom, they are appointed, or

(b) if there is no such Minister, the person by whom they are appointed.

(6) In this section a "statutory auditor" means a person appointed auditor in pursuance of any enactment authorising or requiring the appointment of an auditor or auditors.

(7) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Forth]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government new clause 18—*Power to make provision in consequence of changes affecting accountancy bodies*—and Government amendments Nos. 74 to 77.

Mr. Forth: This group of amendments concerns the consequential amendments which will have to be made to other enactments when section 389 of the Companies Act has been repealed and replaced by the provisions in part II of the Bill. Some of the amendments which need to be made are presently set down in schedule 15 to the Bill, but there is a considerable number of others. The amendments replace that schedule with a power to make all the necessary consequential amendments by regulations.

There are a number of reasons for this change in approach. As hon. Members will know, part II of the Bill will for the first time permit bodies corporate or partnerships which do not have separate legal personality to be appointed as company auditors. However, a number of the other enactments which make provision for the appointment of auditors proceed on the assumption that only individuals or partnerships with separate legal personality will be appointed. This reflects the present position under the Companies Act. In some cases, catering for the possibility that the auditors may be a body corporate or a partnership of this type will involve lengthy, if wholly technical, adjustment to the present provisions. We think this task will be better done at more leisure in the form of regulations which we will lay before the House in due course.

8.45 pm

Another reason is that we are not in a position to say definitively which other enactments need amendment. References in public Acts to section 389 and to the accountancy bodies specified in that section may of course be picked up by a computer search. But we know that there are some references in local and private Acts. Since these Acts have not been placed on a database, we cannot be sure of picking all of them up at this stage. The ability to make regulations will enable us to make the necessary provision for any references which only later come to light.

The third reason I would commend this approach to consequential amendments is that it will allow for some flexibility in later years in specifying which accountants are to be eligible to carry out the auditing functions in other enactments. The effect of part II will be that the number of persons eligible in law to audit companies will fall. It may well also be that company auditing will become an even more specialised branch of the accountancy tree than it is at present. If that happens, one might wish not to follow the standard provision and restrict some of the functions to company auditors alone. One might wish to add certain other qualified accountants. This amendment will allow for that possibility.

I ought to mention one other amendment in this group, new clause 18. If a recognised supervisory body or one of the bodies presently recognised under section 389 were to change its name or merge with another body or otherwise be affected by a transfer of engagements, the Secretary of State would have discretion to recognise the new body. But he would not always be able to use the regulation-making power in new clause 17 to deal with the position under

[Mr. Forth]

other enactments since that may only be used where a consequential amendment is necessary or the provision is concerned with auditing, and not with some of the other functions with which other enactments are concerned. New clause 18 therefore enables the Secretary of State to make by regulations such amendments of enactments as appear to him to be necessary or expedient in consequence of a change of name, merger or transfer of engagement affecting accountancy bodies recognised under enactments. I should mention that this new clause is supported by the Institute of Chartered Accountants, which had expressed concern about the legal position should one of them merge with another body.

Mr. John Garrett: Will the Minister confirm that new clauses 17 and 18 are items of secondary legislation which can be enacted by negative resolution? Is that not yet another example of a number of cases of secondary legislation in the Bill which is subject to the negative rather than to the positive form of resolution? Will he tell us why?

Mr. Forth: The hon. Gentleman may well be teasing me and the House slightly. I suggest that he knows the answer to the question, but I shall give it to him again. The ground was covered in Committee, but there is no reason why it should not be covered again on Report.

In this area we are dealing with complex matters which are not yet fully resolved and may not even be fully seen yet. Therefore, the only practical way forward is to give the Secretary of State the sort of delegated powers in the new clauses and amendments and they would be dealt with by negative resolution.

That is a familiar way to deal with such matters. It would be impractical for the House to attempt to deal with such a measure by positive resolution in the kind of detail and complexity which may well arise. Business managers and Opposition Members are familiar with the negative resolution procedure, which is a satisfactory, effective and practical way of dealing with matters of such complexity. I hope that the hon. Gentleman will accept and understand that explanation. I think that he well understands the complexity of these matters and the importance of dealing with them in a practical and realistic way. It is for those reasons that the new clauses have been drafted in the way that they have.

Mr. Cousins: The procedural point has been clarified, but we are still left with the substantive issues.

As the Minister has said, we are faced with considerable and rapid changes in the structure of the accountancy world. As the hon. Gentleman admitted in his short elucidatory statement, those changes make some difficulties for us, raising substantially new and different issues. He has not enlightened us about how he proposes to deal with the matters of substance contained in the new clause.

We are faced with the possibility of the issuing of regulations at a later date to deal with significant matters: the eligibility for appointment as auditors, the effect of appointing partnerships that are not legal persons and, in particular, ineligibility because of a lack of independence. I need not detain the House unduly by referring to recent events which give those matters considerable moment and significance. The Minister, however, has moved the new clause very late in the proceedings, when we are all at a disadvantage—and he will recognise that we are at an additional disadvantage owing to the timetable motion.

I apologise to the House for raising the matter, but it has to be raised. I feel that the Minister owes it to the House to give some indication of the substantive nature of the regulations that he proposes with regard to the three issues that I have raised, particularly that of ineligibility on the ground of lack of independence.

The matter is of considerable public interest, at a time when we are seeing the accountancy world shrink into a small number of large partnerships—which, moreover, may change their status. It is important to the markets and to everyone concerned with such issues, and the Minister should elucidate a little more.

Mr. Hanley: I welcome the new clause. Throughout the summer—and, indeed, in Committee—the Government have been talking to the requisite authorities, including the Institute of Chartered Accountants in England and Wales. The new clause is the result. I assure the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) that there is nothing sinister about it or its fellows; if anything, they enable the Government to deal with problems that might arise in the accountancy world very much more quickly and effectively. They would, in fact, deal better than any existing legislation with exactly the matters that the hon. Gentleman has raised.

The initial reason for discussion was the proposed merger between the Institute of Chartered Accountants in England and Wales and the ICA in Scotland. In the end that merger did not occur, regrettably in my view. Rationalisations will, however, take place in the accountancy world. These proposals will enable the law and the requisite protection of the consumer to continue without the need for any legislation. They will enable the existing protections of the Department of Trade and Industry to move quickly from one body to another, new body, and I believe that accountancy welcomes them. Certainly they are not easier than the regulations that have obtained in the past, but they will speed up, as well as tighten, the process of consumer protection.

Mr. Forth: I understand why the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) wanted to pursue this point; however, I think that he provided the explanation in the terms in which he put his question. He conceded what we all know, and then gave examples. As he said, considerable changes are taking place in the accountancy world, and that is precisely why we have cast the new clauses and amendments as we have.

Surely the hon. Gentleman must also concede that, given that background of change and development, to attempt to set any of our proposals in concrete would be counter-productive, and might even go against the objectives that he himself has set out. I suggest that the new clause is the best way to deal effectively with the profession in the face of such a rate of change.

I am grateful to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) for adding his expert and knowledgeable comments. Following our dealings in Committee, I think we all agree that few know as much as he does about the profession, and his words of support are very welcome.

My hon. Friend mentioned that we had been careful to consult the profession. We have tried, I think successfully, to bring to the House a form of words that will provide the right framework for a modern and effective profession.

Mr. Cousins *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman has already spoken. I do not think that the Minister is giving way.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 18

POWER TO MAKE PROVISION IN CONSEQUENCE OF CHANGES AFFECTING ACCOUNTANCY BODIES

'.—(1) The Secretary of State may by regulations make such amendments of enactments as appear to him to be necessary or expedient in consequence of any change of name, merger or transfer of engagements affecting—

(a) a recognised supervisory or qualifying body under Part II of this Act, or

(b) a body of accountants referred to in, or approved, authorised or otherwise recognised for the purposes of, any other enactment.

(2) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Forth.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 24

INTRODUCTION

Amendment made: No. 68, in page 46, line 29, leave out from beginning to first 'and' in line 30 and insert

'Chapter V of Part XI of the Companies Act 1985;'.—*[Mr. Forth.]*

Schedule 11

RECOGNITION OF SUPERVISORY BODY

Mr. Forth: I beg to move amendment No. 69, in page 248, line 19, leave out 'not unqualified' and insert

'qualified persons or, if the body consists of two persons only, that at least one of them is a qualified person'.

The amendment takes advantage of an option in the eighth directive to the effect that, in the case of a firm that has a management body of two, member states need not require that a majority of that body be qualified. Obviously, in the case of a two-member body, a majority would mean both members, and it seems right to allow in the primary legislation for the possibility of one of them being unqualified.

Hon. Members who sat on the Committee may recall that an amendment with that intention was made to the Bill then. On consideration, however, we decided that it did not accurately reflect the requirements of the directive. We believe that this amendment will give proper effect to the relevant part of the directive.

Amendment agreed to.

Mr. Forth: I beg to move amendment No. 70, in page 250, line 21, at end insert—

'Taking account of costs of compliance

14A. The body must have satisfactory arrangements for taking account, in framing its rules, of the cost to those to whom the rules would apply of complying with those rules and any other controls to which they are subject.'.

The amendment fulfils a commitment that I gave in Committee to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley). It requires a recognised supervisory body to have satisfactory arrangements for taking account of costs of compliance with its rules, and any other controls to which its members are subject. An analogous requirement is placed on recognised bodies under the Financial Services Act by clause 189 of the Bill.

Ms. Joyce Quin (Gateshead, East): The Opposition are not happy with the amendment, which requires the recognised supervisory bodies to be set up to take costs into account in the training of their rules. It seems to imply that if it is considered too expensive to comply with the rules a less good and less effective system will be introduced.

We expressed our worries in Committee, not in relation to this amendment—which had not yet appeared—but in relation to a Government new clause relating to the amendments to the Financial Services Act in which the principle of cost compliance was again introduced. At that time we expressed our concern that that might mean that cost-cutting would take precedence over investor protection. The concerns that we expressed were shared by other organisations, in particular the Consumers Association, which felt that that might lead to a second-rate regulatory service for consumers and investors.

We had an interesting discussion on the matter in Committee. My hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) talked about how those costs would be defined. He wanted to know whether they would be the direct costs of complying or the indirect costs. The former Parliamentary Under-Secretary of State for Corporate Affairs seemed to imply in his reply that it would be both direct and indirect costs. My hon. Friend referred also to something about which I am concerned which is the possible dangers of talking-up the costs of compliance and thereby introducing the danger of giving a convenient financial excuse for not having adequate regulation.

9 pm

The hon. Member for Beaconsfield (Mr. Smith) seemed to share some of the concerns that were expressed by the Opposition. He said that writing cost compliance into the Bill was unnecessary since those responsible would presumably seek to implement the provisions in the most cost-effective way. However, writing cost compliance into the Bill makes it seem as if costs are more important than implementing the necessary measures of regulation.

In Committee the Minister said that he would look carefully at the reservations expressed by the Opposition and such bodies as the Consumers Association. He said that he would see whether he could respond to them positively on Report. Unfortunately, the reverse seems to have happened and cost compliance has also been put forward for inclusion in this part of the Bill. Instead of removing the principle, we now see it reinforced in this amendment. I do not know whether the Minister felt strongly enough to introduce that extra reference to the principle of cost compliance or whether it was his ex-colleague, the former Under-Secretary of State, who decided that he did not agree with the reservations

[Ms. Joyce Quin]

expressed in Committee and wanted to reinforce the principle. Perhaps the Minister can explain exactly how that was arrived at.

I realise that it was one of the Government's supporters —the hon. Member for Richmond and Barnes (Mr. Hanley)—who urged the Government to include a provision of this kind. In Committee the hon. Gentleman declared an interest as the parliamentary adviser to the Institute of Chartered Accountants. He said that it was the institute that instigated the idea of cost compliance at this stage of the Bill. Can the Minister tell us that the amendment is not simply being introduced in response to one sectional interest? Opposition Members would like to be assured that the Minister has consulted widely before introducing the new amendment. Perhaps he can give us details of the consultations that he has had with various interests.

In Committee the Minister's former colleague tried to assure us that the interpretation of the principle of cost compliance would not be detrimental to consumers, the regulatory system or to investor protection. He said that he felt that it would simply mean that the regulator would seek to achieve compliance with the rules in the least costly and most cost-effective way. That emphasis on cost is still open to the other interpretation, which is simply that certain measures of investor protection or regulation might not be introduced simply because of the cost involved. We are concerned that the Bill might be interpreted in that way. We feel strongly that it should not be able to be interpreted in a way which would undermine the measures to have adequate and proper regulation of auditing. For that reason, we are unhappy about the proposed change and feel inclined to oppose it.

Mr. Hanley: The hon. Lady has rightly pointed out certain fears which may be present in the minds of those who view the clause from outside. I am happy in my conscience to state that in my view the clause is wholly reasonable because, as I said in Standing Committee, it mirrors one that has already been accepted by the House in the Financial Services Act. It merely brought into line the regulatory bodies such as the Institute of Chartered Accountants in England and Wales with the other direct regulatory bodies which exist under the Financial Services Act.

That point was aired in Standing Committee. I can do little better than to quote my hon. Friend the Minister, who said on 13 June 1989:

> "The Government believe that it is vital that regulatory bodies pay proper regard to the direct and indirect costs of complying with the rules. It is all too easy, even for practioner-based bodies, to decide upon an approach to a regulatory problem without having assessed the cost of the various alternatives and, unless costs are properly assessed, the regulatory system risks being more burdensome than necessary."—[*Official Report, Standing Committee D*, 13 June 1989; c.340.]

I feel strongly that the system must be cost-effective, as the hon. Lady rightly said, but it does not necessarily follow that it has to be the most costly. There has to be a balance or the whole system will collapse. We need a system that is reasonably cost-effective. We need the best system that we can get, without its imploding through too great expense.

Mr. John Garrett: The hon. Gentleman drew a direct analogy between the arrangements for taking into account the cost of compliance proposed here with what happened in the Financial Services Act. We are here discussing a largely self-regulatory profession which might take a different view of the costs and benefits of assiduity in controlling departures from standards from that taken by a body such as the Securities and Investments Board which acts directly on the authority of the Secretary of State under the Financial Services Act, so is the analogy entirely apt?

Mr. Hanley: It is indeed, but the hon. Gentleman is right to raise the subject. The joint monitoring unit that I visited recently is not the poodle, the child or the creature of a regulatory body such as the Institute of Chartered Accountants in England and Wales or the other bodies to which it refers. It is a very separate unit, and therefore analogous to FIMBRA or the other bodies which are made up of individual companies sending in subscriptions, acting not only as a regulatory body but as an advocate of the particular industry.

The way in which the self-regulatory organisations have developed shows that they have a dual role. They are not cosy clubs for members of the organisations concerned, but genuine regulatory organisations which are close enough to the bodies that they represent to understand the industry and to know any wrinkles that members of those organisations might try to use to dodge regulations. The self-regulatory system is therefore the most effective that we have.

The differences between the recognised professional bodies and the self-regulatory organisations are fewer than the hon. Gentleman might think. In my view, the similarities are greater. Of course, the self-regulatory organisations were set up specifically to take up a task with the recognised professional bodies. With the exception of one, they have existed as self-regulatory bodies for many years. They are based on a system of ethics which I believe has been proven over the years. It is a cost-effective system, but the Government have nevertheless inserted a clause providing that there must be satisfactory arrangements for taking the costs into account. That is acceptable, and shows a trust that the organisations will have to maintain.

If the hon. Gentleman's fears are borne out in future, I shall support him in calling for an end to the system. At the moment, happily, I believe that we have an extremely effective system. I am grateful to the Government for having added to its confidence by the clause, which is no more than reasonable and mirrors the Financial Services Act.

Mr. Cousins: I am grateful for the opportunity to contribute to the debate, and I thank my hon. Friend the Member for Gateshead, East (Ms. Quin) for kindly referring to the remarks that I made in Committee.

The debate on the amendment, and similar amendments, in Committee was inhibited by a sense of outrage among certain sections of the financial community about the apparent costs of the regulatory mechanisms set up under the Financial Services Act 1986. There was far too much of a stampede to give in to those pressures. As it has turned out, the chairman of the Securities and Investments Board has conducted himself extremely well in this matter. He has been calm, persistent in putting forward the correct

definition, and at the same time has drawn up coherent proposals to deal with the underlying concerns that people have expressed.

The debate in Committee was far too inhibited by what one may regard as the Poujadist section of the financial markets. A number of unfortunate public statements contributed to the attempted undermining of the public standing of the regulatory bodies set up under the Financial Services Act. It has transpired that because of the chairman's integrity and persistence, and because of the way in which he bent to his task and was not distracted from it by all the noises to which he was subjected, that danger has been avoided. So long as that individual holds his current position and continues to work with the people with whom he currently works, we shall have no fears in that respect.

None the less, my hon. Friend the Member for Gateshead, East was right to draw the matter to our attention, because we are dealing not with regulatory bodies but with individual professional standards and performance. The only consideration should be securing the highest possible standards of personal professional repute.

There has been a train of examples of what can go wrong. Serious questions are being asked, not least in reports by inspectors of the Department of Trade and Industry. It is unfortunate that a shadow is being cast over the new bodies that will be set up and the current bodies, if they are to take over the task of regulation. The only consideration for the regulatory bodies, when exercising their regulatory powers over the individuals in their profession and the standards that they attain, must be to ensure that those standards are the highest.

The amendment is unfortunate, and before moving it the Government would have been better advised to have recovered from their temporary panic about the costs of setting up regulatory mechanisms.

Mr. Forth: I have been trying to understand why Labour Members are expressing concern, because I believe that they are missing the blindingly obvious. Perhaps in the wake of this evening's excitement that is understandable.

We are trying to achieve a measure of practicality and effectiveness. If we are to make the rules precisely to achieve the high standards that the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) mentioned, it is only sensible and essential to ensure that regard is paid to their cost. We do not want to end up—I do not think that it is a great danger, but let us ensure that it does not happen—with an over-enthusiastic regulatory body which rushes off and seeks to lay down rules so onerous that they drive these activities out of existence.

9.15 pm

That is the answer to the hon. Member for Gateshead, East (Ms. Quin) who asked about the consumer's interest. We have an effective profession operating in the interests of the community as a whole, which includes the business community and consumers. Consumers want a profession which operates effectively, so its rules must not only be effective but must not be so onerous as to drive people out of business. My hon. Friend the Member for Richmond and Barnes (Mr. Hanley) ably illustrated that point.

The hon. Member for Gateshead, East asked what the costs mean. That was a slightly strange question, given the profession that we are discussing. If she does not know what the costs mean, I cannot say with greater confidence what is meant.

Mr. Cousins: The Minister must descend from his talent for occasional Poujadism and return to the subject of the debate. My hon. Friend the Member for Gateshead, East (Ms. Quin) put a clear question to him. Does it mean direct costs, including indirect costs, or does it mean direct costs alone? That can make a considerable difference. The Minister would be better occupied using fewer knockabout tactics and applying his mind to those specific questions.

Mr. Forth: We are talking about professional accountants, not shopkeepers. The hon. Gentleman is in danger of getting the two confused. I shall not attempt to give a detailed answer to that question. It is not my job to set about defining the framework of costs to be taken into account. The bodies concerned will know well the kind of relevant costs involved. It would be inappropriate for me to answer, although it might be appropriate for my hon. Friend the Member for Richmond and Barnes to give us a long dissertation on the relevant costs.

Mr. Hanley *rose*——

Mr. Forth: My hon. Friend is about to do so. I give way to him.

Mr. Hanley: I am grateful to my hon. Friend for his brief invitation. The best way to regulate the investment business is to have a full-time inspector based permanently on site as an independent advisers business. That would cost so much that the independent adviser would give up doing the job. He would not bother to help the public. For chartered accountants, it would mean that a person who was professionally qualified and whose ethics were such as to lead him to concentrate not only on independence but on truth and fairness would be driven out of giving investment advice.

It cannot be in the consumer's interests for all those who currently give independent advice, especially when they are backed by a royal charter and a history of service to the public, to be driven from giving a particular service to the public purely because the costs are so great that it is not worth being in the business. That is why we need a balance between having a regulated trade, such as one advising the public, and having costs that are reasonable in terms of providing regulation over those who practise.

Mr. Forth: I am grateful to my hon. Friend.

I have tried to answer the Opposition's questions, and I hope that I have succeeded. As I am conscious of the passage of time and wish to ensure that we have every opportunity to consider the Bill in detail, I shall leave it at that and hope that the House will support the amendment.

Ms. Quin: Having listened to the Minister's few words, I am not reassured. He has not responded to some of my questions. I asked him what consultations he had had and whether he had spoken just to one sectional interest which we knew was keen on getting the amendment introduced. He also did not answer my question about how exactly it was decided to include in the Bill references to cost compliance in addition to the one reference that had been decided in Standing Committee discussions on amendments to the Financial Services Act 1986.

The Minister said that he could not understand why we were raising these matters. Perhaps I should remind him

[Ms. Quin]

that his former ministerial colleague in the Standing Committee, the hon. Member for Warwickshire, North (Mr. Maude), said that he could well understand the concerns that we were raising about this and also those expressed by the Consumers Association and others, although he felt that they were unfounded. I found that response easier to cope with than the present Minister's complete lack of awareness about why we feel that this issue is so important.

We want adequate and proper regulation, not cost-cutting regulation. That is why we are concerned about the amendment and why I urge my hon. Friends to oppose it.

Question put, That the amendment be made:—

The House divided: Ayes 151, Noes 57.

Division No. 355] **[9.20 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Buck, Sir Antony
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Killedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lord, Michael
Lyell, Sir Nicholas
Maclean, David
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raison, Rt Hon Timothy
Redwood, John
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Shaw, David *(Dover)*
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Stern, Michael
Stradling Thomas, Sir John
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Heathcoat-Amory
and Mr. Irvine Patnick.

NOES

Allen, Graham
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Buchan, Norman
Campbell, Ron *(Blyth Valley)*
Clay, Bob
Cousins, Jim
Cox, Tom
Cryer, Bob
Cummings, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Golding, Mrs Llin
Gould, Bryan
Hinchliffe, David
Hughes, John *(Coventry NE)*
Illsley, Eric
Jones, Martyn *(Clwyd S W)*
Leighton, Ron
Macdonald, Calum A.
Madden, Max
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Nellist, Dave
Patchett, Terry
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Reid, Dr John
Richardson, Jo
Robinson, Geoffrey
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Spearing, Nigel
Taylor, Mrs Ann *(Dewsbury)*
Wall, Pat
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Winnick, David
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Ken Eastham.

Question accordingly agreed to.

Schedule 12

Recognition of Professional Qualification

Mr. Hanley: I beg to move amendment No. 304, in page 253, line 44, leave out from 'as' to end of line 45 and insert 'auditor under the Companies (Northern Ireland) Order 1986 or under the law of a country or territory outside the United Kingdom where it appears to the Secretary of State that the law and practice with respect to the audit of company accounts is similar to that in the United Kingdom.'.

Ever since statutory requirements on auditors' qualifications were introduced into United Kingdom law in the 1940s, members of the Institute of Chartered Accountants in Ireland have been qualified for appointment as auditors in the United Kingdom regardless of whether their training was received in the Republic or in Northern Ireland. Correspondingly, persons qualified in the United Kingdom have always been able to audit the accounts of companies incorporated in the Republic. The

justification for that is that company law in the Republic is similar to that in the United Kingdom. I taught company law in Ireland for many years and the similarities between the Companies Act 1948 and the Irish Companies Act 1963 were striking, except for one thing—the Irish Act was twice as long because it was printed in Irish on one side.

A common body of accounting and auditing standards also applies throughout the British Isles. The amendment would allow the present situation to continue by enabling the Secretary of State to recognise, for the purpose of an auditor's qualification, training in the company audit work of any country in which the law and practice are similar to that in the United Kingdom. The amendment therefore goes slightly further than facilitating auditors in the Republic. After 1992, qualifications and practice may become increasingly similar in various countries.

Mr. John Garrett: Will the hon. Member for Richmond and Barnes (Mr. Hanley) explain what is meant by "where . . . the law and practice with respect to the audit of company accounts is similar to that in the United Kingdom."? Is he also saying that accounting standards would to all intents and purposes be the same? Is the hon. Gentleman also making observations on the level of qualifications required so that they are comparable in both countries, so that auditors in Britain and in the Irish Republic would be qualified to the same standards and operating within the same codes of practice?

Mr. Hanley: Exactly that. The qualifications of Irish and United Kingdom chartered accountants are, I believe, exactly the same both in terms of the nature of their training and in terms of the audit work that they carry out once qualified and in order to become qualified.

Although the hon. Gentleman is extremely wise and knowledgeable and may well know this fact, it may interest the House to know that the Institute of Chartered Accountants in Ireland covers both Northern Ireland and Southern Ireland, so part of the United Kingdom already receives qualifications according to a law of Ireland. It therefore seems wholly sensible that the training leading to qualification should be recognised in statute as being exactly analogous. The provision would also facilitate United Kingdom accountants training in the Republic of Ireland.

The provision merely recognises the existing realities of training and qualification and I believe that it will be seen by the Irish Republic as a friendly gesture from our Government.

Mr. Cousins: I should be grateful if the hon. Member for Richmond and Barnes (Mr. Hanley) and the Minister could clarify a few points. I well recollect our discussions on this matter in Committee when I believe that it was the hon. Member for Richmond and Barnes who informed us that the Prime Minister of Ireland, Charles Haughey, was an accountant and would be qualified under these provisions. Even the most devoted Unionist might have a slight feeling of trepidation about that eventuality. None the less, horse racing is popular in both the United Kingdom and the South of Ireland, so we may look forward to a happy coming together on that point. Is my thinking correct?

Mr. Hanley: A chartered accountant, whether trained in the Republic of Ireland or the United Kingdom, divorces himself from his political feelings and preferences when practising as a chartered accountant, so whatever the hon. Gentleman's feelings about the President of the Republic of Ireland, I assure the hon. Gentleman that as a chartered accountant Mr. Haughey would be totally independent. In other words, the hon. Gentleman's thinking was indeed correct.

Mr. Forth: As my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) has just said, the Institute of Chartered Accountants in Ireland is specifically recognised in the present provisions on the qualifications of auditors in section 389 of the Companies Act 1985. All its members—whether trained in the Republic or in Northern Ireland—are therefore qualified in law to audit the accounts of British companies. That reflects the way in which company law and auditing practices in Britain and Ireland have developed hand in hand. Auditing standards and guidelines developed by the Auditing Practices Committee apply equally to the Republic of Ireland and to Great Britain. That answers the point raised by the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins).

There may be a case for considering whether the work involved in auditing companies in the Irish Republic is so similar to United Kingdom company audit work that practical training in such work could count towards the Bill's requirements on the content of practical training. In any case, I am happy to give my support to the amendment moved by my hon. Friend the Member for Richmond and Barnes, and I hope that the House will join me.

Amendment agreed to.

Clause 43

TIME LIMITS FOR PROSECUTION OF OFFENCES

Mr. Forth: I beg to move amendment No. 71, in page 56, line 27, after 'tried' insert 'on an information laid'.

Mr. Deputy Speaker: With this it will be convenient to consider Government amendment No. 72.

Mr. Forth: These two amendments take account of a point that came to light only at a late stage in our proceedings. They bring the period in clause 43, within which prosecution in England and Wales of a person who has committed an offence under part II must take place, into line with the standard provisions on time limits for the prosecution of offences. At present clause 43 has the effect that the trial must commence no later than three years after its commission. The amendments correct that to three years after the relevant information was laid, which is already the effect of the clause as far as Scotland is concerned.

Amendment agreed to.

Amendment made: No. 72, in page 56, line 40, after 'information' insert 'laid'.—*[Mr. Forth.]*

Mr. Forth: I beg to move amendment No. 73, in page 59, line 28, leave out 'the order' and insert 'an order under section 46'.

This is a consequential amendment to an amendment agreed in Committee which enabled the Secretary of State to make further orders after the delegation order conferring more functions on the statutory body or resuming functions already conferred. This amendment extends the immunity and damages given to the statutory body in clause 48 so that it covers functions conferred on

[Mr. Forth]

it by further orders. The immunity conferred on the statutory body will therefore, as intended, be co-extensive with any functions and exercises under the Bill.

Amendment agreed to.

Amendments made: No. 74, in page 60, line 16, leave out clause 50.

No. 75, in page 261, line 33, leave out schedule 15.—*[Mr. Forth.]*

Clause 52

Minor Definitions

Amendment made: No. 76, in page 61, line 8, at end insert—

'"enactment" includes an enactment contained in subordinate legislation within the meaning of the Interpretation Act 1978;'.—*[Mr. Forth.]*

Clause 53

Index of Defined Expressions

Amendment made: No. 77, in page 61, line 38, at end

'enactment	section 52(1)'.—*[Mr. Forth.]*

New Clause 45

Investigation of Unregistered Companies

'. In Schedule 22 to the Companies Act 1985 (provisions applying to unregistered companies), for the entry relating to Part XIV substitute—

"Part XIV (except section 446)	Investigation of companies and their affairs; requisition of documents.	—".'.—*[Mr. Redwood.]*

Brought up, and read the First time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 78 to 80.

Mr. Redwood: I beg to move, That the clause be read a Second time.

As a consequence of certain repeals of provisions in the Companies Act 1985 by the Financial Services Act 1986, unregistered companies which at present fall within the scope of section 447 of the 1985 Act would no longer be covered. Section 447 gives the Secretary of State power to require documents for inspection. These amendments will ensure that section 447 powers continue to apply to unregistered companies.

The purpose of this amendment is to preserve the status quo. There will be no widening or narrowing of the powers.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 46

Amendment of the Building Societies Act 1986

'. In section 53 of the Building Societies Act 1986 (confidentiality of information obtained by the Building Societies Commission), in subsection (7)(b) (functions of Secretary of State for purposes of which disclosure may be made) after sub-paragraph (ii) insert—

", or

(iii) Part II, III or VII of the Companies Act 1989;",'.—*[Mr. Redwood.]*

Brought up, and read the First time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government new clause 47—*Amendments of the Banking Act 1987*—and Government amendments Nos. 81 and 82.

Mr. Redwood: I beg to move, That the clause be read a Second time.

These amendments are consequential on other provisions in parts II, III and VII of the Bill. They amend the Building Societies Act 1986, the Banking Act 1987 and clause 84 of the Bill, to provide gateways for the disclosure of restricted information for the purpose of enabling or assisting the Secretary of State's functions under parts II, III and VII of the Bill.

Mr. Cousins: Some dimensions of the new clause commend themselves to me, because I believe that it is important to have gateways through which information about activity in the building society world can be made available to the Government in pursuit of their necessary regulatory activities.

Those of us who have dealt with constituency and other problems arising from the demutualisation of Abbey National are very well aware of the need for much better information to be available to the public authorities to carry out their duties. The Minister has been perfectly fair but a little mysterious about how he proposes to use the powers that he is taking under the new clause. A little elucidation on that point would not come amiss in view of public disquiet about Abbey National and the way in which that affair was conducted.

Mr. Redwood: The idea is to provide gateways for information such as that passed to inspectors appointed under sections 94 or 177 of the Financial Services Act 1986, as well as inspectors appointed under part XIV of the Companies Act 1985. These are the normal types of investigations launched when there is reason to suspect fraud or malfeasance or other such problems.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 47

Amendments of the Banking Act 1987

'.—(1) In section 84(1) of the Banking Act 1987 (disclosure of information obtained under that Act), the Table showing the authorities to which, and functions for the purposes of which, disclosure may be made is amended as follows.

(2) In the entry relating to the Secretary of State, in column 2, for "or the Financial Services Act 1986" substitute ", the Financial Services Act 1986 or Part II, III or VII of the Companies Act 1989".

(3) For the entry relating to inspectors appointed by the Secretary of State substitute—

"An inspector appointed under Part XIV of the Companies Act 1985 or section 94 or 177 of the Financial Services Act 1986.	Functions under that Part or that section.".

(4) For the entry beginning "A person authorised by the Secretary of State" substitute—

"A person authorised to exercise powers under section 44 of the Insurance Companies Act 1982, section 447 of the Companies Act 1985, section 106 of the Financial Services Act 1986 or section 80 of the Companies Act 1989.	Functions under that section.".

(5) For the entry relating to a designated agency or transferee body or the competent authority (within the meaning of the Financial Services Act 1986) substitute—

"A designated agency (within the meaning of the Financial Services Act 1986).	Functions under the Financial Services Act 1986 or Part VII of the Companies Act 1989.
A transferee body, or the competent authority (within the meaning of the Financial Services Act 1986).	Functions under the Financial Services Act 1986.".'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 62

SECRETARY OF STATE'S POWER TO REQUIRE PRODUCTION OF DOCUMENTS

Amendment made: No. 78, in page 65, line 22, at end insert—

'(1A) Omit subsection (1) (bodies in relation to which powers exercisable), and—

(a) in subsections (2) and (3) for "any such body" substitute "a company",

(b) in subsections (4) and (5) for "any body" and "a body" substitute "a company", and

(c) in subsections (5) and (6) for "the body" substitute "the company".'.—*[Mr. Redwood.]*

Clause 64

PROVISION FOR SECURITY OF INFORMATION OBTAINED

Amendment made: No. 79, in page 68, line 3, at end insert—

'(aa) in the opening words for "body" (twice) substitute "company";'.—*[Mr. Redwood.]*

Clause 65

PUNISHMENT FOR DESTROYING, MUTILATING, &C. COMPANY DOCUMENTS

Amendment made: No. 80, in page 69, line 37, at end insert—

'(1A) In subsection (1) for the opening words down to "insurance company" substitute "An officer of a company, or of an insurance company", for "body's" substitute "company's" and for "the body" substitute "the company".'.—*[Mr. Redwood.]*

Clause 84

EXERCISE OF POWERS IN RELATION TO NORTHERN IRELAND

Amendment made: No. 81, in page 84, line 27, after '1985,' insert 'section 53 or 54 of the Building Societies Act 1986.'.

No. 82, in page 84, line 28, after '1986' insert ', section 84 of the Banking Act 1987'.—*[Mr. Redwood.]*

New Clause 20

CHARGES REQUIRING REGISTRATION

'. The following sections are inserted in Part XII of the Companies Act 1985—

"*Registration in the company charges register*

Introductory provisions

395.—(1) The purpose of this Part is to secure the registration of charges on a company's property.

(2) In this Part—

"charge" means any form of security interest (fixed or floating) over property, other than an interest arising by operation of law; and

"property", in the context of what is the subject of a charge, includes future property.

(3) It is immaterial for the purposes of this Part where the property subject to a charge is situated.

(4) References in this Part to "the registrar" are—

(a) in relation to a company registered in England and Wales, to the registrar of companies for England and Wales, and

(b) in relation to a company registered in Scotland, to the registrar of companies for Scotland;

and references to registration, in relation to a charge, are to registration in the register kept by him under this Part.

Charges requiring registration

396.—(1) The charges requiring registration under this Part are—

(a) a charge on land or any interest in land, other than—

(i) in England and Wales, a charge for rent or any other periodical sum issuing out of the land,

(ii) in Scotland, a charge for any rent, ground annual or other periodical sum payable in respect of the land;

(b) a charge on goods or any interest on goods, other than a charge under which the chargee is entitled to possession either of the goods or of a document of title to them,

(c) a charge on intangible movable property (in Scotland, incorporeal moveable property) of any of the following descriptions—

(i) goodwill,

(ii) intellectual property,

(iii) book debts (whether book debts of the company or assigned to the company),

(iv) uncalled share capital of the company or calls made but not paid,

(d) a charge for securing an issue of debentures, or

(e) a floating charge on the whole or part of the company property.

(2) The descriptions of charge mentioned in subsection (1) shall be construed as follows—

(a) a charge on a debenture forming part of an issue or series shall not be treated as falling within paragraph (a) or (b) by reason of the fact that the debenture is secured by a charge on land or goods (or on an interest in land or goods);

(b) in paragraph (b) "goods" means any tangible movable property (in Scotland, corporeal moveable property) other than money;

(c) a charge is not excluded from paragraph (b) because the chargee is entitled to take possession in case of default or on the occurrence of some other event;

(d) in paragraph (c)(ii) "intellectual property" means—

(i) any patent, trade mark, service mark, registered design, copyright or design right, or

(ii) any licence under or in respect of any such right;

(e) a debenture which is part of an issue or series shall not be treated as a book debt for the purposes of paragraph (c)(iii);

(f) the deposit by way of security of a negotiable instrument given to secure the payment of book debts shall not be treated for the purposes of paragraph (c)(iii) as a charge on book debts;

(g) a shipowner's lien on subfreights shall not be treated as a charge on book debts for the purposes of paragraph (c)(iii) or as a floating charge for the purposes of paragraph (e).

(3) Whether a charge is one requiring registration under this Part shall be determined—

(a) in the case of a charge created by a company, as at the date the charge is created, and

(b) in the case of a charge over property acquired by a company, as at the date of the acquisition.

(4) The Secretary of State may by regulations amend subsections (1) and (2) so as to add any description of charge to, or remove any description of charge from, the charges requiring registration under this Part.

(5) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) In the following provisions of this Part references to a charge are, unless the context otherwise requires, to a charge requiring registration under this Part.

Where a charge not otherwise requiring registration relates to property by virtue of which it requires to be registered and to other property, the references are to the charge so far as it relates to property of the former description.".'.—*[Mr. Forth.]*

Brought up, and read the First time.

Mr. Deputy Speaker With this it will be convenient to discuss Government new clause 21—*The companies charges register.*

9.45 pm

Mr. Forth: I beg to move, That the clause be read a Second time.

New clause 20 would replace clause 89 in the Bill. It contains a number of amendments to clauses 395 and 396. The amendments mostly make some technical but important alterations to terms and provisions that determine whether a charge is registrable. The broad aim is to ensure that we do not require registration if it will cause undue damage to commercial practice. New clause 21 would replace clause 90 of the Bill. It contains amendments to new section 397 but inserts no new provisions. The amendments simply omit an illustrative list and a provisional notice that is replaced by a new provision in clause 30.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 21

THE COMPANIES CHARGES REGISTER

'. The following section is inserted in Part XII of the Companies Act 1985—

"*The companies charges register*

397.—(1) The registrar shall keep for each company a register, in such form as he thinks fit, of charges on property of the company.

(2) The register shall consist of a file containing with respect to each charge the particulars and other information delivered to the registrar under the provisions of this Part.

(3) Any person may require the registrar to provide a certificate stating the date on which any specified particulars of, or other information relating to, a charge were delivered to him.

(4) The certificate shall be signed by the registrar or authenticated by his official seal.

(5) The certificate shall be conclusive evidence that the specified particulars or other information were delivered to the registrar no later than the date stated in the certificate; and it shall be presumed unless the contrary is proved that they were not delivered earlier than that date.".'.—*[Mr. Forth.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 22

DELIVERY OF PARTICULARS FOR REGISTRATION

'. The following sections are inserted in Part XII of the Companies Act 1985—

"*Company's duty to deliver particulars of charge for registration*

398.—(1) It is the duty of a company which creates a charge, or acquires property subject to a charge—

(a) to deliver the prescribed particulars of the charge, in the prescribed form, to the registrar for registration, and

(b) to do so within 21 days after the date of the charge's creation or, as the case may be, the date of the acquisition;

but particulars of a charge may be delivered for registration by any person interested in the charge.

(2) Where the particulars are delivered for registration by a person other than the company concerned, that person is entitled to recover from the company the amount of any fees paid by him to the registrar in connection with the registration.

(3) If a company fails to comply with subsection (1), then, unless particulars of the charge have been delivered for registration by another person, the company and every officer of it who is in default is liable to a fine.

(4) Where prescribed particulars in the prescribed form are delivered to the registrar for registration, he shall file the particulars in the register and shall note, in such form as he thinks fit, the date on which they were delivered to him.

(5) The registrar shall send to the company and any person appearing from the particulars to be the chargee, and if the particulars were delivered by another person interested in the charge to that person, a copy of the particulars filed by him and of the note made by him as to the date on which they were delivered.

Effect of failure to deliver particulars of registration

399.—(1) Where a charge is created by a company and no prescribed particulars in the prescribed form are delivered for registration within the period of 21 days after the date of the charge's creation, the charge is void against—

(a) an administrator or liquidator of the company, and

(b) any person who for value acquires an interest in or right over property subject to the charge,

where the relevant event occurs after the creation of the charge, whether before or after the end of the 21 day period.

This is subject to section 400 (later delivery of particulars).

(2) In this Part "the relevant event" means—

(a) in relation to the voidness of a charge as against an administrator or liquidator, the beginning of the insolvency proceedings, and

(b) in relation to the voidness of a charge as against a person acquiring an interest in or right over property subject to a charge, the acquisition of that interest or right;

and references to "a relevant event" shall be construed accordingly.

(3) Where a relevant event occurs on the same day as the charge is created, it shall be presumed to have occurred after the charge is created unless the contrary is proved.

Late delivery of particulars

400.—(1) Where prescribed particulars of a charge created by a company, in the prescribed form, are delivered for registration more than 21 days after the date of the charge's creation, section 399(1) does not apply in relation to relevant events occurring after the particulars are delivered.

(2) However, where in such a case—

(a) the company is at the date of delivery of the particulars unable to pay its debts, or subsequently becomes unable to pay its debts in consequence of the transaction under which the charge is created, and

(b) insolvency proceedings begin before the end of the relevant period beginning with the date of delivery of the particulars,

the charge is void as against the administrator or liquidator.

(3) For this purpose—

(a) the company is "unable to pay its debts" in the circumstances specified in section 123 of the Insolvency Act 1986; and

(b) the "relevant period" is—

(i) two years in the case of a floating charge created in favour of a person connected with the company (within the meaning of section 249 of that Act),

(ii) one year in the case of a floating charge created in favour of a person not so connected, and

(iii) six months in any other case.

(4) Where a relevant event occurs on the same day as the particulars are delivered, it shall be presumed to have occurred before the particulars are delivered unless the contrary is proved.".'.—*[Mr. Forth.]*

Brought up, and read the First time.

Mr. Forth: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to consider Government new clauses 23, 24 and 25.

Mr. Forth: The new clauses contain various amendments to existing provisions of part IV that relate primarily to the delivery of particulars for registration. New clause 22 would replace clause 91 of the Bill. It amends new sections 398, 399 and 400. The amendments are largely improvements to the drafting of the new sections. The principal amendment is that in new section 399(1). This makes it clear that an unregistered charge will not be void in respect of those acquiring an interest in property subject to the charge before the charge's creation.

New clause 23 would replace clause 92 of the Bill. It amends new section 401. Although the new clause contains a number of drafting changes, the only substantive amendment is in new section 401(1). This would allow further particulars of a variation to a charge to be delivered before the variation has become effective.

New clause 24 would replace clause 93 of the Bill. It contains a number of drafting amendments to new section 402. There are no substantive amendments.

New clause 25 would replace clause 94 of the Bill. It contains amendments to new section 403. We have widened the circumstances in which a memorandum may be delivered to the registrar. We have also amended new section 403 to ensure that a charge cannot become void if a memorandum is fraudulently delivered by the company while the charge still affects its property.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 23

DELIVERY OF FURTHER PARTICULARS

' . The following section is inserted in Part XII of the Companies Act 1985—

"*Delivery of further particulars*

401.—(1) Further particulars of a charge, supplementing or varying the registered particulars, may be delivered to the registrar for registration at any time.

(2) Further particulars must be in the prescribed form signed by or on behalf of both the company and the chargee.

(3) Where further particulars are delivered to the registrar for registration and appear to him to be duly signed, he shall file the particulars in the register and shall note, in such form as he thinks fit, the date on which they were delivered to him.

(4) The registrar shall send to the company and any person appearing from the particulars to be the chargee, and if the particulars were delivered by another person interested in the charge to that other person, a copy of the further particulars filed by him and of the note made by him as to the date on which they were delivered.".'.

Brought up, read the First and Second time, and added to the Bill.

New Clause 24

EFFECT OF OMISSIONS AND ERRORS IN REGISTERED PARTICULARS

' . The following section is inserted in Part XII of the Companies Act 1985—

"*Effect of omissions and errors in registered particulars*

402.—(1) Where the registered particulars of a charge created by a company are not complete and accurate, the charge is void, as mentioned below, to the extent that rights are not disclosed by the registered particulars which would be disclosed if they were complete and accurate.

(2) The charge is void to that extent, unless the court on the application of the chargee orders otherwise, as against—

(a) an administrator or liquidator of the company, and

(b) any person who for value acquires an interest in or right over property subject to the charge,

where the relevant event occurs at a time when the particulars are incomplete or inaccurate in a relevant respect.

(3) Where a relevant event occurs on the same day as particulars or further particulars are delivered, it shall be presumed to have occurred before those particulars are delivered unless the contrary is proved.

(4) The court may order that the charge is effective as against an administrator or liquidator of the company if it is satisfied—

(a) that the omission or error is not likely to have misled materially to his prejudice any unsecured creditor of the company, or

(b) that no person became an unsecured creditor of the company at a time when the registered particulars of the charge were incomplete or inaccurate in a relevant respect.

(5) The court may order that the charge is effective as against a person acquiring an interest in or right over property subject to the charge if it is satisfied that he did not rely, in connection with the acquisition, on registered particulars which were incomplete or inaccurate in a relevant respect.

(6) For the purposes of this section an omission or inaccuracy with respect to the name of the chargee shall not be regarded as a failure to disclose the rights of the chargee.".'.

Brought up, read the First and Second time, and added to the Bill.

New Clause 25

MEMORANDUM OF CHARGE CEASING TO AFFECT COMPANY'S PROPERTY

The following section is inserted in Part XII of the Companies Act 1985—

"*Memorandum of charge ceasing to affect company's property*

403.—(1) Where a charge of which particulars have been delivered ceases to affect the company's property, a memorandum to that effect may be delivered to the registrar for registration.

(2) The memorandum must be in the prescribed form signed by or on behalf of both the company and the chargee.

(3) Where a memorandum is delivered to the registrar for registration and appears to him to be duly signed, he shall file it in the register, and shall note, in such form as he thinks fit, the date on which it was delivered to him.

(4) The registrar shall send to the company and any person appearing from the memorandum to be the chargee, and if the memorandum was delivered by another person interested in

the charge to that person, a copy of the memorandum filed by him and of the note made by him as to the date on which it was delivered.

(5) If a duly signed memorandum is delivered in a case where the charge in fact continues to affect the company's property, the charge is void as against—

(a) an administrator or liquidator of the company, and

(b) any person who for value acquires an interest in or right over property subject to the charge,

where the relevant event occurs after the delivery of the memorandum.

(6) Where a relevant event occurs on the same day as the memorandum is delivered, it shall be presumed to have occurred before the memorandum is delivered unless the contrary is proved.".'.—*[Mr. Forth.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 26

FURTHER PROVISIONS WITH RESPECT TO VOIDNESS OF CHARGES

'. The following sections are inserted in Part XII of the Companies Act 1985—

"FURTHER PROVISIONS WITH RESPECT TO VOIDNESS OF CHARGES

Exclusion of voidness as against unregistered charges.

404.—(1) A charge is not void by virtue of this Part as against a subsequent charge unless some or all of the relevant particulars of that charge are duly delivered for registration—

(a) within 21 days after the date of its creation, or

(b) before complete and accurate relevant particulars of the earlier charge are duly delivered for registration.

(2) Where relevant particulars of the subsequent charge so delivered are incomplete or inaccurate, the earlier charge is void as against that charge only to the extent that rights are disclosed by registered particulars of the subsequent charge duly delivered for registration before the corresponding relevant particulars of the earlier charge.

(3) The relevant particulars of a charge for the purposes of this section are those prescribed particulars relating to rights inconsistent with those conferred by or in relation to the other charge.

Restrictions on voidness by virtue of this Part.

405.—(1) A charge is not void by virtue of this Part as against a person acquiring an interest in or right over property where the acquisition is expressly subject to the charge.

(2) Nor is a charge void by virtue of this Part in relation to any property by reason of a relevant event occuring after the company which created the charge has disposed of the whole of its interest in that property.

Effect of exercise of power of sale.

406.—(1) A chargee exercising a power of sale may dispose of property to a purchaser freed from any interest or right arising from the charge having become void to any extent by virtue of this Part—

(a) against an administrator or liquidator of the company, or

(b) against a person acquiring a security interest over property subject to the charge;

and a purchaser is not concerned to see or inquire whether the charge has become so void.

(2) The proceeds of the sale shall be held by the chargee in trust to be applied—

First, in discharge of any sum effectively secured by prior incumbrances to which the sale is not made subject;

Second, in payment of all costs, charges and expenses properly incurred by him in connection with the sale, or any previous attempted sale, of the property;

Third, in discharge of any sum effectively secured by the charge and incumbrances ranking *pari passu* with the charge;

Forth, in discharge of any sum effectively secured by incumbrances ranking after the charge;

and any residue is payable to the company or to a person authorised to give a receipt for the proceeds of the sale of the property.

(3) For the purposes of subsection (2)—

(a) prior incumbrances include any incumbrance to the extent that the charge is void as against it by virtue of this Part; and

(b) no sum is effectively secured by a charge to the extent that it is void as against an administrator or liquidator of the company.

(4) In this section—

(a) references to things done by a chargee include things done by a receiver appointed by him, whether or not the receiver acts as his agent;

(b) "power of sale" includes any power to dispose of, or grant an interest out of, property for the purpose of enforcing a charge (but in relation to Scotland does not include the power to grant a lease), and references to "sale" shall be construed accordingly; and

(c) "purchaser" means a person who in good faith and for valuable consideration acquires an interest in property.

(5) The provisions of this section as to the order of application of the proceeds of sale have effect subject to any other statutory provision (in Scotland), any other statutory provision or rule of law) applicable in any case.

(6) Where a chargee exercising a power of sale purports to dispose of property freed from any such interest or right as is mentioned in subsection (1) to a person other than a purchaser, the above provisions apply, with any necessary modifications, in relation to a disposition to a purchaser by that person or any successor in title of his.

(7) In Scotland, subsections (2) and (7) of section 27 of the Conveyancing and Feudal Reform (Scotland) Act 1970 apply to a chargee unable to obtain a discharge for any payment which he is required to make under subsection (2) above as they apply to a creditor in the circumstances mentioned in those subsections.

Effect of voidness on obligation secured

407.—(1) Where a charge becomes void to any extent by virtue of this Part, the whole of the sum secured by the charge is payable forthwith on demand; and this applies notwithstanding that the sum secured by the charge is also the subject of other security.

(2) Where the charge is to secure the repayment of money, the references in subsection (1) to the sum secured include any interest payable.".'.—*[Mr. Forth.]*

Brought up, and read the First time.

Mr. Forth: I beg to move, That the clause be read a Second time.

This new clause inserts new provisions restricting the effect of avoidance. It is designed principally to ensure that the sanctions of avoidance and partial avoidance should not have unduly adverse effects on those dealing with charges. If we do not limit the effect of avoidance in the ways proposed in the new clause, people might be less willing to deal with charges or the property subject to them. As a consequence, creditors might become reluctant to offer secured finance to companies in certain circumstances. The objective of much in the new clause is, therefore, to disapply the effect of avoidance either where it is unnecessary or where the disadvantages flowing from it would outweigh the benefits.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 27

ADDITIONAL INFORMATION TO BE REGISTERED

'. The following sections are inserted in Part XII of the Companies Act 1985—

"*Additional information to be registered*

Particulars of taking up of issue of debentures

408.—(1) Where particulars of a charge for securing an issue of debentures have been delivered for registration, it is the duty of the company—

(a) to deliver to the registrar for registration particulars in the prescribed form of the date on which any debentures of the issue are taken up, and of the amount taken up, and

(b) to do so before the end of the period of 21 days after the date on which they are taken up.

(2) Where particulars in the prescribed form are delivered to the registrar for registration under this section, he shall file them in the register.

(3) If a company fails to comply with subsection (1), the company and every officer of it who is in default is liable to a fine.

Notice of appointment of receiver or manager, &c.

409.—(1) If a person obtains an order for the appointment of a receiver or manager of a company's property, or appoints such a receiver or manager under powers contained in an instrument, he shall within seven days of the order or of the appointment under those powers, give notice of that fact in the prescribed form to the registrar for registration.

(2) Where a person appointed receiver or manager of a company's property under powers contained in an instrument ceases to act as such receiver or manager, he shall, on so ceasing, give notice of that fact in the prescribed form to the registrar for registration.

(3) Where a notice under this section in the prescribed form is delivered to the registrar for registration, he shall file it in the register.

(4) If a person makes default in complying with the requirements of subsection (1) or (2), he is liable to a fine.

(5) This section does not apply in relation to companies registered in Scotland (for which corresponding provision is made by sections 53, 54 and 62 of the Insolvency Act 1986).

Notice of crystallisation of floating charge, &c.

410.—(1) The Secretary of State may by regulations require notice in the prescribed form to be given to the registrar of—

(a) the occurrence of such events as may be prescribed affecting the nature of the security under a floating charge of which particulars have been delivered for registration, and

(b) the taking of such action in exercise of powers conferred by a fixed or floating charge of which particulars have been delivered for registration, or conferred in relation to such a charge by an order of the court, as may be prescribed.

(2) The regulations may make provision as to—

(a) the persons by whom notice is required to be, or may be, given, and the period within which notice is required to be given;

(b) the filing in the register of the particulars contained in the notice and the noting of the date on which the notice was given; and

(c) the consequences of failure to give notice.

(3) As regards the consequences of failure to give notice of an event causing a floating charge to crystallise, the regulations may include provision to the effect that the crystallisation—

(a) shall be treated as ineffective until the prescribed particulars are delivered, and

(b) if the prescribed particulars are delivered after the expiry of the prescribed period, shall continue to be ineffective against such persons as may be prescribed,

subject to the exercise of such powers as may be conferred by the regulations on the court.

(4) The regulations may provide that if there is a failure to comply with such of the requirements of the regulations as may be prescribed, such persons as may be prescribed are liable to a fine.

(5) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) Regulations under this section shall not apply in relation to a floating charge created under the law of Scotland by a company registered in Scotland."'.—*[Mr. Forth.]*

Brought up, and read the First time.

Mr. Forth: I beg to move, That the clause be read a Second time.

This new clause would replace clause 95 of the Bill. It contains amendments to the new sections that require additional particulars to be delivered to the registrar. The amendments make changes to the additional particulars to be delivered in respect of debentures, the duties of the registrar to file notices relating to receivers and managers, and the application of new section 410 in the new clause under Scots law.

Mr. Cousins: When we talked earlier in another context about the costs of compliance of regulatory bodies, the Minister was keen that such bodies should take the cost of compliance into account. I was a little disturbed by what the Minister said in speaking to this new clause. I do not think that he took the legal sanctions in matters of this kind as seriously as they deserve to be taken. The new clause creates a new offence for which a fine may be imposed. Will the Minister outline what the size of that fine might be? This is referred to in section 408.

Mr. Forth: I cannot tell the hon. Member at this stage what the size of the fine will be.

Mr. Cousins: That is disgraceful.

Mr. Forth: In the nature of this sort of provision, it is unusual to specify the exact level of the fine. I should have thought that the hon. Gentleman would know that by now. I am surprised that, having sat through the Committee stage, he even has to ask the question. Throughout these important provisions, and I am glad that the hon. Gentleman has been following them, we have tried to strike a balance between endeavouring——

It being ten minutes to Ten o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order this day, to put forthwith the Question already proposed from the Chair.*

Question agreed to.

Clause read a Second time, and added to the Bill.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Question on new clauses and new schedules, moved by a member of the Government, of which notice had been given, to that part of the Bill to be concluded at ten minutes to Ten o'clock.*

New Clause 28

COPIES OF INSTRUMENTS AND REGISTER TO BE KEPT BY THE COMPANY

'.The following sections are inserted in Part XII of the Companies Act 1985—

COPIES OF INSTRUMENTS AND REGISTER TO BE KEPT BY COMPANY

'. The following sections are inserted in Part XII of the Companies Act 1985—

"*Copies of instruments and register to be kept by company*

Duty to keep copies of instruments and register

411.—(1) Every company shall keep at its registered office a copy of every instrument creating or evidencing a charge over the company's property.

In the case of a series of uniform debentures, a copy of one debenture of the series is sufficient.

(2) Every company shall also keep at its registered office a register of all such charges, containing entries for each charge giving a short description of the property charged, the amount of the charge and (except in the case of securities to bearer) the names of the persons entitled to it.

(3) This section applies to any charge, whether or not particulars are required to be delivered to the registrar for registration.

(4) If a company fails to comply with any requirement of this section, the company and every officer of it who is in default is liable to a fine.

Inspection of copies and register

412.—(1) The copies and the register referred to in section 411 shall be open to the inspection of any creditor or member of the company without fee; and to the inspection of any other person on payment of such fee as may be prescribed.

(2) Any person may request the company to provide him with a copy of—

(a) any instrument creating or evidencing a charge over the company's property, or

(b) any entry in the register of charges kept by the company, on payment of such fee as may be prescribed.

This subsection applies to any charge, whether or not particulars are required to be delivered to the registrar for registration.

(3) The company shall send the copy to him not later than ten days after the day on which the request is received or, if later, on which payent is received.

(4) If inspection of the copies or register is refused, or a copy requested is not sent within the time specified above—

(a) the company and every officer of it who is in default is liable to a fine, and

(b) the court may by order compel an immediate inspection of the copies or register or, as the case may be, direct that the copy be sent immediately.".'.

—[Mr. Redwood.]

Brought up, read the First and Second time, and added to the Bill.

New Clause 29

POWER TO MAKE FURTHER PROVISION BY REGULATIONS

'. The following section is inserted in Part XII of the Companies Act 1985—

"Supplementary provisions

Power to make further provision by regulations.

413.—(1) The Secretary of State may by regulations make further provision as to the application of the provisions of this Part in relation to charges of any description specified in the regulations.

Nothing in the following provisions shall be construed as restricting the generality of that power.

(2) The regulations may require that where the charge is contained in or evidenced or varied by a written instrument there shall be delivered to the registrar for registration, instead of particulars or further particulars of the charge, the instrument itself or a certified copy of it together with such particulars as may be prescribed.

(3) The regulations may provide that a memorandum of a charge ceasing to affect property of the company shall not be accepted by the registrar unless supported by such evidence as may be prescribed, and that a memorandum not so supported shall be treated as not having been delivered.

(4) The regulations may also provide that where the instrument creating the charge is delivered to the registrar in support of such a memorandum, the registrar may mark the instrument as cancelled before returning it and shall send copies of the instrument cancelled to such persons as may be prescribed.

(5) The regulations may exclude or modify, in such circumstances and to such extent as may be prescribed, the operation of the provisions of this Part relating to the voidness of a charge.

(6) The regulations may require, in connection with the delivery of particulars, further particulars or a memorandum of the charge's ceasing to affect property of the company, the delivery of such supplementary information as may be prescribed, and may—

(a) apply in relation to such supplementary information any provisions of this Part relating to particulars, further particulars or such a memorandum, and

(b) provide that the particulars, further particulars or memorandum shall be treated as not having been delivered until the required supplementary information is delivered.

(7) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.".'.

—[Mr. Redwood.]

Brought up, read the First and Second time, and added to the Bill.

New Clause 30

OTHER SUPPLEMENTARY PROVISIONS

'. The following sections are inserted in Part XII of the Companies Act 1985—

"Date of creation of charge

414.—(1) References in this Part to the date of creation of a charge by a company shall be construed as follows.

(2) A charge created under the law of England and Wales shall be taken to be created—

(a) in the case of a charge created by an instrument in writing, when the instrument is executed by the company or, if its execution by the company is conditional, upon the conditions being fulfilled, and

(b) in any other case, when an enforceable agreement is entered into by the company conferring a security interest intended to take effect forthwith or upon the company acquiring an interest in property subject to the charge.

(3) A charge created under the law of Scotland shall be taken to be created—

(a) in the case of a floating charge, when the instrument creating the floating charge is executed by the company, and

(b) in any other case, when the right of the person entitled to the benefit of the charge is constituted as a real right.

(4) Where a charge is created in the United Kingdom but comprises property outside the United Kingdom, any further proceedings necessary to make the charge valid or effectual under the law of the country where the property is situated shall be disregarded in ascertaining the date on which the charge is to be taken to be created.

Prescribed particulars and related expressions

415.—(1) References in this Part to the prescribed particulars of a charge are to such particulars of, or relating to, the charge as may be prescribed.

(2) The prescribed particulars may, without prejudice to the generality of subsection (1), include—

(a) whether the company has undertaken not to create other charges ranking in priority to or *pari passu* with the charge, and

(b) whether the charge is a market charge within the meaning of Part VII of the Companies Act 1989 or a charge to which the provisions of that Part apply as they apply to a market charge.

(3) References in this Part to the registered particulars of a charge at any time are to such particulars and further particulars of the charge as have at that time been duly delivered for registration.

(4) References in this Part to the registered particulars of a charge being complete and accurate at any time are to their including all the prescribed particulars which would be required to be delivered if the charge were then newly created.

Notice of matters disclosed on register

416.—(1) A person taking a charge over a company's property shall be taken to have notice of any matter requiring registration and disclosed on the register at the time the charge is created.

(2) Otherwise, a person shall not be taken to have notice of any matter by reason of its being disclosed on the register or by reason of his having failed to search the register in the course of making such inquiries as ought reasonably to be made.

(3) The above provisions have effect subject to any other statutory provisions as to whether a person is to be taken to have notice of any matter disclosed on the register.

Power of court to dispense with signature

417.—(1) Where it is proposed to deliver further particulars of a charge, or to deliver a memorandum of a charge ceasing to affect the company's property, and—

(a) the chargee refuses to sign or authorise a person to sign on his behalf, or cannot be found, or

(b) the company refuses to authorise a person to sign on its behalf,

the court may on the application of the company or the chargee, or of any other person having a sufficient interest in the matter, authorise the delivery of the particulars or memorandum without that signature.

(2) The order may be made on such terms as appear to the court to be appropriate.

(3) Where particulars or a memorandum are delivered to the registrar for registration in reliance on an order under this section, they must be accompanied by an office copy of the order.

In such a case the references in sections 401 and 403 to the particulars or memorandum being duly signed are to their being otherwise duly signed.

(4) The registrar shall file the office copy of the court order along with the particulars or memorandum.".'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 31

INTERPRETATION, &C.

'. The following sections are inserted in Part XII of the Companies Act 1985—

"*Regulations*

418. Regulations under any provision of this Part, or prescribing anything for the purposes of any such provision—

(a) may make different provision for different cases, and

(b) may contain such supplementary, incidental and transitional provisions as appear to the Secretary of State to be appropriate.

Minor definitions

419.—(1) In this Part—

"chargee" means the person for the time being entitled to exercise the security rights conferred by the charge;

"issue of debentures" means a group of debentures, or an amount of debenture stock, secured by the same charge; and

"series of debentures" means a group of debentures each containing or giving by reference to another instrument a charge to the benefit of which the holders of debentures of the series are entitled *pari passu*.

(2) References in this Part to the creation of a charge included the variation of a charge which is not registrable so as to include property by virtue of which it becomes registrable.

The provisions of section 414 (construction of references to date of creation of charge) apply in such a case with any necessary modifications.

(3) References in this Part to the date of acquisition of property by a company are—

(a) in England and Wales, to the date on which the acquisition is completed, and

(b) in Scotland, to the date on which the transaction is settled.

(4) In the application of this Part to a floating charge created under the law of Scotland, references to crystallisation shall be construed as references to the attachment of the charge.

(5) References in this Part to the beginning of insolvency proceedings are to—

(a) the presentation of a petition on which an administration order or winding-up order is made, or

(b) the passing of a resolution for voluntary winding up.

Index of defined expressions

420. The following Table shows the provisions of this Part defining or otherwise explaining expressions used in this Part (other than expressions used only in the same section)—

charge	sections 395(2) and 396(6)
charge requiring registration	section 396
chargee	section 419(1)
complete and accurate (in relation to registered particulars)	section 415(4)
creation of charge	section 419(2)
crystallisation (in relation to Scottish floating charge)	section 419(4)
date of acquisition (of property by a company)	section 419(3)
date of creation of charge	section 414
further particulars	section 401
insolvency proceedings, beginning of	section 419(5)
issue of debentures	section 419(1)
memorandum of charge ceasing to affect company's property	section 403
prescribed particulars	section 415(1) and (2)
property	section 395(2)
registered particulars	section 415(3)
registrar and registration in relation to a charge	section 395(4)
relevant event	section 399(2)
series of debentures	section 419(1).".'.—*[Mr. Redwood]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 32

CHARGES ON PROPERTY OF OVERSEAS COMPANY

' .The provisions set out in Schedule *(Charges on property of oversea company)* are inserted in Part XXIII of the Companies Act 1985 (oversea companies), as a Chapter III (registration of charges).'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Question on amendments, moved by a member of the Government, of which notice had been given, to that part of the Bill to be concluded at ten minutes to Ten o'clock.*

Amendment made: No. 83, in page 86, line 26, leave out Clauses 89 to 98.—*[Mr. Redwood.]*

Schedule 16

AMENDMENTS CONSEQUENTIAL TO PART IV

Amendments made: No. 84, in page 267, line 26, leave out from beginning to end of line 31.

No. 85, in page 267, line 41, column 1, leave out '404(3)' and insert '408(3)'.

No. 86, in page 267, line 43, column 2, leave out

'each issue of debentures of a series'

and insert

'taking up of issue of debentures'.

No. 87, in page 268, line 1, column 1, leave out '405(4)' and insert '409(4)'.

No. 88, in page 268, line 9, column 1, leave out '406(4)' and insert '410(4)'.

No. 89, in page 268, line 13, column 2, leave out 's.406' and insert 's.410'.

No. 90, in page 268, line 14, column 1, leave out '407(4)' and insert '411(4)'.

No. 91, in page 268, line 21, column 1, leave out '408(4)' and insert '412(4)'.

No. 92, in page 268, line 29, column 1, leave out '703C(5)' and insert '703D(5)'.

No. 306, in page 268, line 50, leave out '703C' and insert '703D'.—*[Mr. Redwood.]*

Amendment made: No. 93—new schedule—

'CHARGES ON PROPERTY OF OVERSEA COMPANIES

The following provisions are inserted in Part XXIII of the Companies Act 1985—

"CHAPTER III
REGISTRATION OF CHARGES
Introductory provisions

703A.—(1) The provisions of this Chapter have effect for securing the registration in Great Britain of charges on the property of a registered oversea company.

(2) Section 395(2) and (3) (meaning of "charge" and "property") have effect for the purposes of this Chapter.

(3) A "registered oversea company", in relation to England and Wales or Scotland, means an oversea company which has duly delivered documents to the registrar for that part of Great Britain under section 691 and has not subsequently given notice to him under section 696(4) that it has ceased to have an established place of business in that part.

(4) References in this Chapter to the registrar shall be construed in accordance with section 703E below and references to registration, in relation to a charge, are to registration in the register kept by him under this Chapter.

Charges requiring registration

703B.—(1) The charges requiring registration under this Chapter are those which if created by a company registered in Great Britain would require registration under Part XII of this Act.

(2) Whether a charge is one requiring registration under this Chapter shall be determined—

(a) in the case of a charge over property of a company at the date it delivers documents for registration under section 691, as at that date,

(b) in the case of a charge created by a registered oversea company, as at the date the charge is created, and

(c) in the case of a charge over property acquired by a registered oversea company, as at the date of the acquisition.

(3) In the following provisions of this Chapter references to a charge are, unless the context otherwise requires, to a charge requiring registration under this Chapter.

Where a charge not otherwise requiring registration relates to property by virtue of which it requires to be registered and to other property, the references are to the charge so far as it relates to property of the former description.

The register

703C.—(1) The registrar shall keep for each registered oversea company a register, in such form as he thinks fit, of charges on property of the company.

(2) The register shall consist of a file containing with respect to each such charge the particulars and other information delivered to the registrar under or by virtue of the following provisions of this Chapter.

(3) Section 397(3) to (5) (registrar's certificate as to date of delivery of particulars) applies in relation to the delivery of any particulars or other information under this Chapter.

Company's duty to deliver particulars of charges for registration

703D.—(1) If when an oversea company delivers documents for registration under section 691 any of its property is situated in Great Britain and subject to a charge, it is the company's duty at the same time to deliver the prescribed particulars of the charge, in the prescribed form, to the registrar for registration.

(2) Where a registered oversea company—

(a) creates a charge on property situated in Great Britain, or

(b) acquires property which is situated in Great Britain and subject to a charge,

it is the company's duty to deliver the prescribed particulars of the charge, in the prescribed form, to the registrar for registration within 21 days after the date of the charge's creation or, as the case may be, the date of the acquisition.

This subsection does not apply if the property subject to the charge is at the end of that period no longer situated in Great Britain.

(3) Where the preceding subsections do not apply and property of a registered oversea company is for a continuous period of four months situated in Great Britain and subject to a charge, it is the company's duty before the end of that period to deliver the prescribed particulars of the charge, in the prescribed form, to the registrar for registration.

(4) Particulars of a charge required to be delivered under subsections (1), (2) or (3) may be delivered for registration by any person interested in the charge.

(5) If a company fails to comply with subsection (1), (2) or (3), then, unless particulars of the charge have been delivered for registration by another person, the company and every officer of it who is in default is liable to a fine.

(6) Section 398(2), (4) and (5) (recovery of fees paid in connection with registration, filing of particulars in register and sending of copy of particulars filed and note as to date) apply in relation to particulars delivered under this Chapter.

Registrar to whom particulars, &c. to be delivered

703E.—(1) The particulars required to be delivered by section 703D(1) (charges over property of oversea company becoming registered in a part of Great Britain) shall be delivered to the registrar to whom the documents are delivered under section 691.

(2) The particulars required to be delivered by section 703D(2) or (3) (charges over property of registered oversea company) shall be delivered—

(a) if the company is registered in one part of Great Britain and not in the other, to the registrar for the part in which it is registered, and

(b) if the company is registered in both parts of Great Britain but the property subject to the charge is situated in one part of Great Britain only, to the registrar for that part;

and in any other case the particulars shall be delivered to the registrars for both parts of Great Britain.

(3) Other documents required or authorised by virtue of this Chapter to be delivered to the registrar shall be delivered to the registrar or registrars to whom particulars of the charge to which they relate have been, or ought to have been, delivered.

(4) If a company gives notice under section 696(4) that it has ceased to have an established place of business in either part of Great Britain, charges over property of the company shall cease to be subject to the provisions of this Chapter, as regards registration in that part of Great Britain, as from the date on which notice is so given.

This is without prejudice to rights arising by reason of events occurring before that date.

Effect of failure to deliver particulars, late delivery and effect of errors and omissions

703F.—(1) The following provisions of Part XII—

(a) section 399 (effect of failure to deliver particulars),

(b) section 400 (late delivery of particulars), and

(c) section 402 (effect of errors and omissions in particulars delivered),

apply, with the following modifications, in relation to a charge created by a registered oversea company of which particulars are required to be delivered under this Chapter.

(2) Those provisions do not apply to a charge of which particulars are required to be delivered under section 703D(1) (charges existing when company delivers documents under section 691).

(3) In relation to a charge of which particulars are required to be delivered under section 703D(3) (charges registrable by virtue of property being within Great Britain for requisite period), the references to the period of 21 days after the charge's creation shall be construed as references to the period of four months referred to in that subsection.

Delivery of further particulars or memorandum.

703G. Sections 401 and 403 (delivery of further particulars and memorandum of charge ceasing to affect company's property) apply in relation to a charge of which particulars have been delivered under this Chapter.

Further provisions with respect to voidness of charges

703H.—(1) The following provisions of Part XII apply in relation to the voidness of a charge by virtue of this Chapter—

(a) section 404 (exclusion of voidness as against unregistered charges),

(b) section 405 (restrictions on cases in which charge is void),
(c) section 406 (effect of exercise of power of sale), and
(d) section 407 (effect of voidness on obligation secured).

(2) In relation to a charge of which particulars are required to be delivered under section 703D(3) (charges registrable by virtue of property being within Great Britain for requisite period), the reference in section 404 to the period of 21 days after the charge's creation shall be construed as references to the period of four months referred to in that subsection.

Additional information to be registered

703I.—(1) Section 408 (particulars of taking up of issue of debentures) applies in relation to a charge of which particulars have been delivered under this Chapter.

(2) Section 409 (notice of appointment of receiver or manager) applies in relation to the appointment of a receiver or manager of property of a registered oversea company.

(3) Regulations under section 410 (notice of crystallisation of floating charge, &c.) may apply in relation to a charge of which particulars have been delivered under this Chapter; but subject to such exceptions, adaptations and modifications as may be specified in the regulations.

Copies of instruments and register to be kept by company.

703J.—(1) Sections 411 and 412 (copies of instruments and register to be kept by company) apply in relation to a registered oversea company and any charge over property of the company situated in Great Britain.

(2) They apply to any charge, whether or not particulars are required to be delivered to the registrar.

(3) In relation to such a company the references to the company's registered office shall be constructed as references to its principal place of business in Great Britain.

Power to make further provision by regulations

703K.—(1) The Secretary of State may by regulations make further provision as to the application of the provisions of this Chapter, or the provisions of Part XII applied by this Chapter, in relation to charges of any description specified in the regulations.

(2) The regulations may apply any provisions of regulations made under section 413 (power to make further provision with respect to application of Part XII) or make any provision which may be made under that section with respect to the application of provisions of Part XII.

Provisions as to situation of property

703L.—(1) The following provisions apply for determining for the purposes of this Chapter whether a vehicle which is the property of an oversea company is situated in Great Britain—

(a) a ship, aircraft or hovercraft shall be regarded as situated in Great Britain if, and only if, it is registered in Great Britain;
(b) any other description of vehicle shall be regarded as situated in Great Britain on a day if, and only if, at any time on that day the management of the vehicle is directed from a place of business of the company in Great Britain;

and for the purposes of this Chapter a vehicle shall not be regarded as situated in one part of Great Britain only.

(2) For the purposes of this Chapter as it applies to a charge on future property, the subject-matter of the charge shall be treated as situated in Great Britain unless it relates exclusively to property of a kind which cannot, after being acquired or coming into existence, be situated in Great Britain; and references to property situated in a part of Great Britain shall be similarly construed.

Other supplementary provisions

703M. The following provisions of Part XII apply for the purposes of this Chapter—

(a) section 414 (construction of references to date of creation of charge),
(b) section 415 (prescribed particulars and related expressions),
(c) section 416 (notice of matters disclosed on the register),
(d) section 417 (power of court to dispense with signature),
(e) section 418 (regulations) and
(f) section 419 (minor definitions).

Index of defined expressions

703N. The following Table shows the provisions of this Chapter and Part XII defining or otherwise explaining expressions used in this Chapter (other than expressions used only in the same section)—

charge	sections 703A(2), 703B(3) and 395(2)
charge requiring registration	sections 703B(1) and 396
creation of charge	sections 703M(f) and 419(2)
date of acquisition (of property by a company)	sections 703M(f) and 419(3)
date of creation of charge	sections 703M(a) and 414
property	sections 703A(2) and 395(2)
registered overseas company	section 703A(3)
registrar and registration in relation to a charge situated in Great Britain	sections 703A(4) and 703E
in relation to vehicles	section 703L(1)
in relation to future property	section703L(2)".'.—*[Mr. Redwood.]*

New Clause 33

EFFECTING OF INSURANCE FOR OFFICERS AND AUDITORS OF COMPANY

'.—(1) In section 310 of the Companies Act 1985 (provisions exempting officers and auditors from liability), for subsection (3) (permitted provisions) substitute—

"(3) This section does not prevent a company—

(a) from purchasing and maintaining for any such officer or auditor insurance against any such liability, or
(b) from indemnifying any such officer or auditor against any liability incurred by him—
(i) in defending any proceedings (whether civil or criminal) in which judgment is given in his favour or he is acquitted, or
(ii) in connection with any application under section 144(3) or (4) (acquisition of shares by innocent nominee) or section 727 (general power to grant relief in case of honest and reasonable conduct) in which relief is granted to him by the court.".

(2) In Part I of Schedule 7 to the Companies Act 1985 (general matters to be dealt with in directors' report), after paragraph 5 insert—

"*Insurance effected for officers or auditors*

5A. Where in the financial year the company has purchased or maintained any such insurance as is mentioned in section 310(3)(a) (insurance of officers or auditors against liabilities in relation to the company), that fact shall be stated in the report."'.—*[Mr. Redwood.]*

Brought up, and read the First time.

Mr. Redwood: I beg to move, That the clause be read a second time.

Mr. Deputy Speaker: With this, it will be convenient to take Government amendment No. 257.

Mr. Redwood: There have been problems if companies pay for liability insurance for directors under the provisions of section 310 of the Companies Act. New clause 33 would enable companies to take out insurance against those liabilities for negligence, default or breach of trust on behalf of its officers and auditors, without that insurance being void. It also requires the existence of such insurance to be disclosed in the directors' report. The remainder of the new clause simply tidies up the drafting.

[Mr. Redwood]

Amendment No. 257 is a consequential amendment to the Building Societies Act 1986. This will enable the provision in that Act that is analogous to section 310 to be amended so as to ensure that companies and building societies continue to be subject to equivalent provisions.

I know that many hon. Members will welcome this change in the law. My hon. Friend the Member for Dorset, North (Mr. Baker) moved a similar amendment in Committee. It will be especially beneficial to non-executive directors, paid only a few thousand pounds a year for their services, but jointly liable in law with their executive colleagues for substantial sums. It may be of some help to the House, which showed considerable enthusiasm for non-executive directors in previous debates.

Mr. Nicholas Baker (Dorset, North): I welcome the introduction of this new clause and I am delighted that my hon. Friend the Minister has moved it. I have two small worries, however, which he may want to look at, but perhaps at a later date. The first concerns the problem that, although there is permission for companies to enter into insurance policies under which legal costs of impending proceedings can be paid, this does not appear to be so if somebody loses the case. The new clause says that the cost will be paid if the case is won. Should not one consider the alternative, which is if the case is lost?

Secondly, section 310 of the Companies Act 1985 does not prohibit the relief provision, but renders it void. The drafting of the permission for this kind of insurance that the new clause provides does not take account of it. It is not clear what the position will be in relation to the policies in force. If they were rendered void under section 310, it is not clear whether the new clause brings them to life again. I hope that my hon. Friend will take away these small but significant concerns and see whether some later amendment should be made.

Mr. Hanley: The new clause amends section 310 of the Companies Act 1985 so as to clarify that a company is able to purchase insurance for its officers and auditors against any liability that may be incurred by the company. The effect of section 310 was uncertain and the clarification is most welcome. The amendment, however, does nothing to address auditors' fundamental liability problems. Through the operation of the legal principle of joint and several liability, an auditor is liable to be required to meet the whole of a loss for which he is only partially responsible. Secondly, for larger firms the professional indemnity insurance cover at levels that they would regard as desirable is almost impossible to secure at any price. Measures to limit the liability of auditors are therefore extremely necessary. I have raised this issue in new clause 50, which we shall reach later in our proceedings. This is an ideal opportunity to raise the matter, however, because it is linked to new clause 33.

In 1986, a group known as the Heads of the Profession saw the then Secretary of State for Trade and Industry, my right hon. Friend the Member for Southend, West (Mr. Channon). The delegation met representatives of the DTI and of the Lord Chancellor's Department. The result was that in 1987 and 1988 the Government appointed a series of fact-finding studies into the liability problems of various professions, including the auditors. The report on the auditing profession is believed to have been in the Department's hands at least since May. Unfortunately, it has not yet been published and the Department has made no statement on it.

Members of the Standing Committee that considered the Bill will remember that in June the then Minister with responsibilities for these matters, my hon. Friend the Member for Warwickshire, North (Mr. Maude), issued a consultation paper on one of the proposals set out in the study team's report. That proposal I have reproduced as new clause 50. In essence, it allows the shareholders of a company to fix a reasonable limit to the auditor's liability to the company. This is not a solution to the problem but it would be a step in the right direction. The Government have not taken up the proposal in their consultation paper and have made no statement on the results of their consultations.

It would be most helpful, therefore, if my hon. Friend the Minister could provide some information about the Government's actions in respect of liability problems of the auditors' profession and of the many other professions that participated in the consultation process to state their great difficulties. The problems were aired in a debate in another place at some length. I shall be grateful if my hon. Friend will explain the timescale for the results of the consultation process, which was set in place when the Bill was being considered in Committee. Many of us have been surprised that there is no reference to the matter being brought before the House on Report.

Mr. Redwood: I have taken some quick advice on the two issues raised by my hon. Friend the Member for Dorset, North (Mr. Baker). The new clause is as neutral as possible in respect of existing policies. The position would have to be determined in accordance with existing law. My hon. Friend will know that it is a moot point whether existing policies are valid under that law. My hon. Friend asks why there should not be protection if the case is lost. In that event, the director would have been found liable in respect of one of the points set out in section 310. I think that it would be inappropriate that the company should have to pay his costs.

I can tell my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) that the Likierman report should be published soon, which I think that he will welcome. I cannot offer him any joy in respect of new clause 50 and the arguments that he is advancing in this debate. I believe that auditors have to be held liable, that auditors owe a duty and there has to be a fair trial in the courts if there is any potential negligence. The sums involved can be large but only because the amounts that may be lost by relying on inaccurate accounts can also be large. Any limitation on auditor's liability would inevitably mean that in some instances people who lost money in that way through no fault of their own would not be able to recover their losses in full. The onus must be on those who propose a change in the law to demonstrate that such a change would be in the overall public interest. I do not believe that that has been established.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 34

COMPANY CONTRACTS AND EXECUTION OF DOCUMENTS BY COMPANIES

'.—(1) In Chapter III of Part I of the Companies Act 1985

(a company's capacity; the formalities of carrying on business), for section 36 (form of company contracts) substitute—

"*Company contracts: England and Wales.*

36. Under the law of England and Wales a contract may be made—

(a) by a company, by writing under its common seal, or

(b) on behalf of a company, by any person acting under its authority, express or implied;

and any formalities required by law in the case of a contract made by an individual also apply, unless a contrary intention appears, to a contract made by or on behalf of a company.".

(2) After that section insert—

"*Execution of documents: England and Wales.*

36A.—(1) Under the law of England and Wales the following provisions have effect with respect to the execution of documents by a company.

(2) A document is executed by a company by the affixing of its common seal.

(3) A company need not have a common seal, however, and the following subsections apply whether it does or not.

(4) A document signed by a director and the secretary of a company, or by two directors of a company, and expressed (in whatever form of words) to be executed by the company has the same effect as if executed under the common seal of the company.

(5) A document executed by a company which makes it clear on its face that it is intended by the person or persons making it to be a deed has effect, upon delivery, as a deed; and it shall be presumed, unless a contrary intention is proved, to be delivered upon its being so executed.

(6) In favour of a purchaser a document shall be deemed to have been duly executed by a company if it purports to be signed by a director and the secretary of the company, or by two directors of the company, and, where it makes it clear on its face that it is intended by the person or persons making it to be a deed, to have been delivered upon its being executed.

A "purchaser" means a purchaser in good faith for valuable consideration and includes a lessee, mortgagee or other person who for valuable consideration acquires an interest in property.".

(3) After the section inserted by subsection (2) insert—

"*Execution of documents: Scotland*

36B.—(1) Under the law of Scotland the following provisions have effect with respect to the execution of documents by a company.

(2) A document—

(a) is signed by a company if it is signed on its behalf by a director, or by the secretary, of the company or by a person authorised to sign the document on its behalf, and

(b) is subscribed by a company if it is subscribed on its behalf by being signed in accordance with the provisions of paragraph (a) at the end of the last page.

(3) A document shall be presumed, unless the contrary is shown, to have been subscribed by a company in accordance with subsection (2) if—

(a) it bears to have been subscribed on behalf of the company by a director, or by the secretary, of the company or by a person bearing to have been authorised to subscribe the document on its behalf; and

(b) it bears—

(i) to have been signed by a person as a witness of the subscription of the director, secretary or other person subscribing on behalf of the company; or

(ii) (if the subscription is not so witnessed) to have been sealed with the common seal of the company.

(4) A presumption under subsection (3) as to subscription of a document does not include a presumption—

(a) that a person bearing to subscribe the document as a director or the secretary of the company was such director or secretary; or

(b) that a person subscribing the document on behalf of the company bearing to have been authorised to do so was authorised to do so.

(5) Notwithstanding subsection (3)(b)(ii), a company need not have a common seal.

(6) Any reference in any enactment (including an enactment contained in a subordinate instrument) to a probative document shall, in relation to a document executed by a company after the commencement of section *(Company contracts and execution of documents by companies)* of the Companies Act 1989, be construed as a reference to a document which is presumed under subsection (3) above to be subscribed by the company.

(7) Subsections (1) to (4) above do not apply where an enactment (including an enactment contained in a subordinate instrument) provides otherwise.".

(4) After the section inserted by subsection (3) insert—

"*Pre-incorporation contracts, deeds and obligations*

36C.—(1) A contract which purports to be made by or on behalf of a company at a time when the company has not been formed has effect, subject to any agreement to the contrary, as one made with the person purporting to act for the company or as agent for it, and he is personally liable on the contract accordingly.

(2) Subsection (1) applies—

(a) to the making of a deed under the law of England and Wales, and

(b) to the undertaking of an obligation under the law of Scotland, as it applies to the making of a contract.".

(5) In Schedule 22 of the Companies Act 1985 (provisions applying to unregistered companies), at the appropriate place insert—

"Section 36	Company contracts.	Subject to section 718(3).
Sections 36A and 36B	Execution of documents.	Subject to section 718(3).
Section 36C	Pre-incorporation contracts, deeds and obligations.	Subject to section 718(3).".

(6) The Secretary of State may make provision by regulations applying sections 36 to 36C of the Companies Act 1985 (company contracts; execution of documents; pre-incorporation contracts, deeds and obligations) to companies incorporated outside Great Britain, subject to such exceptions, adaptations or modifications as may be specified in the regulations.

Regulations under this subsection shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(7) Schedule *(Company contracts, seals &c.: further provisions)* contains further minor and consequential amendments relating to company contracts, the execution of documents by companies and related matters.'.—*[Mr. Redwood.]*

Brought up, and read the First time.

Mr. Redwood: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 123 and 151.

10 pm

Mr. Redwood: The present clause permits companies to dispense with the requirement of having a company seal and makes alternative provision for executing documents. The revised provisions make the following changes to the Companies Act. First, the new clause incorporates reforms proposed by the Scottish Law Commission on the

[Mr. Redwood]

execution of documents by companies under Scottish Law. Secondly, it takes up proposals suggested in another place that to execute documents other than by sealing, two directors or a director and the secretary should be permitted to sign instead of just a director and the secretary as first proposed. Thirdly, it clarifies and improves the proposals in the present clause 123 in respect of companies executing documents in England and Wales. Fourthly, it makes provisions with respect to the execution of documents by companies incorporated outside Great Britain.

In all those changes, we are grateful for the comments of several professional bodies in both Scotland and England. I should add that, in respect of Scotland, it had originally been intended that the provisions would be included in a separate private Member's Bill backed by the Scottish Law Commission on the Law of Writings. Unfortunately, that Bill failed to gain a Second Reading and we are therefore pleased, through the Bill, to pick up those provisions affecting companies. I hope that the House will welcome that.

Mr. Nicholas Baker: I welcome the new clause. I have one concern, which I hope my hon. Friend can allay. The new clause provides that companies will be deemed to have delivered deeds when they execute them. Subsection (5) states

"A document executed by a company which makes it clear on its face that it is intended by the person or persons making it to be a deed has effect, upon delivery, as a deed; and it shall be presumed, unless a contrary intention is proved, to be delivered upon its being so executed."

In that form, it appears that completion meetings will have to change because, as I understand the clause, a company will not be able to execute a document before a meeting and then send it to that meeting a day or two later to have the date put on it and for it to be brought into effect upon that date.

The subsection would have the effect of making the document come into effect when it is executed—possibly two days before the meeting. That could make life difficult for many commercial transactions. Can my hon. Friend allay that concern?

Mr. Redwood: I wonder whether my hon. Friend would allow me to write to him on that point at my leisure, when I have had time to consider it.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 8

DAMAGES

'.—(1) Section 651 of the Companies Act 1985 (power of court to declare dissolution of company void) is amended as follows.

(2) In subsection (1) omit the word "Where" and insert "Subject to the provision of section 651A below, where".

(3) After section 651 of the Companies Act 1985, insert new section 651A:

"(1) Any person seeking damages

(a) in respect of personal injuries (including any sum claimed by virtue of section 1(2)(c) of the Law Reform (Miscellaneous Provisions) Act 1934 (funeral expenses)), or

(b) under the Fatal Accidents Act 1976 or the Damages (Scotland) Act 1976,

in consequence of any act or omission of a company which has been dissolved and removed from the Register of Companies shall be entitled at any time within the period permitted by the Statute of Limitations to bring or pursue such action directly against the relevant public or employer (as the case may be) liability insurers of that company who, but for the dissolution of that company, would have been contractually bound to indemnify the company in respect of that action for damages, and such insurers shall have no greater liability to that person than its contractual obligations to indemnify the dissolved company in respect of the action.

(2) This section shall apply to any claim or proceeding that exists at the date of or shall arise after the commencement of this Act.".'.—*[Ms. Quin.]*

Brought up, and read the First time.

Ms. Quin I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this we shall discuss the following amendments: No. 287, in clause 131, page 141, line 36, leave out from 'time' to 'but' in line 37.

No. 288, in clause 131, page 142, line 1, leave out from beginning to 'do' and insert—

'(4) An application may be made under section 651(5) of the Companies Act 1985 as inserted by subsection (3) above (proceedings for damages for personal injury, &c.) in relation to a company dissolved before the commencement of this section notwithstanding that the time within which the dissolution might formerly have been declared void under that section had expired before commencement.

But no such application shall be made in relation to a company dissolved more than twenty years before the commencement of this section.

(5) Except as provided by subsection (4), the amendments made by this section.'.

No. 283, in clause 131, page 142, line 2, leave out 'two' and insert 'twenty'.

Ms. Quin: The amendments in the name of the hon. Member for Dorset, North (Mr. Baker) are very much in line with our amendment No. 283. The issues raised by the new clause and the amendment were originally raised in Committee. We do not make any apology for raising them again on Report because they are important matters that were not satisfactorily resolved in Committee. They affect many individuals who are not only experiencing severe health problems, but find themselves in financial difficulties.

The new clause and the amendment are about the difficulty that an individual faces in claiming compensation in cases of personal injury or the contracting of industrial disease when the company for whom the individual worked has been dissolved.

We all know from cases in our constituencies just how prevalent some industrial diseases are, particularly asbestosis, pneumoconiosis, byssinosis, and so on. Those who, like me, represent an industrial constituency know the problems vividly, in particular, the physical and financial difficulties that many of our constituents are facing.

Besides ourselves, many organisations are worried about the problems that the law creates, making it so difficult for people to claim compensation, particularly when they contract diseases several years after leaving the employment of a certain employer.

I particularly want to mention the good work done by the citizen action compensation campaign in highlighting the issue. That has been rightly active in contacting

members of the Committee and many other hon. Members on both sides of the House who are concerned with the issue.

The case that brought the problem to the fore is that of Bradley *v.* Eagle Star Insurance Company which dates from this year where it was decided that the claimant could not bring a claim against her past employers' insurance company for injuries that she alleged she had received while at work. Mrs. Bradley had contracted the respiratory disease byssinosis because of the work that she had done over several years in the card room of a Bolton cotton mill, the Dart mill.

In 1984 she brought a claim against the Eagle Star Insurance Company because her employers had gone out of business almost 10 years before. However, she could not re-register the company under the present provisions because of the two-year time limit.

Mr. John Pickering, Mrs. Bradley's solicitor, described her position as a clear injustice which was evident to any man in the street. The victim exists, the insurance company exists and the right to seek compensation for the injury has been paid for. Despite that, Mrs. Bradley was unable to obtain justice or compensation.

There is also the case of Norman Burden who worked for many years as a docker on the Newcastle quayside unloading bags of asbestos, as a result of which he contracted asbestosis. Because of the same legal difficulty, his family is left without compensation.

New clause 8 represents the optimum position. It is what we would ideally like to achieve if the Government were prepared to accept our new clause, simply because it provides for three things which do not exist at present.

The new clause would allow claimants to claim directly against the insurance company in the event that a former employee's company had been dissolved. That is important because it would overcome the problem of having to re-register the company for the purpose of making a claim against the insurer, which is the case at present and which can be a costly process—up to £400 for each re-registration.

Companies must be continually re-registered, depending on the number of claims that claimants want to make against that particular company's insurers. Some trade unions find it expensive to cope with the cost of the re-registration of companies. For example, the General and Municipal Workers Union has to re-register the Upper Clyde Shipbuilders at a cost of £3,000 or more a year. That is expensive, and if the law were changed it would be an unnecessary procedure.

The new clause also raises the issue of retrospectivity. We wish the period during which a claim can be made against an insurer to be extended from two years to 20 years. As the Bill stands, a claim can be retrospective for only two years. We feel that, especially as so many industrial diseases take a long time to manifest themselves, an alteration to 20 years would be an important step. We also wish the period to be unlimited in the future, which is why the new clause refers to the statute of limitations rather than to a 20-year period.

We hope that the Minister will respond positively. In Committee, his predecessor seemed to feel that our demands were excessive and that we should show some sympathy for the insurance companies. We were pleased to note, however, that certain Conservative Members took a rather different view, including the hon. Member for Dorset, North (Mr. Baker), although we were disappointed that that independent view was not reflected in a vote. We hope that that will not happen again.

We do not feel that the concern felt by insurers about the new clause and amendment are justified. They wrote to members of the Committee, and one point raised in Committee was that insurers, when working out the cost of their premiums, take into account that a number of companies will go into liquidation. We do not think that that complaint is justifiable, particularly as before the Bradley *v.* Eagle Star ruling the legal position was not really clear, and it would therefore have been very unwise for insurance companies to make such a calculation. We feel that, when premiums have been paid and claims cannot be made because of the existing legislation, the insurance companies are benefiting from a windfall.

The insurers also say that it is very unfair for them to be held liable for diseases that may manifest themselves in the future, and could not be foreseen by the industries in question. Insurance companies, however, know that that is the position—industry cannot possibly be aware of future scientific discoveries, for example—and they must deal with their customers on the basis of present knowledge.

Mr. Cousins: Like me, my hon. Friend the Member for Gateshead, East (Ms. Quin) represents a constituency that has had to deal with industrial diseases such as "vibration white finger" and asbestosis, which were being discussed many years ago. Workers and their trade union representatives had to fight the social security and legal systems for many years to establish the identity of those conditions—and others like them—as recognised diseases requiring compensation. Does my hon. Friend feel, as I do, anger that we should be told now after so many years of fighting that those problems could not have been anticipated?

Ms. Quin: I fully accept what my hon. Friend has said, and I hope that the anger that many of us feel about people who are in difficulties because of their past employment will be shared by the Minister and his colleagues.

The insurers have also said that, in certain circumstances, it may be very difficult for companies to track down the files on claimants over a 20-year period. That may be a problem, but it is not sufficient reason not to change the law. It may mean difficulties for certain claimants, but those claimants for whom records exist will be able to obtain justice.

Finally, the insurers are saying that future premiums would become more expensive if the law is changed in the way that we are suggesting, but we are reinforced in our feelings on the subject by the representations made to hon. Members by Mr. Robert Kiln, an insurer with more than 50 years' experience who was an insurance adviser to the Department of Trade and Industry. He feels that any such effect would be marginal.

10.15 pm

Another case, the Cartledge case, of which I am sure the Minister is aware, resulted in one occasion in the past where a case of retrospectivity was accepted by both sides of the House. Because of that, we urge the Minister to respond positively to our desire for retrospectivity, at least within the 20-year period, on this occasion. I urge the Minister and his colleagues not simply to accept the views of industry, but to see it from the point of view of the many individuals whose future has been blighted and who are

[Ms. Quin]

unable to claim compensation at present. Of course it is true that no amount of money can properly compensate for a permanent loss of good health or a permanent disability, but at least we should try to create the legal conditions under which some of those who have been so badly affected can seek compensation, and by doing so alleviate the problems faced by individuals and their families.

Mr. Redwood: It may help the House to make progress if I intervene at this point in the debate. I have listened carefully to the hon. Lady. I know the strong views expressed by my hon. Friend the Member for Dorset, North (Mr. Baker) in previous debates. I have problems with new clause 8. They are legal difficulties with which I shall not detain the House unduly but which relate to the very point raised by the hon. Lady. Substituting the company's insurer for the company itself as the defendant to an action for damages or personal injuries poses a number of legal difficulties which the Government find difficult to accept.

However, it is much more important for the House to learn not about the legal problems but about what I propose to do about the underlying problem which has been described in Committee. I suggest that the House accepts amendments Nos. 287 and 288 in the name of my hon. Friend the Member for Dorset, North. Clause 131 already extends the two-year period to 20 years, because the Government wanted to tackle that problem. If the House accepts both my hon. Friend's amendments, I hope that it will agree that we have gone a long way towards dealing with some problems which can be quite tragic.

That would require the House to accept the principle of retroaction. When I first examined the case and read the Committee proceedings, that caused me some difficulty. I have been swayed by legal representations that I have seen in which many good lawyers suggest that on this occasion it would be reasonable. If the House is united in wanting retroaction, I shall happily accept my hon. Friend's amendments.

Mr. Nicholas Baker: I am absolutely delighted by what my hon. Friend has just said. I moved the amendments in Committee because it seemed to me that there was an injustice. The hon. Member for Gateshead, East (Ms. Quin) described the problem. She is more familiar with it than I am as she has more constituents affected by industrial diseases. It is clearly an injustice that people should be prevented from claiming compensation simply because a company has been dissolved. As a lawyer, I, too, was concerned about the retrospective element but medical science has advanced so much, we know so much more about industrial disease and we know that they take longer to appear. To that extent, one could argue that this is not a retrospective piece of legislation. It is recognising that there is a wrong and I am delighted that we are doing something about it.

Amendment No. 288 provides for claims to be made for up to 20 years against companies that have been dissolved. I have difficulties with direct remedies against insurers and in making the time unlimited. I think that 20 years should be sufficient.

This is a great step forward for people who have suffered industrial injuries, and I am delighted with the comments made by my hon. Friend the Minister. I hope that the House will join me in supporting the amendment.

Ms. Quin: I should like to welcome the comments that the Minister made. Obviously, we still favour new clause 8, but the acceptance of the 20-year period and retroactivity is a considerable victory for those who are concerned about the many cases of injustice that have occurred.

There was some confusion in Committee when we debated the amendment. The Minister's predecessor believed that the Bill's provisions would deal with the majority of cases. We subsequently realised that the Bradley case and others would not be covered by clause 131, but they will now be covered by the new formula that the Minister has accepted.

Mr. Redwood: I confirm that what my predecessor said was right. The amendments make small but important improvements to the original good suggestion in the clause.

Ms. Quin: I do not want to introduce dissent into what appears to be agreement. Mrs. Bradley's case, and others, will be dealt with effectively by the amendments, the principle of which has been accepted. I welcome that, and we will therefore not press new clause 8 to a Division. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 9

EMPLOYEES' RIGHTS TO INFORMATION

'The following sections are inserted in Part XI of the Companies Act 1985:

365A—(1) The directors of every company to which this section applies shall communicate to each person in the company's employment at the end of its financial year general but explicit information as to the performance, structure, activities and financial year general but explicit information as to the performance, structure, activities, financial position, employment position, investment prospects and plans of the company during that year.

(2) This section and section 365B apply to every public limited company and every private company which is a subsidiary or a parent company of a public limited company if either the company or the group of companies to which it belongs have not less than 200 employees at the end of the financial year in respect of which information under this section is to be supplied or at the time at which the consultation required by section 365B is to take place as the case may be.

(3) If at the end of the financial year the company is a parent company or a subsidiary company the information referred to in subsection (1) shall be provided in respect of the group of companies of which it is a member and in respect of the company itself.

(4) The information required to be provided by this section shall be delivered in writing to each employee no later than the end of the period applicable to the company under section 244 (period allowed for laying and delivering accounts and reports).

(5) If the requirements of this section are not complied with before the end of the period referred to in subsection (4) every person who immediately before the end of that period was a director of the company is guilty of an offence and liable to a fine and for continued contravention to a daily default fine.

(6) It is a defence for a person charged with such an offence to prove that he took all reasonable steps for securing that those requirements would be complied with before the end of that period.'.—*[Mr. John Garrett.]*

Brought up, and read the First time.

Mr. John Garrett: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss new clause 10—*Employees' right to consultation*—

'The following sections are inserted in Part XI of the Companies Act 1985:

365B—(1) Subject to subsection (5) the directors of every company to which this section applies shall communicate in writing to the representatives of its employees precise information of the kind laid down in subsection (2) as to any proposed decision by the board of the company or, in so far as they are aware of it, of its holding company as to the matters specified in subsection (3).

(2) The information required to be communicated by subsection (1) is that which will reveal to the employees' representatives the grounds for the proposed decision, its legal, economic and social consequences for the employees concerned and the measures planned in respect of those employees.

(3) The obligation in subsection (1) shall apply to any proposed decision liable to have serious consequences for the interests of a significant number of employees of the company or of other companies in the group of which it is a member and in particular proposed decisions relating to the closure or transfer of the whole or a substantial part of the company or group's undertaking, substantial restrictions or modifications of the activities of that undertaking, major changes in working practice or production methods, the introduction, cessation or variation of co-operation or structural links with other undertakings, companies or businesses and measures relating to the health and safety of employees of the company or group.

(4) The information to be provided under subsection (1) shall be supplied not less than thirty days before it is proposed to make the decision in question and before that decision is made the directors shall formally consider any representations submitted by the employees' representatives.

(5) Information, the disclosure of which could substantially damage the interests of the company or group of companies, is not subject to the requirement of disclosure in subsection (1) but formal notification of the fact that a decision may be made to which subsection (3) applies must be served on the employees' representative and full information must be disclosed to the industrial tribunal if an application is lodged by the employees' representatives under subsection (6) for a decision as to whether the information falls within this subsection.

(6) The employees' representative may apply to an Industrial Tribunal for a ruling that a decision is proposed to which this section applies or that information as to which a notification under subsection (5) has been received is not such that its disclosures would damage the interests of the company or group of companies.

(7) Any application made under subsection (6) shall be made by the employee's representative within seven days of receiving notice under subsection (5) or of receiving information leading him to believe that a proposed decision is likely. Such application shall be determined by the Tribunal within fourteen days of the application and there shall be no appeal against its decision. The Tribunal may dismiss the application or make such order as it thinks fit for the disclosure of information and the consultation of the employee's representative under this section. The Tribunal shall not disclose to the employees' representative or any other person the information it has received which the company claims is subject to subsection (5) unless the application of the employees' representative is upheld as regards that information.

(8) During the period from the submission of an application under subsection (7) to its determination by the Industrial Tribunal no steps shall be taken by the company to make or execute the proposed decision.'.

Mr. Garrett: I am pleased to see an outbreak of harmony, which was the rule in Committee, with the Government and the Opposition arriving at a much better Bill as a result of discussing the issues. I hope that that will be true in relation to new clauses 9 and 10.

The new clauses embody proposals for an European Community directive on procedures for informing and consulting employees—the Vredeling directive, which was last discussed at the EC's labour and social affairs council in 1986 and is due to be discussed again this year.

The EC charter of fundamental social rights produced in May this year, and due to be discussed at the summit in December, includes the main principles of the new clauses, and it is right that the House should have the opportunity to consider them again.

The charter foresees a particular need for rights of information and consultation to be extended to workers where technological change has far-reaching implications for the work force, where restructuring or mergers have an effect on employment or where workers from other member states are particularly affected by their employers' policies.

In nine of the 12 member states, works councils representing employees have to be kept informed by management about important developments. Unfortunately, the United Kingdom is one of the three states where no such rights exist.

The new clauses are self-explanatory. They differ from the Vredeling directive in that they refer to a company or group of companies having not fewer than 200 employees. The original Vredeling draft referred to 100 employees, but after a vote in the European Parliament the figure was

[Mr. Garrett]

raised to 1,000 employees. We see no reason why medium-sized companies should not be covered by these provisions.

We are aware—who is not?—that the Prime Minister is resolutely opposed to the provisions of the proposed social charter. I understand that the Department of Employment this week issued a document opposing any legislation on worker participation. Our view is that consultation with employees along the lines proposed in our new clause will eventually be enacted and enforced.

The requirement is modest—that a company should explain its performance and financial and employment prospects to its employees once a year and discuss its plans with its employees. New clause 10 proposes that companies shall consult employees' representatives on decisions that are likely to have serious consequences for the interests of a significant number of employees in respect of such matters as closures, transfers, changes in production methods and health and safety at work. Refusal to provide such information on the grounds of potential harm to the interests of a company may be referred to a tribunal for adjudication.

We are all aware of the value of freely sharing information with the workers in an enterprise and encouraging participation in its conduct. These new clauses are in the mainstream of European thought, but I am sure that the Government are likely to demonstrate that they are outside it.

Indeed, like so many of our proposals for the improvement of the Bill, the new clauses are in line with good management practice in Britain. They would give momentum to the wider adoption of good practice in relation to consulting employees on the major issues that affect their lives at work. In a British Institute of Management discussion paper which I received today, the results of a survey of company employee paticipation in Britain show the extent to which formal methods exist for participation in our companies. The most common form of paticipation is the briefing meeting at which company policies are explained to employees—very much along the lines of what we propose. Nearly half of all companies have them and 70 per cent. think that they are effective or very effective.

In the Netherlands and France, these provisions have already been enacted. In West Germany, the two-tier board structure provides for them. It is time that we moved in that direction. Although the number is dwindling, too many companies in this country are remote, authoritarian and still treat their employees as chattels. In the great wave of redundancies which took place in 1980 and 1982 and which are beginning to recur, certainly in my constituency, as a result of current levels of interest, thousands of workers were dismissed with minimum notice, little consultation and little sharing of experience between managers and workers. We believe that workers have a right to be consulted and to be involved in the decisions that shape their lives.

Mr. Cousins: My hon. Friend the Member for Norwich, South (Mr. Garrett) has rightly referred to the Prime Minister's attitude to workers' rights. In one moment of enthusiasm she even described this modest proposal, and proposals like it, as "Marxist". It may well be that a few small bonfires are being lit in Highgate tonight, and Heaven knows, there may be some reason for that. Those of us who recollect the discussions in Standing Committee will recall the reference to Karl Marx of Brent which enlivened our proceedings a little.

The proposals in new clauses 9 and 10 have nothing to do with Marxism. Tonight the Government are being tested. The philosophical position which gives rise to the new clauses goes back not to the Communist manifesto of 1848 but to the papal encyclical "Mater et Magister" of the 1890s. The test is whether the Conservative party is prepared to accept the new clauses and start becoming a proper European Christian Democrat party or to remain stuck in an isolationist, reactionary mould which will ultimately exclude them and their successors from all significant influence in Europe's political affairs.

This is an important matter. The new clauses raise issues which are fundamental to the Government's position in Europe. Every Christian Democrat party in Europe, which in their politics are generally thought of as Right-wing parties, associate themselves with the principle of consulting workers by statute. So far, however, the British Government do not, but today they have the opportunity to reverse their stance and to start engaging in the sensible dialogue that will ultimately be inevitable and necessary, not with us but with their own future political candidate allies, should any be foolish enough to take the conservative party seriously.

10.30 pm

The new clauses advance limited, simple proposals which, if the Government do not accept them tonight, they will have to confront in other forms on other occasions in the near future. The proposals are some way down the track that the Government will have to accept. Would it not be better for the Government, for workers and for the Government's standing in Europe if they moved now, before being pushed into another humiliating retreat and surrender on such a simple and fundamental matter?

It is not simply a case of falling into line with Europe. Steps have already been taken which will inevitably raise the issue of workers' rights in a concrete form throughout British industry. European company statutes have already gone so far as to create the European economic interest group—a curious term for the European company.

The European company is with us. Because of the statutory position of companies and the tradition of social legislation, which is not a matter of controversy between the political Left and the Right in other European countries, the Government will have to accept, if not now, then later, incorporation in company statute of the principles of consulting workers and of workers' rights.

It is even more curious that the Government accepted that what leads them down this track in the Employment Act 1982, which was incorporated in the Companies Act 1985. I refer to the requirement for a company to demonstrate in its annual accounts what it has done about employee involvement. Companies are required to report on four issues, two of which are precisely what new clauses 9 and 10 propose.

It is curious that the Government made a great point of philosophical principle about a company not being required to consult its employees and workers or to give them information about key matters of concern to them, but they are willing to require companies to lodge in their accounts a requirement to consult shareholders about what the company does about informing workers. What

tortured logic is it that makes the Government happy to advocate that a company should talk to its shareholders but not to its workers about what it does about workers' rights?

In 1982, the Government quite voluntarily got into an untenable position. In 1985, they shifted that contradiction from employment legislation to companies legislation. It is entirely logical that we should ask the Government to confront that, and to come up with a sensible reply.

We have heard a lot tonight about compliance. It would be interesting to know what the Government have done to ensure compliance with the provisions on employee involvement which they themselves created in the Companies Act 1985. All that appears to have been done in that respect is to carry out two surveys on a sample basis of what companies were up to. Those surveys demonstrate clearly that there is a declining number of companies—and that is to be welcomed—which fail to carry out the provisions originally in the Employment Act 1982 and now in the Companies Act 1985 on the requirement to report their shareholders about workers' rights. None the less, in the last survey carried out in 1988, of the sample taken, more than 10 per cent. of companies failed completely to carry out any of their requirements under the Companies Act 1985.

If the Government are not prepared to accept new clause 9 and new clause 10 to carry them gently a little further forward towards taking workers seriously, as they will inevitably have to do later, it would be interesting to find out tonight what they propose to do to carry out the proper enforcement of their own legislation requiring companies to report to shareholders on these matters under the Companies Act 1985. We have heard much about compliance and high standards tonight, yet there is not a shred of evidence that any company has had any action taken against it to force it to carry out its duties under the 1985 Act on its responsibilities on employee involvement. That is a shameful state of affairs, which can only reduce still further the credibility of the Government's position on the matter.

It is no wonder that our European partners are suspicious of the Government's intentions in this respect. But for the other sensational matters which have come before the House today, this debate and the Government's position on new clause 9 and new clause 10 might well have been recorded and studied closely elsewhere. I appreciate, of course, that after today's events, this humble matter is unlikely to catch the headlines. None the less, there will be and there are already people—including the partner Governments in Europe and the other Christian Democrat politicians in Europe, whom the government would like to see as their political partners—who will look carefully at the Government's response on this. They will be disappointed if the Government do not respond to new clauses 9 and 10 in the same fashion as the Minister responded to new clause 8.

It is not just a question of bringing about compulsory compliance with matters which will eventually be raised against the Government from European sources, but a matter that the Government themselves should be considering. What was the logic of putting into the Companies Act 1985 the requirement to consult shareholders about employee involvement if the matter was not taken seriously?

There are areas which the Government are prepared to admit are significant enough to warrant companies studying their relationships with their workers most carefully. One of the most significant of those is training. Training is an issue that the Government have sought to detect in the employee involvement statements which have been delivered as a result of that requirement in the Companies Act 1985. What a sad story the statements tell, and how inadequately companies have reported to their shareholders on such key matters. The truth is that the economy will not be turned around unless workers are consulted and informed and unless they play a part in taking key decisions in their companies.

We should not imagine that when we refer to workers we mean manual industrial workers. Our work force is increasingly comprised of highly skilled, non-manual workers. Above all the Government should seek to mobilise the energy of those workers in the service of their companies and they should do so other than through shareholding schemes.

Tonight we have said much about accountancy. The turnover of labour in accountancy firms is now running at about 20 per cent. or more. The country is in the grip of a philosophy which advocates advancement through change of job. There is nothing wrong with that, but we should remember that we are approaching a time when the number of workers will decline. It is desperately important to retain skilled workers who can work together on a continuing basis with their colleagues.

All too often, teams of highly skilled, non-manual workers are thrown to the wind. My hon. Friend the Member for Sunderland, North (Mr. Clay) saw the loss of such workers—priceless assets—from Marine Design Consultants based in his constituency. In the past, workers whose experience was of great value not only to their companies, but to the economy, were simply discarded. The Government cannot continue to shirk their obligations in this respect.

We are not talking about the industrial workers of the past, but about highly skilled and motivated non-manual workers who want to be part of a team within their company. I hope that the Government recognise that new clauses 9 and 10 present them with an opportunity to mobilise the energy and integrity of such workers in support of their economic policies. I note that the Leader of the House is present. No doubt he is familiar with the Government's economic policies, although they appear obscure to some of us.

Mr. David Winnick (Walsall, North): He probably has his mind on other matters.

Mr. Cousins: That would be entirely forgiveable. Tonight we have witnessed a sensational example of the difficulties which arise if an enterprise fails to involve its senior workers in achieving its objectives. That failure at worker involvement may come to haunt the Government.

New clauses 9 and 10 pose a simple test of the Government's attitude to the work force and of how they intend to respond to the European social charter. It is most important for the Government to sort out whether they want to be a Christian Democratic Government in the social tradition of Europe or whether they wish to remain an isolationist, localised Government obsessed with their own ideas. Tonight, above all nights, we have seen them in that light.

I hope that the Government will accept the new clauses.

The Secretary of State for Trade and Industry (Mr. Nicholas Ridley): I am delighted to respond to the points made by the hon. Members for Norwich, South (Mr. Garrett) and for Newcastle upon Tyne, Central (Mr. Cousins).

The new clauses do different things. New clause 9 gives employers the duty to make an annual report to their employees. I agree that it is good practice to do so. Indeed, all companies have to publish a report of some sort—*[Interruption.]* Yes, they do—an annual report, and in the main, they have to cover many of the issues referred to here. I should have thought that it would be eminently sensible to cover all the matters which are relevant to shareholders, customers and workers, and to ensure that copies of the report are made available to employees. That seems an excellent example of the best sort of industrial practice.

10.45 pm

The difference between us is whether it is right to turn from good practice to trying to impose a requirement of that sort by statute. The hon. Member for Newcastle upon Tyne, Central asserted that there is a great ideological dispute between us—between Marxism and liberal Tory economics, but I very much doubt that. Throughout these highly successful 10 years of industrial regeneration, we have sought to put minimum burdens on industry, whereas the hon. Gentleman is always hankering for controls, regulation and statutes.

New clause 10 goes much further and requires employers to give 30 days' notice of decisions which might have serious effects such as closure; transfer; changes in the activity of the company, its working practices or production methods; mergers; takeovers; and health and safety matters. If it so happens that a company believes that the decisions that it has to make will be of a sensitive nature, it can apply to the industrial tribunal on the grounds that it might do substantial damage to the company if these were to become public. The company must then await the verdict of the industrial tribunal before approaching a decision.

New clause 10 is a far more serious and inhibiting provision than new clause 9. It would mean considerable delay before decisions could be taken. The judgment of what could be a sensitive decision which could do great damage—not only to that company, but perhaps to other companies and to the whole operation of the market in buying and selling those industrial units—would no longer be within the jurisdiction of the directors but would lie with the industrial tribunal. That in itself is an inhibition which would place a great disadvantage on our boards of directors. Furthermore, the delay inherent in these procedures would have serious consequences for the ability of directors to take decisions in what are sometimes fast-moving situations.

The curious thing about these provisions is that they seem to apply to the company itself and its board of directors. Presumably, if the company is a foreign and not a European company, and the members of the board of directors are not resident here, it would be hard to enforce the provisions. That would give an enormous advantage to foreign rather than European owned companies in this country.

Mr. John Garrett: Why?

Mr. Ridley: Because, as the hon. Gentleman should recognise, the board of directors are not resident in this country——

Mr. Garrett: Where is the advantage?

Mr. Ridley: The advantage is that they would not have this great delay and uncertainty about their ability to take decisions.

An even stronger example is that the real upset and worry that the hon. Member for Newcastle upon Tyne, Central mentioned is for workers whose companies are taken over—not for those in the company doing the taking over. How a company seeking to take over another is supposed to give notice and go to the industrial tribunal about its intentions to take over that other company certainly beats me.

These proposals do not remotely fit the modern fast-moving industrial world of which the hon. Member for Newcastle upon Tyne, Central spoke. He described the difference between the two sides of the House as being between Marxism and market economics, and then pretended that he understood about the fast-moving industrial changes of today. His contention that his proposals are designed to facilitate those changes does not remotely fit the facts—that in such a world the decision makers must be given the chance to take decisions properly.

An example of the sort of inhibitions that new clause 10 might cause was to be seen in an action brought by the trade unions in the High Court in 1987. The unions claimed that they had not been consulted on the transfer involved in the privatisation of the dockyards, as was required by the Dockyard Services Act 1986, which contains the very provisions the hon. Member for Newcastle upon Tyne, Central seeks in the new clause. They arise under the relevant provisions of the Transfer of Undertakings (Protection of Employment) Regulations, which implemented a European directive negotiated by the Labour Government.

The unions admitted at the hearing that their aim throughout had been to delay privatisation and the High Court found that all reasonable steps had been taken to inform and consult the workers. Mr. Justice Millett said in his judgment:

> "If there is a lesson to be learned from what has taken place, it is that effective consultations cannot take place with those who do not wish to be consulted".

The Opposition would vest these sometimes genuine and sometimes obstructionist powers in the hands of people who sometimes do not want to be consulted.

There are two defects in the Oppositions's approach. First, they want to enshrine in statute, regulations and controls that which we believe should be left to the judgment and decisions of boards of directors, operating in their own best interests and in the best interests of their workers in a highly competitive economy. All unnecessary regulations will make them less likely to be able to provide the improvements in conditions and pay that the employees rightly deserve and expect.

Secondly, the hon. Member for Dagenham (Mr. Gould)—typically of the Opposition—has waged a war against the shareholder. He is, I suppose, the most extreme example of this syndrome. Yesterday he boasted about his book. It might be interesting for the House if I gave it a little more publicity——

Mr. John Garrett *rose*——

Mr. Ridley: I have not finished my sentence. The hon. Member says in his book:

"Where there is no substantial public equity stake on which to build, we shall establish voting control without necessarily buying the equity . . . The golden share already establishes the principle of separating voting rights from the other incidents of equity ownership".

He says elsewhere:

"Our concern is to provide mechanisms . . . which provide real control to employees over the enterprise to which they devote their working lives . . . We also believe that employees should have increasing access to such major decisions as plant closures . . . and takeovers or mergers".

That is what lies behind the new clause. It is also what lies behind the social charter and the European initiatives that the hon. Gentleman has so prophetically—or perhaps I should say pathetically—advocated.

There is a better book than the one by the hon. Member for Dagenham, and it is free. I shall give a copy to the hon. Member for Norwich, South (Mr. Garrett). It is about the improvement and progress in employee involvement in Britain and the great benefits that have come by leaving such matters to those who practise industrial policy. They have responded and have found many important ways to involve workers in the affairs of their companies. That is why we have seen a great increase in industrial productivity and in the standard of living of people in successful industries. Those things are the result of not adopting Opposition policies.

Mr. John Garrett: It is my pleasant duty to welcome the Secretary of State for Trade and Industry on, I think, his first appearance, at the Dispatch Box in his new role. We can look forward to many hours of entertainment from him and fully expect him to do for British industry what he did for the environment.

The right hon. Gentleman was not present in Committee, but he will know that the Opposition moved many amendments aimed at creating companies which are accountable not only to their employees, as the amendment proposes, but also to shareholders, consumers and potential investors. Far from opposing the shareholder, our amendments have tried to advance the concept of the accountable company. I do not know whether the right hon. Gentleman has sat down or whether he gave way to me.

Madam Deputy Speaker (Miss Betty Boothroyd): My understanding was that the Secretary of State had given way.

Mr. Ridley: I had sat down, but I shall attempt to intervene in the hon. Gentleman's speech if he goes on in that way.

Mr. Winnick: I know that my hon. Friend is a generous person. He should perhaps try not to be too harsh on the Secretary of State bearing in mind that the right hon. Gentleman has not been appointed to any of the offices discussed earlier. My hon. Friend should have some sympathy for the Secretary of State.

Mr. Garrett: The right hon. Gentleman needs no sympathy from me. He will get that from his own party as he deals with these important matters in the future.

The Minister's answer to the proposals in our new clause is unsatisfactory and I invite my right hon. and hon. Friends to join me in the Division Lobby.

Question put, That the clause be read a Second time:—

The House divided: Ayes 39, Noes 137.

Division No. 356] **[10.58 pm**

AYES

Allen, Graham
Anderson, Donald
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Buchan, Norman
Clay, Bob
Cousins, Jim
Cryer, Bob
Dewar, Donald
Dixon, Don
Dobson, Frank
Fields, Terry *(L'pool B G'n)*
Foster, Derek
Foulkes, George
Galloway, George
Garrett, John *(Norwich South)*
Haynes, Frank
Hughes, John *(Coventry NE)*
Jones, Martyn *(Clwyd S W)*
Leighton, Ron
Livsey, Richard
Madden, Max
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Patchett, Terry
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Steel, Rt Hon David
Wall, Pat
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Winnick, David
Wise, Mrs Audrey

Tellers for the Ayes:
Mrs. Llin Golding and
Mr. Ken Eastham.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cran, James
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kilfedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lord, Michael
Maclean, David
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morris, M *(N'hampton S)*
Moss, Malcolm

Moynihan, Hon Colin
Neubert, Michael
Norris, Steve
Oppenheim, Phillip
Paice, James
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David (Waveney)
Portillo, Michael
Powell, William (Corby)
Redwood, John
Ridley, Rt Hon Nicholas
Shepherd, Richard (Aldridge)
Smith, Tim (Beaconsfield)
Soames, Hon Nicholas
Steen, Anthony
Stern, Michael
Stradling Thomas, Sir John
Taylor, John M (Solihull)
Thompson, D. (Calder Valley)
Thompson, Patrick (Norwich N)
Thurnham, Peter
Townsend, Cyril D. (B'heath)
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles (Bexhill)
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Nicholas
Wood, Timothy
Young, Sir George (Acton)

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Tom Sackville.

Question accordingly negatived.

Mr. Robert Hayward (Kingswood): On a point of order, Madam Deputy Speaker. Could you please clarify, for a relatively new Member, how, under the Companies Bill, we can give full and due consideration to the fact that this evening the Conservative party in Westminster city council dramatically increased its majority in a byelection?

Madam Deputy Speaker: That is a total waste of the time of the House. It has nothing to do with the Bill or with the Chair.

It being after Eleven o'clock, MADAM DEPUTY SPEAKER *proceeded, pursuant to the Order this day, to put forthwith the Question,* That all new clauses and new schedules relating to part V of the Bill standing in the name of, or moved by, a member of the Government, be added to the Bill.

New clause 52

ORDERS IMPOSING RESTRICTIONS ON SHARES

'.—(1) The Secretary of State may by regulation made by statutory instrument make such amendments of the provisions of the Companies Act 1985 relating to orders imposing restrictions on shares as appear to him necessary or expedient—

(a) for enabling orders to be made in a form protecting the rights of third parties;

(b) with respect to the circumstances in which restrictions may be relaxed or removed;

(c) with respect to the making of interim orders by a court.

(2) The provisions referred to in subsection (1) are section 210(5), section 216(1) and (2), section 445 and Part XV of the Companies Act 1985.

(3) The regulations may make different provision for different cases and may contain such transitional and other supplementary and incidental provisions as appear to the Secretary of State to be appropriate.

(4) Regulations under this section shall not be made unless a draft of the regulations has been laid before Parliament and approved by Resolution of each House of Parliament.'.—*[Mr. Tim Smith.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 49

ISSUE OF REDEEMABLE SHARES

'.—(1) In Part V of the Companies Act 1985 (share capital, its increase, maintenance and reduction). Chapter III (redeemable shares, purchase by a company of its own shares) is amended as follows.

(2) After section 159 (power to issue redeemable shares) insert—

"*Terms and manner of redemption*

159A.—(1) Redeemable shares may not be issued unless the following conditions are satisfied as regards the terms and manner of redemption.

(2) The date on or by which, or dates between which, the shares are to be or may be redeemed must be specified in the company's articles or, if the articles so provide, fixed by the directors, and in the latter case the date or dates must be fixed before the shares are issued.

(3) Any other circumstances in which the shares are to be or may be redeemed must be specified in the company's articles.

(4) The amount payable on redemption must be specified in, or determined in accordance with, the company's articles, and in the latter case the articles must not provide for the amount to be determined by reference to any person's discretion or opinion.

(5) Any other terms and conditions of redemption shall be specified in the company's articles.

(6) Nothing in this section shall be construed as requiring a company to provide in its articles for any matter for which provision is made by this Act.".

(3) In section 160 (financing, &c. of redemption)—

(a) omit subsection (3) (which is superseded by the new section 159A), and

(b) in subsection (4) (cancellation of shares on redemption) for "redeemed under this section" substitute "redeemed under this Chapter".

(4) In section 162 (power of company to purchase own shares), for subsection (2) (application of provisions relating to redeemable shares) substitute—

"(2) Sections 159, 160 and 161 apply to the purchase by a company under this section of its own shares as they apply to the redemption of redeemable shares".'.—*[Mr. Nicholas Baker.]*

Brought up, read the First and Second time, and added to the Bill.

Amendment made:

New Schedule 151

'COMPANY CONTRACTS, SEALS, &C.: FURTHER PROVISIONS

Execution of deeds abroad

1.—(1) Section 38 of the Companies Act 1985 (execution of deeds abroad) is amended as follows.

(2) In subsection (1) (appointment of attorney to execute deeds), after "A company may" insert "under the law of England and Wales".

(3) For subsection (2) (effect of deed executed by attorney) substitute—

"(2) A deed executed by such an attorney on behalf of the company has the same effect as if it were executed under the company's common seal.".

Official seal for use abroad

2.—(1) Section 39 of the Companies Act 1985 (power to have official seal for use abroad) is amended as follows.

(2) In subsection (1), after "A company" insert "which has a common seal" and for "the common seal of the company" substitute "its common seal".

(3) For subsection (2) (effect of sealing with official seal) substitute—

"(2) The official seal when duly affixed to a document has the same effect as the company's common seal.".

(4) In subsection (3) (instrument authorising person to affix official seal), after "by writing under its common seal" insert "or, in the case of a company registered in Scotland, subscribed in accordance with section 36B,".

Official seal for share certificates, &c.

3.—(1) Section 40 of the Companies Act 1985 (official seal for share certificates, &c.) is amended as follows.

(2) After "A company" insert "which has a common seal" and for "the company's common seal" substitute "its common seal".

(3) At the end add—

"The official seal when duly affixed to a document has the same effect as the company's common seal.".

Authentication of documents

4. In section 41 of the Companies Act 1985 (authentication of documents), for the words from "may be signed" to the end substitute "is sufficiently authenticated for the purposes of the law of England and Wales by the signature of a director, secretary or other authorised officer of the company.".

Share certificate as evidence of title

5. For section 186 of the Companies Act 1985 (certificate to be evidence of title) substitute—

"*Certificate to be evidence of title.*

186.—(1) A certificate under the common seal of the company (or, in the case of a company registered in Scotland, subscribed in accordance with section 36B) specifying any shares held by a member is—

(a) in England and Wales, prima facie evidence, and

(b) in Scotland, sufficient evidence unless the contrary is shown, of his title to the shares.".

Share warrants to bearer

6. For section 188 of the Companies Act 1985 (issue and effect of share warrant to bearer) substitute—

"*Issue and effect of share warrant to bearer.*

188.—(1) A company limited by shares may, if so authorised by its articles, issue with respect to any fully paid shares a warrant (a "share warrant") stating that the bearer of the warrant is entitled to the shares specified in it.

(2) A share warrant issued under the company's common seal (or, in the case of a company registered in Scotland, subscribed in accordance with section 36B) entitles the bearer to the shares specified in it; and the shares may be transferred by delivery of the warrant.

(3) A company which issues a share warrant may, if so authorised by its articles, provide (by coupons or otherwise) for the payment of the future dividends on the shares included in the warrant.".

Identification of company on common seal

7. In section 350 of the Companies Act 1985 (identification of company on company seal), for subsection (1) substitute—

"(1) A company which has a common seal shall have its name engraved in legible characters on the seal; and if it fails to comply with this subsection it is liable to a fine.".

Floating charges under Scots law

8. In section 462 of the Companies Act 1985 (power of company to create floating charge), for subsections (2) and (3) substitute—

"(2) In the case of a company which the Court of Session has jurisdiction to wind up, a floating charge may be created only by a written instrument which is presumed under section 36B to be subscribed by the company.".

9. In section 466(2) of the Companies Act 1985 (execution of instrument altering floating charge)—

(a) at the beginning of the subsection insert "Without prejudice to any enactment or rule of law regarding the execution of documents,";

(b) omit paragraph (a);

(c) at the end of paragraph (b) insert "; or", and

(d) omit paragraph (d) and the word "or" preceding it.

10. In section 53(3) of the Insolvency Act 1986 (execution of instrument appointing receiver), in paragraph (a) for "in accordance with the provisions of section 36 of the Companies Act as if it were a contract" substitute "in accordance with section 36B of the Companies Act 1985".'.

—*[Mr. Redwood.]*

MADAM DEPUTY SPEAKER *then proceeded to put forthwith the Question on amendments, relating to part V of the Bill, standing in the name of, or moved by a Member of the Government, of which notice had been given, to that part of the Bill to be concluded at Eleven o'clock.*

Clause 101

A COMPANY'S OBJECTS AND THE POWER OF DIRECTORS TO BIND IT

Amendments made: No. 94, in page 102, line 48, leave out from 'of' to end of line 50 and insert 'anything in the company's memorandum.'.

No. 95, in page 103, leave out lines 1 to 8 and insert —

'(2) A member of a company may bring proceedings to restrain the doing of an act which but for subsection (1) would be beyond the company's capacity; but no such proceedings shall lie in respect of an act to be done in fulfilment of a legal obligation arising from a previous act of the company.

(3) It remains the duty of the directors to observe any limitations on their powers flowing from the company's memorandum; and action by the directors which but for subsection (1) would be beyond the company's capacity may only be ratified by the company by special resolution.

A resolution ratifying such action shall not affect any liability incurred by the directors or any other person; relief from any such liability must be agreed to separately by special resolution.

(4) The operation of this section is restricted by section 30B(1) of the Charities Act 1960 and section 105(3) of the Companies Act 1989 in relation to companies which are charities; and section 322A below (invalidity of certain transactions to which directors or their associates are parties) has effect notwithstanding this section.'.

No. 96, in page 103, line 21, at end insert—

'(c) a person shall be presumed to have acted in good faith unless the contrary is proved.'.

No. 97, in page 103, leave out lines 22 to 26 and insert—

'(2A) The references above to limitations on the directors' powers under the company's constitution include limitations deriving—

(a) from a resolution of the company in general meeting or a meeting of any class of shareholders, or

(b) from any agreement between the members of the company or of any class of shareholders.'.

No. 98, in page 103, line 29, leave out from 'directors;' to end of line 31 and insert 'but no such proceedings shall lie in respect of an act to be done in fulfilment of a legal obligation arising from a previous act of the company.

(3A) Nor does that subsection affect any liability incurred by the directors, or any other person, by reason of the directors' exceeding their powers.'.

No. 99, page 103, leave out lines 32 to 41.

No. 100, in page 103, line 41, at end insert—

'(4) The operation of this section is restricted by section 30B(1) of the Charities Act 1960 and section 105(3) of the Companies Act 1989 in relation to companies which are charities; and section 322A below (invalidity of certain transactions to which directors or their associates are parties) has effect notwithstanding this section.'.

No. 101, in page 103, line 43, leave out from 'is' to 'or' in line 44 and insert 'permitted by the company's memorandum'.

No. 102, in page 103, line 46, at end insert—

'(1A) In Schedule 21 to the Companies Act 1985 (effect of registration of companies not formed under that Act), in paragraph 6 (general application of provisions of Act), after sub-paragraph (5) insert—

"(6) Where by virtue of sub-paragraph (4) or (5) a company does not have power to alter a provision, it does not have power to ratify acts of the directors in contravention of the provision.".'.—*[Mr. Redwood.]*

Clause 102

INVALIDITY OF CERTAIN TRANSACTIONS INVOLVING DIRECTORS

Amendments made: No. 103, in page 104, leave out lines 3 to 29 and insert—

'322A.—(1) This section applies where a company enters into a transaction to which the parties include—

(a) a director of the company or of its holding company, or

(b) a person connected with such a director or a company with whom such a director is associated,

and the board of directors, in connection with the transaction, exceed any limitation on their powers under the company's constitution.

(2) The transaction is voidable at the instance of the company.

(3) Whether or not it is avoided, any such party to the transaction as is mentioned in subsection (1)(a) or (b), and any director of the company who authorised the transaction, is liable—

(a) to account to the company for any gain which he has made directly or indirectly by the transaction, and

(b) to indemnify the company for any loss or damage resulting from the transaction.

(4) Nothing in the above provisions shall be construed as excluding the operation of any other enactment or rule of law by virtue of which the transaction may be called in question or any liability to the company may arise.

(5) The transaction ceases to be voidable if—

(a) restitution of any money or other asset which was the subject-matter of the transaction is no longer possible, or

(b) the company is indemnified for any loss or damage resulting from the transaction, or

(c) rights acquired bona fide for value and without actual notice of the directors' exceeding their powers by a person who is not party to the transaction would be affected by the avoidance, or

(d) the transaction is ratified by the company in general meeting, by ordinary or special resolution or otherwise as the case may require.

(6) A person other than a director of the company is not liable under subsection (3) if he shows that at the time the transaction was entered into he did not know that the directors were exceeding their powers.

(7) This section does not affect the operation of section 35A in relation to any party to the transaction not within subsection (1)(a) or (b).

But where a transaction is voidable by virtue of this section and valid by virtue of that section in favour of such a person, the court may, on the application of that person or of the company, make such order affirming, severing or setting aside the transaction, on such terms, as appear to the court to be just.

(8) In this section "transaction" includes any act; and the reference in subsection (1) to limitations under the company's constitution includes limitations deriving—

(a) from a resolution of the company in general meeting or a meeting of any class of shareholders, or

(b) from any agreement between the members of the company or of any class of shareholders.".'.—*[Mr. Redwood.]*

Clause 103

STATEMENT OF COMPANY'S OBJECTS

Amendment made: No. 104, in page 104, line 36, leave out from 'formation),' to 'A' in line 46 and insert

'after section 3 (forms of memorandum) insert—

"*Statement of company's objects: general commercial company*

3A. Where the company's memorandum states that the object of the company is to carry on business as a general commercial company—

(a) the object of the company is to carry on any trade or business whatsoever, and

(b) the company has power to do all such things as are incidental or conducive to the carrying on of any trade or business by it.".

(2) In the same Chapter, for section 4 (resolution to alter objects) substitute—

Resolution to alter objects

4.—(1)'.—*[Mr. Redwood.]*

Clause 104

CHARITABLE COMPANIES

Amendments made: No. 105, in page 105, line 37, leave out from beginning to end of line 12 on page 106 and insert—

'30B.—(1) Section 35 of the Companies Act 1985 (capacity of company not limited by its memorandum), and section 35A of that Act (power of directors to bind company) so far as it relates to acts which but for section 35 would be beyond the capacity of the company, do not apply to the acts of a company which is a charity except in favour of a person who—

(a) gives full consideration in money or money's worth in relation to the act in question, and

(b) does not know that the act is not permitted by the company's memorandum or, as the case may be, is beyond the powers of the directors,

or who does not know at the time the act is done that the company is a charity.

(2) However, where such a company purports to transfer or grant an interest in property, the fact that the act was not permitted by the company's memorandum or, as the case may be, that the directors in connection with the act exceeded any limitation on their powers under the company's constitution, does not affect the title of a person who subsequently acquires the property or any interest in it for full consideration without actual notice of any such circumstances affecting the validity of the company's act.

(3) In any proceedings arising out of subsection (1) the burden of proving—

(a) that a person knew that an act was not permitted by the company's memorandum or was beyond the powers of the directors, or

(b) that a person knew that the company was a charity,

lies on the person making that allegation.

(4) Where a company is a charity, the ratification of an act under section 35(3) of the Companies Act 1985, or the ratification of a transaction to which section 322A of that Act applies (invalidity of certain transactions to which directors or their associates are parties), is ineffective without the prior written consent of the Commissioners.'.

No. 106, in page 106, line 22, after 'company,' insert—

'(cc) in all conveyances purporting to be executed by the company,'.

No. 107, in page 106, line 24, at end insert—

'(1A) In subsection (1)(cc) "conveyance" means any instrument creating, transferring, varying or extinguishing an interest in land.'.—*[Mr. Redwood.]*

Clause 105

CHARITABLE COMPANIES (SCOTLAND)

Amendments made: No. 108, in page 107, line 8, leave out subsections (3) to (5) and insert—

'(3) Section 35 of the Companies Act 1985 (capacity of company not limited by its memorandum), and section 35A of that Act (power of directors to bind company) so far as it relates to acts which but for section 35 would be beyond the capacity of the company, do not apply to the acts of a company which is a charity except in favour of a person who—

(a) gives full consideration in money or money's worth in relation to the act in question,

(b) does not know that the act is not permitted by the company's memorandum or, as the case may be, is beyond the powers of the directors,

or who does not know at the time the act is done that the company is a charity.

(4) However, where such a company purports to transfer or grant an interest in property, the fact that the act was not permitted by the company's memorandum or, as the case may be, that the directors in connection with the act exceeded any limitation on their powers under the company's constitution, does not affect the title of a person who subsequently acquires

the property or any interest in it for full consideration without actual notice of any such circumstances affecting the validity of the company's act.

(5) In any proceedings arising out of subsection (3) the burden of proving—

(a) that a person knew that an act was not permitted by the company's memorandum or was beyond the powers of the directors, or

(b) that a person knew that the company was a charity,

lies on the person making that allegation.'.

No. 109, in page 107, line 32, after 'company,' insert—

'(cc) in all conveyances purporting to be executed by the company.'.

No. 110, in page 107, line 33, at end insert—

'(6A) In subsection (6)(cc) "conveyance" means any document for the creation, transfer, variation or extinction of an interest in land.'.

No. 111, in page 115, line 33, leave out from 'section' to end of line 35 and insert

'388A (dormant company exempt from obligation to appoint auditors).'.—*[Mr. Redwood.]*

Clause 112

Appointment of Auditors

Amendments made: No. 112, in page 118, line 12, at end insert—

'Dormant company exempt from obligation to appoint auditors

388A.—(1) A company which by virtue of section 250 (dormant companies: exemption from provisions as to audit of accounts) is exempt from the provisions of Part VII relating to the audit of accounts is also exempt from the obligation to appoint auditors.

(2) The following provisions apply if the exemption ceases.

(3) Where section 385 applies (appointment at general meeting at which accounts are laid), the directors may appoint auditors at any time before the next meeting of the company at which accounts are to be laid; and auditors so appointed shall hold office until the conclusion of that meeting.

(4) Where section 385A applies (appointment by private company not obliged to lay accounts), the directors may appoint auditors at any time before—

(a) the end of the period of 28 days beginning with the day on which copies of the company's annual accounts are next sent to members under section 238, or

(b) if notice is given under section 253(2) requiring the laying of the accounts before the company in general meeting, the beginning of that meeting;

and auditors so appointed shall hold office until the end of that period or, as the case may be, the conclusion of that meeting.

(5) If the directors fail to exercise their powers under subsection (3) or (4), the powers may be exercised by the company in general meeting.'.

No. 113, in page 118, line 19, at end insert—

'(3) In section 46(2) of the Banking Act 1987 (duty of auditor of authorised institution to give notice to Bank of England of certain matters) for "appointed under section 384" substitute "appointed under Chapter V of Part XI"; and in section 46(4) (adaptation of references in relation to Northern Ireland) for "sections 384," substitute "Chapter V of Part XI and sections".'.—*[Mr. Redwood.]*

Clause 113

Rights of Auditors

Amendments made: No. 114, in page 118, line 20, leave out 'section is' and insert 'sections are'.

No. 115, in page 118, line 22, at end insert—

'Rights to information

389A.—(1) The auditors of a company have right of access at all times to the company's books, accounts and vouchers, and are entitled to require from the company's officers such information and explanations as they think necessary for the performance of their duties as auditors.

(2) An officer of a company commits an offence if he knowingly or recklessly makes to the company's auditors a statement (whether written or oral) which—

(a) conveys or purports to convey any information or explanations which the auditors require, or are entitled to require, as auditors of the company, and

(b) is misleading, false or deceptive in a material particular.

A person guilty of an offence under this subsection is liable to imprisonment or a fine, or both.

(3) A subsidiary undertaking which is a body corporate incorporated in Great Britain, and the auditors of such an undertaking, shall give to the auditors of any parent company of the undertaking such information and explanations as they may reasonably require for the purposes of their duties as auditors of that company.

If a subsidiary undertaking fails to comply with this subsection, the undertaking and every officer of it who is in default is guilty of an offence and liable to a fine; and if an auditor fails without reasonable excuse to comply with this subsection he is guilty of an offence and liable to a fine.

(4) A parent company having a subsidiary undertaking which is not a body corporate incorporated in Great Britain shall, if required by its auditors to do so, take all such steps as are reasonably open to it to obtain from the subsidiary undertaking such information and explanations as they may reasonably require for the purposes of their duties as auditors of that company.

If a parent company fails to comply with this subsection, the company and every officer of it who is in default is guilty of an offence and liable to a fine.

(5) Section 734 (criminal proceedings against unincorporated bodies) applies to an offence under subsection (3).'.

No. 116, in page 119, line 8, leave out subsection (2).

No. 117, in page 119, line 10, at end insert—

'(2A) In section 734 of the Companies Act 1985 (criminal proceedings against uncorporated bodies), in subsection (1) (offences in relation to which the provisions apply), after "under" insert "section 389A(3) or".

(2B) In Schedule 24 to the Companies Act 1985 (punishment of offences) at the appropriate place insert—

"389A(2)	Officer of company making false, misleading or deceptive statement to auditors.	1. On indictment.	2 years or a fine; or both.
		2. Summary.	6 months or the statutory maximum; or both.
389A(3)	Subsidiary undertaking or its auditor failing to give information to auditors of parent company.	Summary.	One-fifth of the statutory maximum.
389A(4)	Parent company failing to obtain from subsidiary undertaking information for purposes of audit.	Summary.	One-fifth of the statutory maximum.".'.—*[Mr. Redwood.]*

'(4) In Schedule 22 to the Companies Act 1985 (unregistered companies), in the entry for sections 384 to 393, for "393" substitute "394A".'.

Clause 116

STATEMENT BY PERSON CEASING TO HOLD OFFICE AS AUDITOR

Amendments made: No. 118, in page 125, line 43, leave out 'Section' and insert

'Sections 733 (liability of individuals for corporate default) and'.

No. 119, in page 126, line 13, at end insert—

'(2A) In section 733 of the Companies Act 1985 (liability of individuals for corporate default), in subsection (1) (offences in relation to which provisions apply) after "216(3)" insert ", 394A(1)".'.

No. 120, in page 126, line 17, at end insert—

Clause 120

SUPPLEMENTARY PROVISIONS AS TO COMPANY RECORDS AND RELATED MATTERS

Amendments made: No. 121, in page 130, line 32, at end insert—

'(7) In Schedule 22 to the Companies Act 1985 (unregistered companies), in the entry for Part XXIV for "sections 706, 708 to 710, 712 and 713" substitute "sections 706 to 710A, 713 and 715A".'.—*[Mr. Redwood.]*

Clause 122

MEMBERSHIP OF HOLDING COMPANY

Amendment made: No. 122, in page 132, line 29, after 'paragraphs' insert '1(1),'.—*[Mr. Redwood.]*

Clause 123

ABOLITION OF REQUIREMENT TO HAVE COMPANY SEAL

Amendment made: No. 123, in page 132, line 32, leave out clause 123.—*[Mr. Redwood.]*

Clause 126

ADDITIONAL REQUIREMENTS FOR RECOGNITION: DEFAULT RULES, &c.

Amendment made: No 305, in page 134, line 24, at end insert—

'The order bringing the above amendment into force may make such provision as appears to the Secretary of State appropriate as to the obligations of a person whose interest in a company's shares becomes notifiable by virtue of the amendment coming into force.'.—*[Mr. Nelson.]*

Clause 129

ANNUAL RETURNS

Amendments made: No. 124, in page 137, line 43, leave out 'company's' and insert 'type of company it is and its'.

No. 125, in page 138, line 24, at end insert—

'(1A) The information as to the company's type shall be given by reference to the classification scheme prescribed for the purposes of this section.'.

No. 126, in page 139, line 4, leave out from first 'of' to 'and' in line 5 and insert

'issued shares of the company at the date to which the return is made up'.

No. 127, in page 139, line 11, leave out from beginning to end of line 13 and insert

'issued shares of that class at the date to which the return is made up.'.

No. 128, in page 139, line 14, leave out from beginning to end of line 35 and insert—

'(4) The return shall contain a list of the names and addresses of every person who—

(a) is a member of the company on the date to which the return is made up, or

(b) has ceased to be a member of the company since the date to which the last return was made up (or, in the case of the first return, since the incorporation of the company);

and if the names are not arranged in alphabetical order the return shall have annexed to it an index sufficient to enable the name of any person in the list to be easily found.

(5) The return shall also state—

(a) the number of shares of each class held by each member of the company at the date to which the return is made up, and

(b) The number of shares of each class transferred since the date to which the last return was made up (or, in the case of the first return, since the incorporation of the company) by each member or person who has ceased to be a member, and the dates of registration of the transfers.'.

No. 129, in page 140, leave out line 28 and insert—

"'(f) section 363 (duty of company to make annual returns);".'.

No. 130, in page 140, line 28, at end insert—

'(5) In section 565(6) of the Income and Corporation Taxes Act 1988 (conditions for exemption from provisions relating to sub-contractors in construction industry: compliance with requirements of Companies Act 1985) in paragraph (d) for "sections 363, 364 and 365" substitute "sections 363 to 365".'.—*[Mr. Redwood.]*

Clause 132

ABOLITION OF DOCTRINE OF DEEMED NOTICE

Amendments made: No. 131, in page 142, line 16, at end insert—

'(a) section 416 of this Act (under which a person taking a charge over a company's property is deemed to have notice of matters disclosed on the companies charges register), or

(b) '.

No. 132, in page 142, line 22, at end insert—

'(2) In Schedule 22 to the Companies Act 1985 (unregistered companies), in the entry for Part XXIV at the appropriate place insert—

'Section 711A	Abolition of doctrine of deemed notice	Subject to section 718(3)".'.

—*[Mr. Redwood.]*

Clause 133

RIGHTS OF INSPECTION AND RELATED MATTERS

Amendments made: No. 133, in page 142, line 45, at end insert—

'(4A) Regulations under this section may make different provision for different classes of case.'.

No. 134, in page 144, line 11, at end insert—

'(11) In Schedule 22 to the Companies Act 1985 (provisions applying to unregistered companies), in the entry relating to Part XXV at the appropriate place insert—

"Section 723A	Rights of inspection and related matters.	To apply only so far as this provision has effect in relation to provisions applying by virtue of the foregoing provisions of this Schedule.".'.

—[Mr. Redwood.]

Clause 134

DISCLAIMER OF PROPERTY, RESCISSION OF CONTRACTS, &C.

Amendment made: No. 286, in page 146, line 39, at end insert—

'(5) So much of section 23(3) of the Interpretation Act 1978 as applies section 17(2)(a) of that Act (effect of repeal and re-enactment) to deeds, instruments and documents other than enactments shall not apply in relation to any repeal and re-enactment effected by regulations made under this section.'.*—[Mr. Nicholas Baker.]*

Schedule 18

MINOR AMENDMENTS OF THE COMPANIES ACT 1985

Amendments made: No. 135, in page 274, line 22, at end insert—

'Correction of cross-reference

0A. In section 131(1) of the Companies Act 1985 (merger relief) for "section 132(4)" substitute "section 132(8)".

This amendment shall be deemed always to have had effect.'.

No. 136, in page 274, line 26, leave out from 'directors)' to end of line 27 and insert—

'—

(a) in sub-paragraph (i) for "Christian name and surname" and in sub-paragraph (ii) for "Christian name or surname" substitute "name", and

(b) for sub-paragraph (vii) substitute—

"(vii) the date of his birth;".'.

No. 137, in page 274, line 31, leave out '(1)' and insert '(1)(a)'.

No. 138, in page 275, line 4, leave out '(twice)' and insert

'and "Christian name or surname"'.

No. 139, in page 275, line 6, leave out from beginning to end of line 7 and insert—

"'(3) Section 289(2)(a) and (b) apply for the purposes of the obligation under subsection (1)(a) of this section to state the name or former name of an individual.".'.

No. 140, in page 275, line 26, at end insert—

'3A.—(1) Section 686 of the Companies Act 1985 (documents to be delivered to registrar on registration of company not formed under companies legislation) is amended as follows.

(2) In subsection (1) (particulars to be delivered to registrar), for paragraph (b) (particulars of directors and managers) substitute—

"(b) a list showing with respect to each director or manager of the company—

(i) in the case of an individual, his name, address, occupation and date of birth,

(ii) in the case of a corporation or Scottish firm, its corporate or firm name and registered or principal office,".

(3) After that subsection insert—

"(1A) For the purposes of subsection (1)(b)(i) a persons's 'name' means his Christian name (or other forename) and surname, except that in the case of a peer, or an individual usually known by a title, the title may be stated instead of his Christian name (or other forename) and surname or in addition to either or both of them.".

3B. In section 691 of the Companies Act 1985 (documents to be delivered to registrar on registration of oversea company), for subsection (2) (particulars of directors and secretary) substitute—

"(2) The list referred to in subsection (1)(b)(i) shall contain the following particulars with respect to each director—

(a) in the case of an individual—

(i) his name,

(ii) any former name,

(iii) his usual residential address,

(iv) his nationality,

(v) his business occupation (if any),

(vi) if he has no business occupation but holds other directorships, particulars of them, and

(vii) his date of birth;

(b) in the case of a corporation or Scottish firm, its corporate or firm name and registered or principal office.

(3) The list referred to in subsection (1)(b)(i) shall contain the following particulars with respect to the secretary (or, where there are joint secretaries, with respect to each of them)—

(a) in the case of an individual, his name, any former name and his usual residential address;

(b) in the case of a corporation or Scottish firm, its corporate or firm name and registered or principal office.

Where all the partners in a firm are joint secretaries of the company, the name and principal office of the firm may be stated instead of the particulars required by paragraph (a).

(4) In subsections (2)(a) and (3)(a) above—

(a) "name" means a person's Christian name (or other forename) and surname, except that in the case of a peer, or an individual usually known by a title, the title may be stated instead of his Christian name (or other forename) and surname, or in addition to either or both of them; and

(b) the reference to a former name does not include—

(i) in the case of a peer, or an individual normally known by a British title, the name by which he was known previous to the adoption of or succession to a title, or

(ii) in the case of any person, a former name which was changed or disused before he attained the age of 18 years or which has been changed or disused for 20 years or more, or

(iii) in the case of a married woman, the name by which she was known previous to the marriage.".'.

No. 141, in page 275, line 29, after 'directors)' insert —'(a)'.

No. 142, in page 275, line 30, at end insert

'; and (b) for the words from "and, in the case" to the end substitute "and his date of birth".'.

No. 143, in page 275, line 33, leave out '3(a)' and insert '3(1)(a)'.

No. 144, in page 275, line 36, leave out '1 and 3' and insert '1(a) and 3(1)(a)'.

No. 145, in page 278, line 46, at end insert—

'Meaning of "officer who is in default"

13A. In section 730 of the Companies Act 1985 (punishment of offences), in subsection (5) (meaning of "officer who is in default"), after "company" (twice) insert "or other body".

Offences committed by partnerships and other unincorporated bodies

13B. In section 734 of the Companies Act 1985 (criminal proceedings against unincorporated bodies), at the end add—

"(5) Where such an offence committed by a partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.

(6) Where such an offence committed by an unincorporated body (other than a partnership) is proved to have been committed with the consent or connivance

of, or to be attributable to any neglect on the part of, any officer of the body or any member of its governing body, he as well as the body is guilty of the offence and liable to be proceeded against and punished accordingly.".'.

No. 146, in page 279, line 21, column 2, after 'sections' insert '261(2)'.

No. 147, in page 279, leave out line 26 and insert—

'balance sheet and balance sheet date	sections 261(2), 262(1) and 742(1)'.

No. 148, in page 280, line 31, column 2, leave out 'section 258' and insert 'sections 258 and 742(1)'.

No. 149, in page 280, leave out lines 36 to 38 and insert—

'profit and loss account	sections 261(2), 262(1) and 742(1)'.

No. 150, in page 281, line 3, column 2, leave out 'section 258' and insert 'sections 258 and 742(1)'.—*[Mr. Redwood.]*

New Clause 12

MERGER REFERENCES

' . In section 76 of the Fair Trading Act 1973 (functions of director in relation to Merger Situation), leave out paragraph (b) and insert—

"(b) to recommend to the Secretary of State to make a merger reference to the Commission unless he is satisfied that such arrangements or transactions will not operate against the public interest.".'.—*[Mr. John Garrett.]*

Brought up, and read the First time.

Mr. John Garrett: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this we shall discuss new clause 11—*Merger references*—

' . In section 64 of the Fair Trading Act 1973 (merger situation qualifying for investigation) after subsection (2) insert—

"(2A) The Secretary of State shall make a merger reference to the Commission unless he is satisfied that the merger situation will not operate against the public interest.".'.

Mr. Garrett: These two new clauses deal with the onus of proof in merger cases. Under the Fair Trading Act 1973, if a proposed merger involves net assets of a value of more than £30 million or a 25 per cent. product market share it is scrutinised by the Director General of Fair Trading, who recommends to the Secretary of State whether the merger should be referred to the Monopolies and Mergers Commission. This new clause accepts these arrangements but establishes new guidelines that a merger shall be referred unless it is clear that it will not operate against the public interest.

According to the Government, mergers are generally a case of market forces successfully at work for the benefit of the economy as a whole. Mergers are good because they are good management driving out bad; because they yield economies of scale; and because the threat of a takeover serves to keep managers on their toes. It is argued from this that on the whole the only reason for a proposed merger to be referred to the Monopolies and Mergers Commission is the possibility of its having anti-competitive, monopolistic implications. This doctrine was first publically announced in 1984 by the right hon. Member for Chingford (Mr. Tebbit), then the Secretary of State for Trade and Industry, in the so-called Tebbit doctrine.

During the Second Reading debate of the Companies Bill in the House of Lords, the subsequent Secretary of State, Lord Young, stated:

"In the vast majority of cases, decisions on mergers should be left to shareholders . . . It is normally only when a merger threatens the interests of customers by reducing competition that the law should intervene."—*[Official Report, House of Lords,* 16 January 1989; Vol. 503, c. 7-8.]

We believe that that approach is deficient. Lord Young retained a reserve power to make a reference on wider public interest grounds when, for example, he referred the Kuwait Investment Office shareholding in BP. The practice of retaining golden shares in privatised industries also represents a recognition of public interest issues beyond the promotion of competition. We therefore have ad hoc intervention in the merger process without any coherent public interest criterion.

A survey in February this year by Channel 4's "The Business Programme" showed the incoherence of the Government's policy—the way that it varies from one specific case to another. The survey covered the top 20 financial advisers in the United Kingdom mergers and acquisitions field, and 19 of the 20 experts agreed that the Government's mergers policy was neither consistent nor clear-cut. The survey cited confusion over the referral ofs such as Elders' bid for Scottish and Newcastle, where analysts felt that there was no threat to competition, and the decision not to refer the Nestlé takeover of Rowntree in spite of concern over Swiss non-reciprocity.

11.15 pm

The Director General of Fair Trading has supported the idea that the onus of proof should change. In December 1986 he suggested that the reversal of the onus of proof, perhaps on mergers above a certain size, could be a way of tackling the problem of financial markets taking an excessively short-term view which could be against the public interest.

The scale of merger activity has been on an upward trend during the 1980s. In 1988, the total value of mergers and acquisitions exceeded a record £22 billion involving 1,200 companies. Mergers are generally reckoned to be an inefficient means of growth compared with new investment in plant and equipment, yet total spending on acquisitions is twice the level of manufacturing investment and over half the level of investment in all companies. All the research evidence is that more than half of all mergers lead to a decline in or, at best, a neutral effect on performance, as measured by profits and the return on assets.

Mr. Tim Smith (Beaconsfield): If mergers are an inefficient means of securing growth, why did the Labour Government go out of their way in the 1960s to promote huge mergers through the Industrial Reorganisation Corporation?

Mr. Garrett: That policy was unsuccessful but it must be put in the context of the management ideology of the time. I was a manager in industry at that time and it was generally thought that large conglomerate organisations were the appropriate way to growth. Management has changed since then, partly as a result of the greater ability to manage smaller companies through the development of inflation technology, about which the hon. Gentleman will know as well as anybody else. It was generally thought at

the time that what we now call "gigantism" but was then thought to be "economy of scale" were widely appropriate. The Labour Government of the day was as wrong about that as most of the great industrialists. At that time Lord Weinstock was putting together GEC. One can remember the growth of large conglomerates in the private sector which are now no doubt being unbundled as management fashions change. The hon. Gentleman has, as so often, made a valid point.

In other mergers, improvements in efficiency tend to be no greater than what would have been expected in the absence of a merger. Such findings are supported by the Government's 1978 Green Paper, Cmnd. 7198—the Leisner report on mergers policy. That considered several studies but attempted to evaluate the benefits of mergers by looking at post-merger profitability and before the mergers took place. Those studies produced the finding that in roughly half the cases examined the merger had resulted in an unfavourable or a neutral effect on the profitability of the companies concerned.

The Department of Transport's 1988 report on mergers policy referred to later studies, on the same lines as the Leisner study, which on other criteria

"reinforced the findings of poor post-merger performance."

The growth of virtually unregulated mergers led to defensive management, what we called in Committee "short-termism", rather than risk-taking management which makes a company vulnerable to takeover. It also means that companies aim for size rather than competitiveness. Managers are preoccupied with short-term survival and a cautious attitude to investment, training and research and development, because any drop in short-term profits will be translated into falls in the share price and increase vulnerability to takeover.

As the—I was about to say the present Chancellor of the Exchequer, but that is wrong. He was the Chancellor of the Exchequer until 5 or 6 o'clock this evening.

Mr. Tim Smith: It is rather an old speech.

Mr. Garrett: I wrote it yesterday. Things change so fast.

In June 1986, the right hon. Member for Blaby (Mr. Lawson) said:

"The big institutional investors nowadays increasingly react to short-term pressure on investment performance . . . They are unwilling to countenance long-term investment or a sufficient expenditure on research and development."

Incentive schemes for pension fund managers, for example, are based on short-term horizons—quarterly and annual performance—so that their tendency is also to favour the short term.

We have had the example of virtually bid-proof companies in Switzerland, but much the same is true elsewhere in Europe, and certainly in Japan. In Germany and France, the equivalents of the Monopolies and Mergers Commission are much less likely to allow control of domestic companies to move abroad. I remember that, when I was a manager in industry, German law—or German convention or practice—laid down that what was called "mind and management" of a company operating in Germany should reside there. In 1988, European acquisitions in the United Kingdom were at nearly twice the value of United Kingdom acquisitions in Europe.

Lately we have seen the effects of an import from the United States—the colossal highly leveraged or "junk bond" bid—in the £13·4 billion Hoylake bid for British American Tobacco, which the Minister has refused to refer to the MMC, although the potential victim is one of our largest companies. We discussed the possible effects of that bid with him late one night. But for the late Chancellor's constant increases in interest rates, there would no doubt have been many more bids based on the issuing of high-interest bonds on very little security, which can be redeemed only by the break-up of the victim company and the consequential loss of jobs.

We think that it is time that a brake was applied to this merger mania by our putting the public interest first, and that is the purport of the new clauses. By "public interest" we mean not only competition but consumer interest, innovation and development, the balanced distribution of industry, and the international competitive position of British producers. If those criteria sound familiar, it is because they are all in the Fair Trading Act 1973.

Mr. Cousins: The two new clauses do not require us to take a view about whether mergers are right or wrong; they simply require the reference of a merger for considerations of public interest. What the judgment of public interest would be in any particular case would be a matter for the relevant regulatory body. I do not feel that we need to debate the values or otherwise of mergers, as such.

My hon. Friend the Member for Norwich, South (Mr. Garrett) referred to the takeover bid for BAT by Hoylake. One of the things that I find most objectionable about that attempt is the fact that a pleasant seaside resort on the Wirral peninsula should have its name flung into the centre of a debate of this kind: I think that the good name of Hoylake the town will suffer considerably for a long time, to the disadvantage of its inhabitants.

That bid may be right or it may be wrong, but it raises very relevant questions of public interest. The stated purpose of a great many of the major acquisitions of the past few years has been to deconcentrate and demerge; the purpose of the takeover of BAT is to dismember it, to liberate brand names, asset values or public good will—the particular aspects of a company's operation—and to put them on the market and find buyers for them.

Mr. Tim Smith: If the Labour party is now so opposed to conglomerates, why is it so unhappy about the proposal to unbundle BAT? The hon. Gentleman said earlier that we were not discussing the merits of mergers. At present the law is so constructed that the presumption is in their favour; the Labour party proposes to create a presumption against them.

Mr. Cousins: BAT is a good example. We are not required to decide whether what is proposed for BAT by the misnamed Hoylake, or by the board of directors is right or wrong. Incidentally, at a recent annual meeting, one shareholder who, since his name has already been mentioned tonight, ought to get a small record in the history books—a man called Antonio von Marx—objected to that proposal. I cannot be sure whether Mr. Antonio von Marx is related to the other Marxes who have been referred to tonight, but at the most recent annual general meeting of BAT, a Mr. Marx was very unhappy about the proceedings.

The point is not whether we, in our own personal judgments decide whether the proposed takeover of BAT —the unbundling version proposed by Hoylake, or the defensive version proposed by the board of directors—is right or wrong. Our concern is that matters of public

[Mr. Cousins]

interest are involved in that operation. In the final judgment, what weight should be put upon any or all the proposals involved in that exercise is quite another matter. We all have our own views about that and about each specific proposal.

Matters of public interest are raised in deciding whether the exercise should be launched in such a manner, and if it is, whether it is right that we should have no regulatory mechanism available whereby the particular proposals that are made, either offensively by Hoylake or defensively by the board of directors, are appropriate and in the long-term interests of the public and the country.

In any specific case it may be right or wrong to dismantle conglomerates, but the two clauses proposed by my hon. Friend the Member for Norwich, South (Mr. Garrett) make no judgments as to what might be the outcome in particular cases. They require only that the public interest involved in bids such as the one for BAT should be tested in an appropriate regulatory arena. That is all they ask, and it is a modest, limited and sensible request.

Other Opposition Members—I suspect, at least one hon. Member present today—have reservations about takeover bids financed on the so-called junk bond basis. Yet the clauses do not require us necessarily to take the view that bids financed by junk bonds are wrong. The clauses ask only that the public interest aspects of those suggestions, and the counter suggestions from the board of directors conducting the defence against those operations are tested.

Insurance is a very productive industry. If we are ever to get the balance of payments right, we should talk up the part played by industries such as insurance.

Mr. John Garrett: Hear, hear.

Mr. Cousins: I thought that my hon. Friend the Member for Norwich, South would like that one.

Just before the single market in 1992 and when the fate of our insurance industry is so important to the country, it is important that major insurance companies such as Eagle Star and Pearl should not be exposed to the risks to their operations that they face today.

We are not saying that it would be wrong to stop the proposed mergers, but it must be right to suggest that we require a regulatory mechanism that would test those bids against some consideration of public interest. That is the modest demand that the new clauses make, and surely no sensible person could refuse or refute it.

11.30 pm

Mr. Redwood: It will come as no surprise to the hon. Member for Norwich, South (Mr. Garrett) that I find the new clauses difficult to accept. He claimed that the Government are implying that mergers are good because they may lead to economies of scale and keep management on their toes. That is not the burden of the Government's case. The Government's case is much simpler—it is that in most cases shareholders and bankers should decide about mergers, particularly shareholders, who have the votes and own the assets. As past Labour Governments have shown, Governments should not attempt to meddle and make decisions about how best to construct or reorganise industry. Governments in the past have left industry with little profit, little return on capital and little chance of employing more people and making the investment that we need.

The hon. Member for Norwich, South mentioned the Tebbit doctrine and the competition criterion, which has been important to the Government's merger policy. He pointed out that we have kept the public-interest criterion, but we have made it clear that it rarely applies. Its most notable manifestation is where competition will be limited and market dominance will be created by a merger that may be against the public interest.

I rebut the idea that there has been no coherence to the Government's approach to merger policy. The Tebbit doctrine, the Blue Book and the statements made by my right hon. Friend the Secretary of State have provided a continuity of policy and have made it quite clear that the criterion is usually competition, but that public-interest matters may have to be judged by the Director General of Fair Trading or the Secretary of State.

The hon. Member for Norwich, South made much of the fact that some studies, including the Leisner study, which is about 10 years old, have suggested that half of all mergers, or more, might produce disappointing profits and returns on assets. Again, the Government's case is that shareholders should take that into account when making their decisions. There is no evidence that Governments would be better at making those decisions. If the Labour party's policies were implemented, the Government of the day might succeed in blocking half of the mergers. That would add to profitability and investment but let through the half that did not. Such intervention, based on the experiences of the 1970s, would be far from helpful for the industrial recovery that is now under way.

We were told that companies aim for size rather than competitiveness. That is an unreasonable description of the way that companies behave. Large bids, particularly in the United Kingdom, show that size is not a bar to a bid being made or, in the United States, to a takeover being completed. Companies simply aiming for size and not taking into account the need for competitiveness, good performance and earnings and dividend progression, will not succeed in the way that the hon. Gentleman suggests. That is not a good argument against the Government's merger policy.

Companies can defend themselves against predatory attack, and many have done so successfully by showing a basis of achievement and often by stressing their belief in long-term investment, long-term projects and research and development, which all hon. Members wish to see as the hallmark of good industrial practice.

The hon. Members for Norwich, South and for Newcastle upon Tyne, Central (Mr. Cousins) expressed their displeasure at certain types of highly leveraged bids. I cannot comment on a particular case because I do not want to put my right hon. Friend the Secretary of State in any difficulty. He must retain his powers and be entirely independent in judging specific bids.

I should like to make one or two brief comments on the general question of leveraged bids. A break-up of a company through a merger does not necessarily lead to a loss of jobs or a worse performance, as the hon. Member for Newcastle upon Tyne, Central accepted. He was in some muddle about whether demerger was good or bad because he was in some muddle about whether conglomerates were always, or sometimes, bad. There are types of break-up that may create independence for

subsidiaries which could help them by giving them greater morale, separate access to capital and so on, which they may have lacked under the conglomerate.

Mr. John Garrett: Can the hon. Gentleman give an example?

Mr. Redwood: I can think of companies where that would happen, but I do not want to go into that, for the reasons which I described earlier. I do not in any way want to prejudice any case that might come before my right hon. Friend the Secretary of State.

Mr. Garrett: What about cases in the past?

Mr. Redwood: I shall give the hon. Gentleman a good example in the past. The demerger of some companies from British Leyland, which was probably the worst conglomerate and was organised through a Government action, was extremely helpful. There are good cases of companies that have done much better in their demerged condition.

Mr. John Garrett: What is the market share in the domestic market of the former companies which were part of British Leyland compared with when they were part of British Leyland?

Mr. Redwood: Most of the decline in the market share of the Austin Rover Group occurred when it was a nationalised conglomerate, investing a large amount of money voted by the House. Much of that money went into investments in a model range that was not popular. The counter-argument can be shown by the way in which Jaguar's profitability and investment improved greatly after it was demerged from British Leyland.

Mr. Anthony Nelson (Chichester): I very much agree with the sentiments behind my hon. Friend's address. I followed what he said about leveraged bids. I should like to put to him one scenario which is relevant when casting policy. Leveraged bids tend to be a function of bull markets. If a bull market ceases to be a bull market, as it did for a few days recently in the United States and this country, one sees what happens to leveraged bids. For example, in the case of United Air Lines, they fall by the wayside. Happily, in a sense the bids were not under way. In other words, although the debt might have been underwritten, the company had not been acquired.

The problem arises in a bear market when shares are falling steeply or successively and a leveraged bid has been made. The company making the leveraged bid finds itself owning the company that it acquired in the hope that it could sell off sections of it in part or in whole to redeem the debt. It finds that they do not begin to recover the debt. It therefore has to sell most, if not all, of the company at knockdown prices and perhaps even go into receivership. This is why such deals are often carried out through vehicle companies rather than subsidiaries of major companies. No Government can afford to ignore a future scenario in which that may happen for cyclical reasons. The Government, the employees and the industrial companies may be left in a position where the companies have to be sold off or shut down.

Does my hon. Friend feel—I am sure that he does—that in a changed market that might be a legitimate criterion for a reference and for assessment of whether such a merger was in the public interest?

Mr. Redwood: I thought that I was going to agree with my hon. Friend, but at the end was not able to do so. He was right to say——

Mr. John Garrett: Answer.

Mr. Redwood: I will answer, if the hon. Gentleman will contain himself.

My hon. Friend is right—there could be dangers in certain kinds of leveraged bids. I have no particular case in this country in mind, for reasons which I have outlined. I have made it clear that shareholders and bankers—the principal interest groups concerned—should be very aware exactly how that debt will be serviced and repaid when considering any proposal which they may be financing or to which they may be responding. If the debt is to be repaid primarily out of asset sales, they might want to ask questions about the price at which assets would be sold, whether it was feasible to sell them and the timescale within which that would be achieved. They may well have to take market conditions into account as my hon. Friend said.

If the bidder and the banks that are backing the transaction intend to finance it out of increased profitability through merger benefits—increased efficiency, performance and the like—I hope that shareholders and bankers will ask the right questions, such as, "What happens if the underlying market for the product declines, or if there is a slowdown in economic growth in the major world markets in which the company is operating." Usual questions of prudence should be asked. The people who make the judgments should have a good understanding of the relative risks that are being run.

If a company is highly leveraged in its operations, and added to that is high leveraging through its financing, the risk of corporate failure or of disaster is multiplied considerably. I hope that shareholders and bankers will take such considerations into account.

The Government's case is that it cannot be the task of Government to make such decisions. Whether a bond is junkie must be determined by those who might buy or sell it. It is discovered whether the bond is junkie only some years later. If the paper is issued and it turns out that the transaction was very good, the company's profits go up, the debt is repaid, and it does not turn out to be junkie. If a wrong judgment is made and the company is saddled with too much debt, trading conditions deteriorate and things go wrong, the bond turns out to be junkie. That is the problem.

The Government cannot make hundreds of decisions about the junkiness or otherwise of financing. We have made it quite clear that our policy on these matters is to trust the judgment of shareholders, bankers and others, and refer only if leveraging is allied with some other characteristics which may operate against the public interest. That is a clear policy that has been laid down by successive Secretaries of State, and I think that it will serve us well. The Governor of the Bank of England has recently commented on financing systems in various sectors of the economy.

The requirement to make a reference, as suggested by the Labour party, would make a substantial difference to the way in which merger policy operates. At the moment, about 10 out of 300 mergers are referred. It is difficult to calculate how many might be caught under Labour's

[Mr. Redwood]

recommendations, but I think that at least four or five times as many would because they would represent quite a substantial shift.

Labour's proposal reminds me of a return to the bad old days when businesses were run from Whitehall, and when it was assumed that three or four politicians sitting in certain Whitehall offices were able to make all these judgments about the future of British industry which enterprising business men were unable to make.

In the 1970s, when that belief was rife, industrial profitability fell to record low levels, there was a large number of redundancies from nationalised industries and Government policy seemed to be based on organising conglomerate mergers and public monopolies which did not serve the customer any better than the people who worked in them or the markets in which they operated.

It is better to trust business men to make business judgments. Politicians are here to defend the public interest. That is exactly what our largely competition-based reference policy produces. There is great coherence in the policy. It has been stated clearly on several occasions. My right hon. Friend the Secretary of State and the director general are always prepared to examine a case if a public interest issue arises. If one arises, the merger should be referred and investigated exhaustively.

I urge the House to reject the new clause.

Mr. John Garrett: I am not very hapy with the Minister's response. I have met him across the Dispatch Box several times now. We are beginning to size him up. He is really just a housetrained version of the right hon. Member for Chingford (Mr. Tebbit). Underneath that shy, fawn-like exterior is a marketeer, red in tooth and claw. Moreover, he is a follower of policies which, in spite of what he said at the end of his speech, have left us with an unbelievably high balance of payments deficit. Unemployment is officially registered at about 2 million, but is probably more than 3 million, and inflation is the highest in western Europe, so the Minister may come to regret his words.

11.45 pm

We regard the reversal of the burden of proof in mergers as serious and central to our beliefs about the way in which mergers should be regulated. I invite my right hon. and hon. Friends, therefore, to join me in the Division Lobby in support of the new clause.

Question put, That the clause be read a Second time:—

The House divided: Ayes 29, Noes 122.

Division No. 357] **[11.45 pm**

AYES

Allen, Graham
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Bennett, A. F. *(D'nt'n & R'dish)*
Bruce, Malcolm *(Gordon)*
Carlile, Alex *(Mont'g)*
Clay, Bob
Cousins, Jim
Cryer, Bob
Dixon, Don
Fields, Terry *(L'pool B G'n)*
Foster, Derek
Garrett, John *(Norwich South)*
Hughes, John *(Coventry NE)*
Jones, Martyn *(Clwyd S W)*
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Patchett, Terry
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Steel, Rt Hon David
Wall, Pat
Wallace, James
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*

Tellers for the Ayes:
Mrs. Llin Golding and
Mr. Frank Haynes.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cran, James
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lord, Michael
Maclean, David
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morris, M *(N'hampton S)*
Moss, Malcolm
Nelson, Anthony
Neubert, Michael
Nicholson, Emma *(Devon West)*
Norris, Steve
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, John
Ridley, Rt Hon Nicholas
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Stern, Michael
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Nicholas
Wood, Timothy

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Michael Fallon.

Question accordingly negatived.

Clause 139

TEMPORARY RESTRICTIONS ON SHARE DEALING

Mr. Nicholas Baker (Dorset, North): I beg to move amendment No. 310, in page 156, line 6, leave out 'any enterprise' and insert 'an enterprise'.

Madam Deputy Speaker: With this it will be convenient to consider also the following: Amendment No. 311, in page 156, line 8, leave out 'any such' and insert 'such an'.

Amendment No. 312, in page 156, line 15, after 'relates', insert

'other than the enterprise referred to in paragraph (a) above'.

Mr. Baker: I am glad of the opportunity to move these three simple amendments. Clause 139 is designed to prevent a bidding company from acquiring shares in the target while a Monopolies and Mergers Commission investigation is taking place. The effect of the clause as drafted——

Mr. Frank Haynes (Ashfield): On a point of order, Madam Deputy Speaker. Could the conference taking place behind the Chair please be stopped?

Madam Deputy Speaker: I am sure that hon. Members are paying attention.

Mr. Baker: Thank you, Madam Deputy Speaker. The effect of the clause as drafted is to prevent a member of a group of persons who control the bidder from buying any further shares in the bidder. That does not seem to be what the clause should be aimed at. It goes beyond the original intention of the clause and those which drafted it. I hope that my hon. Friend the Minister will consider favourably my amendments which would put that matter right.

Mr. Redwood: The objective of the amendments appears to be to relax the temporary prohibition on share dealings following a reference so that parties on one side of a merger can continue to acquire one another's shares. Although we are not unsympathetic to the reasoning behind that, we consider that it would be a mistake to tackle the issue by amending the Bill rather than by using the Secretary of State's power to issue consents.

Clause 139 makes it unlawful for the duration of the MMC inquiry for any parties to propose a merger which is referred, or to acquire shares or interests in shares in any of the parties, except with the Secretary of State's consent. The prohibition extends to all those covered by the reference and their subsidiaries and associates. This prohibition puts on a permanent statutory basis the standard practice of making individual orders in each case under the Fair Trading Act 1973 to limit the holding which bidders can acquire.

The purpose of the prohibition is to prevent the outcome of MMC inquiry or any action necessary following it from being prejudiced by the merger going ahead in the meantime. The complexity of many merger arrangements has led us to make the prohibition in the Bill a general one which applies to all possible relevant parties to a merger. It would otherwise be very difficult to catch everyone whom we might conceivably wish to catch. Rather than have a complicated——

It being Twelve o'clock, MADAM DEPUTY SPEAKER *proceeded, pursuant to the Order [26 October], to put forthwith the Question already proposed from the Chair.*

Amendment negatived.

MADAM DEPUTY SPEAKER *then proceeded to put forthwith the Question on new clauses and new schedules relating to parts VI and VII of the Bill, standing in the name of, or moved by, a Member of the Government to that part of the Bill to be concluded at Twelve o'clock.*

Amendment made: No. 151, New Schedule—

'COMPANY CONTRACTS, SEALS, &C.: FURTHER PROVISIONS

Execution of deeds abroad

1.—(1) Section 38 of the Companies Act 1985 (execution of deeds abroad) is amended as follows.

(2) In subsection (1) (appointment of attorney to execute deeds), after "A company may" insert "under the law of England and Wales".

(3) For subsection (2) (effect of deed executed by attorney) substitute—

"(2) A deed executed by such an attorney on behalf of the company has the same effect as if it were executed under the company's common seal."

Official seal for use abroad

2.—(1) Section 39 of the Companies Act 1985 (power to have official seal for use abroad) is amended as follows.

(2) In subsection (1), after "A company" insert "which has a common seal" and for "the common seal of the company" substitute "its common seal".

(3) For subsection (2) (effect of sealing with official seal) substitute—

"(2) The official seal when duly affixed to a document has the same effect as the company's common seal.".

(4) In subsection (3) (instrument authorising person to affix official seal), after "by writing under its common seal" insert "or, in the case of a company registered in Scotland, subscribed in accordance with section 36B,".

Official seal for share certificates, &c.

3.—(1) Section 40 of the Companies Act 1985 (official seal for share certificates, &c.) is amended as follows.

(2) After "A company" insert "which has a common seal" and for "the company's common seal" substitute "its common seal".

(3) At the end add—

"The official seal when duly affixed to a document has the same effect as the company's common seal.".

Authentication of documents

4. In section 41 of the Companies Act 1985 (authentication of documents), for the words from "may be signed" to the end substitute "is sufficiently authenticated for the purposes of the law of England and Wales by the signature of a director, secretary or other authorised officer of the company.".

Share certificate as evidence of title

5. For section 186 of the Companies Act 1985 (certificate to be evidence of title) substitute—

"*Certificate to be evidence of title*

186.—(1) A certificate under the common seal of the company (or, in the case of a company registered in Scotland, subscribed in accordance with section 36B) specifying any shares held by a member is—

(a) in England and Wales, prima facie evidence, and

(b) in Scotland, sufficient evidence unless the contrary is shown, of his title to the shares.".

Share warrants to bearer

6. For section 188 of the Companies Act 1985 (issue and effect of share warrant to bearer) substitute—

"*Issue and effect of share warrant to bearer*

188.—(1) A company limited by shares may, if so authorised by its articles, issue with respect to any fully paid shares a warrant (a "share warrant") stating that the bearer of the warrant is entitled to the shares specified in it.

(2) A share warrant issued under the company's common seal (or, in the case of a company registered in

[Mr. Redwood]

Scotland, subscribed in accordance with section 36B) entitles the bearer to the shares specified in it; and the shares may be transferred by delivery of the warrant.

(3) A company which issues a share warrant may, if so authorised by its articles, provide (by coupons or otherwise) for the payment of the future dividends on the shares included in the warrant.".

Identification of company on common seal

7. In section 350 of the Companies Act 1985 (identification of company on company seal), for subsection (1) substitute—

"(1) A company which has a common seal shall have its name engraved in legible characters on the seal; and if it fails to comply with this subsection it is liable to a fine.".

Floating charges under Scots law

8. In section 462 of the Companies Act 1985 (power of company to create floating charge), for subsections (2) and (3) substitute—

"(2) In the case of a company which the Court of Session has jurisdiction to wind up, a floating charge may be created only by a written instrument which is presumed under section 36B to be subscribed by the company.".

9. In section 466(2) of the Companies Act 1985 (execution of instrument altering floating charge)—

(a) at the beginning of the subsection insert "Without prejudice to any enactment or rule of law regarding the execution of documents,";

(b) omit paragraph (a);

(c) at the end of paragraph (b) insert "; or", and

(d) omit paragraph (d) and the word "or" preceding it.

10. In section 53(3) of the Insolvency Act 1986 (execution of instrument appointing receiver), in paragraph (a) for "in accordance with the provisions of section 36 of the Companies Act as if it were a contract" substitute "in accordance with section 36B of the Companies Act 1985".'.—*[Mr. Redwood.]*

'.—(1) The powers conferred by this section are exercisable in relation to a recognised UK investment exchange or recognised UK clearing house.

(2) Where in any case an exchange or clearing house has not taken action under its default rules—

(a) if it appears to the Secretary of State that it could take action, he may direct it to do so, and

(b) if it appears to the Secretary of State that it is proposing to take or may take action, he may direct it not to do so.

(3) Before giving such a direction the Secretary of State shall consult the exchange or clearing house in question; and he shall not give a direction unless he is satisfied, in the light of that consultation—

(a) in the case of a direction to take action, that failure to take action would involve undue risk to investors or other participants in the market, or

(b) in the case of a direction not to take action, that the taking of action would be premature or otherwise undesirable in the interests of investors or other participants in the market.

(4) A direction shall specify the grounds on which it is given.

(5) A direction not to take action may be expressed to have effect until the giving of a further direction (which may be a direction to take action or simply revoking the earlier direction).

(6) No direction shall be given not to take action if, in relation to the person in question—

(a) a bankruptcy order or an award of sequestration of his estate has been made, or an interim receiver or interim trustee has been appointed, or

(b) a winding up order has been made, a resolution for voluntary winding up has been passed or an administrator, administrative receiver or provisional liquidator has been appointed;

and any previous direction not to take action shall cease to have effect on the making or passing of any such order, award or appointment.

(7) Where an exchange or clearing house has taken or been directed to take action under its default rules, the Secretary of State may direct it to do or not to do such things (being things which it has power to do under its default rules) as are specified in the direction.

The Secretary of State shall not give such a direction unless he is satisfied that it will not impede or frustrate the proper and efficient conduct of the default proceedings.

(8) A direction under this section is enforceable, on the application of the Secretary of State, by injunction or, in Scotland, by an order under section 45 of the Court of Session Act 1988; and where an exchange or clearing house has not complied with a direction, the court may make such order as it thinks fit for restoring the position to what it would have been if the direction had been complied with.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 36—*Applications to determine whether default proceedings to be taken*—

'.—(1) Where there has been made or passed in relation to a member or designated non-member of a recognised investment exchange or a member of a recognised clearing house—

(a) a bankruptcy order or an award of sequestration of his estate, or an order appointing an interim receiver of his property, or

(b) an administration or winding up order, a resolution for voluntary winding up or an order appointing a provisional liquidator,

and the exchange or clearing house has not taken action under its default rules in consequence of the order, award or resolution or the matters giving rise to it, a relevant office-holder appointed by, or in consequence of or in connection with, the order, award or resolution may apply to the Secretary of State.

(2) The application shall specify the exchange or clearing house concerned and the grounds on which it is made.

(3) On receipt of the application the Secretary of State shall notify the exchange or clearing house, and unless within three business days after the day on which the notice is received the exchange or clearing house—

(a) takes action under its default rules, or

(b) notifies the Secretary of State that it proposes to do so forthwith,

then, subject as follows, the provisions of sections 148 to 155 above do not apply in relation to market contracts to which the member or designated non-member in question is a party or to anything done by the exchange or clearing house for the purposes of, or in connection with, the settlement of any such contract.

For this purpose a "business day" means any day which is not a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday in any part of the United Kingdom under the Banking and Financial Dealings Act 1971.

(4) The provisions of sections 148 to 155 are not disapplied if before the end of the period mentioned in subsection (3) the Secretary of State gives the exchange or clearing house a direction under section *(Powers of Secretary of State to give directions)* (2)(a) (direction to take action under default rules).

No such direction may be given after the end of that period.

(5) If the exchange or clearing house notifies the Secretary of State that it proposes to take action under its default rules forthwith, it shall do so; and that duty is enforceable, on the application of the Secretary of State, by injunction or, in Scotland, by an order under section 45 of the Court of Session Act 1988.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 37—*Certain money market institutions*—

'.—(1) The Secretary of State may by regulations provide that this Part applies to contracts of any specified description in relation to which settlement arrangements are provided by a person for the time being included in a list maintained by the Bank of England for the purposes of this section, as it applies to contracts connected with a recognised investment exchange or recognised clearing house.

(2) The Secretary of State shall not make any such regulations unless he is satisfied, having regard to the extent to which the contracts in question—

(a) involve, or are likely to involve, investments falling within paragraph 2 of Schedule 5 to the Financial Services Act 1986 (money market investments), or

(b) are otherwise of a kind dealt in by persons supervised by the Bank of England,

that it is appropriate that the arrangements should be subject to the supervision of the Bank of England.

(3) The approval of the Treasury is required for—

(a) the conditions imposed by the Bank of England for admission to the list maintained by it for the purposes of this section, and

(b) the arrangements for a person's admission to and removal from the list;

and any regulations made under this section shall cease to have effect if the approval of the Treasury is withdrawn, but without prejudice to their having effect again if approval is given for fresh conditions or arrangements.

(4) The Bank of England shall publish the list as for the time being in force and provide a certified copy of it at the request of any person wishing to refer to it in legal proceedings.

A certified copy shall be evidence (in Scotland, sufficient evidence) of the contents of the list; and a copy purporting to be certified by or on behalf of the Bank shall be deemed to have been duly certified unless the contrary is shown.

(5) Regulations under this section may, in relation to a person included in the list—

(a) apply, with such exceptions, additions and adaptations as appear to the Secretary of State to be necessary or expedient, such of the provisions of the Financial Services Act 1986 as he considers appropriate, and

(b) provide that the provisions of this Part apply with such exceptions, additions and adaptations as appear to the Secretary of State to be necessary or expedient.

(6) Before making any regulations under this section, the Secretary of State shall consult the Treasury and the Bank of England.

(7) In section 84(1) of the Banking Act 1987 (disclosure of information obtained under that Act), in the Table showing the authorities to which, and functions for the purposes of which, disclosure may be made, at the end add—

"A person included in the list maintained by the Bank for the purposes of section (*Certain money market institutions*) of the Companies Act 1989.	Functions under settlement arrangements to which regulations under that section relate.".'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 38—*Settlement arrangements provided by the Bank of England*—

'.—(1) The Secretary of State may by regulations provide that this Part applies to contracts of any specified description in relation to which settlement arrangements are provided by the Bank of England, as it applies to contracts connected with a recognised investment exchange or recognised clearing house.

(2) Regulations under this section may provide that the provisions of this Part apply with such exceptions, additions and adaptations as appear to the Secretary of State to be necessary or expedient.

(3) Before making any regulations under this section, the Secretary of State shall consult the Treasury and the Bank of England.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 39—*Application of margin not affected by certain other interests*—

'.—(1) The following provisions have effect with respect to the application by a recognised investment exchange or recognised clearing house of property (other than land) held by the exchange or clearing house as margin in relation to a market contract.

(2) So far as necessary to enable the property to be applied in accordance with the rules of the exchange or clearing house, it may be so applied notwithstanding any prior equitable interest or right, or any right or remedy arising from a breach of fiduciary duty, unless the exchange or clearing house had notice of the interest, right or breach of duty at the time the property was provided as margin.

(3) No right or remedy arising subsequently to the property being provided as margin may be enforced so as to prevent or interfere with the application of the property by the exchange or clearing house in accordance with its rules.

(4) Where an exchange or clearing house has power by virtue of the above provisions to apply property notwithstanding an interest, right or remedy, a person to whom the exchange or clearing house disposes of the property in accordance with its rules takes free from that interest, right or remedy.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 40—*Priority of floating market charge over subsequent charges*—

'.—(1) The Secretary of State may by regulations provide that a market charge which is a floating charge has priority over a charge subsequently created or arising, including a fixed charge.

(2) The regulations may make different provision for cases defined, as regards the market charge or the subsequent charge, by reference to the description of charge, its terms, the circumstances in which it is created or arises, the nature of the charge, the person in favour of whom it is granted or arises or any other relevant factor.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 41—*Power to make further provision by regulations*—

'.—(1) The Secretary of State may by regulations make such further provision as appears to him necessary or expedient for the purposes of this Part.

(2) Provision may, in particular, be made—

(a) for integrating the provisions of this Part with the general law of insolvency, and

(b) for adapting the provisions of this Part in their application to overseas investment exchanges and clearing houses.

(3) Regulations under this section may add to, amend or repeal any of the provisions of this Part or provide that those provisions have effect subject to such additions, exceptions or adaptations as are specified in the regulations.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 42—*Construction of references to parties to market contracts*

'.—(1) Where a person enters into market contracts in more than one capacity, the provisions of this Part apply (subject as follows) as if the contracts entered into in each different capacity were entered into by different persons.

(2) References in this Part to a market contract to which a person is a party include (subject as follows, and unless the context otherwise requires) contracts to which he is party as agent.

(3) The Secretary of State may by regulations—

(a) modify or exclude the operation of subsections (1) and (2), and

[Mr. Redwood]

(b) make provision as to the circumstances in which a person is to be regarded for the purposes of those provisions as acting in different capacities.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

MADAM DEPUTY SPEAKER *then proceeded to put forthwith the Question on amendments relating to parts VI and VII of the Bill standing in the name of a member of the Government.*

Clause 139

TEMPORARY RESTRICTIONS ON SHARE DEALINGS

Amendments made: No. 152, page 158, line 2, leave out 'also applies' and insert

'and section 736A of that Act also apply'.

No. 153, in page 158, line 4, leave out 'it applies' and insert 'they apply'.

No. 154, in page 158, line 6, leave out 'subsection (5) of that section' and insert

'subsections (8) and (9) of section 736A'.

No. 155, in page 158, line 23, at end insert—

'(2) This section does not apply in relation to any merger reference made before the passing of this Act.'.—*[Mr. Redwood.]*

Clause 140

OBTAINING CONTROL BY STAGES

Amendment made: No. 156, in page 159, line 25, at end insert—

'(2) This section does not apply in relation to any merger reference made before the passing of this Act.'.—*[Mr. Redwood.]*

Schedule 19

AMENDMENTS ABOUT MERGERS AND RELATED MATTERS

Amendments made: No. 157, in page 281, line 27, at end insert—

'(2) This paragraph does not apply in relation to any newspaper merger reference made before the passing of this Act.'.

No. 158, in page 282, line 27, at end insert—

'9A. Paragraphs 4 to 9 (and the repeals in Schedule 22 corresponding to paragraphs 7 and 8(a)) do not apply in relation to any merger reference made before the passing of this Act.'.

No. 159, in page 282, line 48, at end insert—

'(2) This paragraph does not apply in relation to any report made before the passing of this Act.'.

No. 160, in page 283, line 37, at end insert—

'(5) Sub-paragraphs (1) and (4) (and the repeal in Schedule 22 corresponding to sub-paragraph (4)) do not apply in relation to any report made before the passing of this Act.'.

No. 161, in page 283, line 44, after 'makes,' insert 'has made'.

No. 162, in page 283, line 48, after 'makes,' insert 'has made'.

No. 163, in page 284, line 3, at end insert—

'(4) The amendments made by sub-paragraphs (1) to (3) have effect in relation to the making of any order under section 89 of the Fair Trading Act 1973 after the passing of this Act, whether the principal order (within the meaning of that section) was made before or after that time.'.

No. 164, in page 284, line 21, at end insert—

'(2) This paragraph does not apply in relation to any report made before the passing of this Act.'.

No. 165, in page 284, line 46, at end insert—

'(2) This paragraph has effect in relation to the laying of any draft order under paragraph 4 of Schedule 9 to the Fair Trading Act 1973 after the passing of this Act, whether the notice under that Schedule was published before or after that time.'.

No. 166, in page 285, line 11, leave out

'commencement of paragraph 21 of Schedule 19 to'

and insert 'passing of'.

No. 167, in page 285, line 17, leave out

'commencement of paragraph 22 of Schedule 19 to'

and insert 'passing of'.—*[Mr. Redwood.]*

New clause 35—*Powers of Secretary of State to give directions—*

Clause 144

INTRODUCTION

Amendments made: No. 168, in page 161, line 33, leave out 'to 160' and insert

'to 155, *(Powers of Secretary of State to give directions), (Application to determine whether default proceedings to be taken),* 157 to 159, *(Certain money market institutions)* and *(Settlement arrangements provided by the Bank of England)'.*

No. 169 in page 161, line 39, leave out '165' and insert

'*(Application of margin not affected by certain other interests), (Priority of floating market charge over subsequent charges)* and 166'.

Clause 145

MARKET CONTRACTS

Amendment made: No. 170, in page 162, line 12, leave out sub-paragraph (ii) and (iii).—*[Mr. Redwood.]*

Clause 146

ADDITIONAL REQUIREMENTS FOR RECOGNITION: DEFAULT RULES, &C

Amendments made: No. 171, in page 163, line 3, leave out 'Part' and insert 'section'.

No. 172, in page 163, line 7, leave out 'The Secretary of State' and insert

'Where the Secretary of State gives such a notice, he.

No. 173, in page 163, line 15, leave out

'notice is given under subsection (3)'

and insert 'the notice was given'.—*[Mr. Redwood.]*

Schedule 20

ADDITIONAL REQUIREMENTS FOR RECOGNITION

Amendments made: No. 174, in page 285, line 41, leave out paragraphs 1 to 4 and insert—

'1.—(1) The exchange must have default rules which, in the event of a member of the exchange appearing to be unable to meet his obligations in respect of one or more market contracts, enable action to be taken in respect of unsettled market contracts to which he is party.

(2) The rules may authorise the takng of the same or similar action in relations to a member who appears to be likely to become unable to meet his obligations in respect of one or more market contracts.

(3) The rules must enable action to be taken in respect of all unsettled market contracts, other than those entered into by a recognised clearing house for the purposes of or in connection with the provision of clearing services for the exchange.

(4) As regards contracts entered into by the exchange for the purposes of or in connection with the provision of its own

clearing services, the rules must contain provision corresponding to that required by paragraphs 9 to 11 below in the case of a UK clearing house.

(5) As regards other contracts the rules must contain provision complying with paragraphs 2 and 3 below.

Content of rules

2. (1) The rules must provide for all rights and liabilities between those party as principal to unsettled market contracts to which the defaulter is party as principal to be discharged and for there to be paid by one party to the other such sum of money (if any) as may be determined in accordance with the rules.

(2) The rules must further provide—

(a) for the sums so payable in respect of different contracts between the same parties to be aggregated or set off so as to produce a net sum, and

(b) for the certification by or on behalf of the exchange of the net sum payable or, as the case may be, of the fact that no sum is payable.

(3) The rules may make special provision with respect to, or exclude from the provisions required by sub-paragraphs (1) and (2), contracts of any description prescribed for the purposes of this sub-paragraph by regulations made by the Secretary of State.

Notification to other parties affected

3. The exchange must have adequate arrangements for securing that—

(a) parties to unsettled market contracts with a defaulter acting as principal are notified as soon as reasonably practical of the default and of any decision taken under the rules in relation to contracts to which they are a party; and

(b) parties to unsettled market contracts with a defaulter acting as agent and the defaulter's principals are notified as soon as reasonably practicable of the default and of the identity of the other party to the contract.

Application of default rules to designated non-members

4.—(1) The rules may make the same or similar provision in relation to designated non-members as in relation to members of the exchange.

(2) If such provision is made, the exchange must have adequate procedures—

(a) for designating the persons, or descriptions of person, in respect of whom action may be taken,

(b) for keeping under review the question which persons or descriptions of persons should be or remain so designated, and

(c) for withdrawing such designation.

(3) The procedures shall be designed to secure that a person is not or does not remain designated if failure by him to meet his obligations in respect of one or more market contracts would be unlikely adversely to affect the operation of the market, and that a description of persons is not or does not remain designated if failure by a person of that description to meet his obligations in respect of one or more market contracts would be unlikely adversely to affect the operation of the market.

(4) The exchange must have adequate arrangements—

(a) for bringing a designation or withdrawal of designation to the attention of the person or description of persons concerned, and

(b) where a description of persons is designated, or the designation of a description of persons is withdrawn, for ascertaining which persons fall within that description.'.

No. 175, in page 287, line 23, leave out sub-paragraph (1) and insert—

'(1) The clearing house must have default rules which, in the event of a member of the clearing house appearing to be unable to meet his obligations in respect of one or more market contracts, enable action to be taken to close out his position in relation to all unsettled market contracts to which he is a party.'.

No. 176, in page 287, line 40, after 'by' insert 'or on behalf of'.

No. 177, in page 287, line 44, after 'by' insert 'or on behalf of'.

No. 178, in page 288, line 16, at end insert—

'(3) The reference in paragraph 9 to the rights and liabilities of a defaulter under or in respect of an unsettled market contract does not include, where he acts as agent, rights or liabilities of his arising out of the relationship of principal and agent.'.

No. 179, in page 288, line 32, leave out paragraph 14 and insert—

'14.—(1) The rules of the clearing house must provide that, in the event of a default, margin provided by the defaulter for his own account is not to be applied to meet a shortfall on a client account.

(2) This is without prejudice to the requirements of any relevant regulations under section 55 of the Financial Services Act 1986 (clients' money).'.

No. 180, in page 289, line 3, leave out paragraph 15 and insert—

'15.—(1) The rules and practices of the body, together with the law of the country in which the body's head office is situated, must be such as to provide adequate procedures for dealing with the default of persons party to market contracts connected with the body.

(2) The reference in sub-paragraph (1) to default is to a person being unable to meet his obligations.'.—*[Mr. Redwood.]*

Clause 148

MODIFICATIONS OF THE LAW OF INSOLVENCY

Amendment made: No. 181, in page 163, line 31, at end insert—

'(1A) So far as those provisions relate to insolvency proceedings in respect of a person other than a defaulter, they apply in relation to—

(a) proceedings in respect of a member or designated non-member of a recognised investment exchange or a member of a recognised clearing house, and

(b) proceedings in respect of a party to a market contract begun after a recognised investment exchange or recognised clearing house has taken action under its default rules in relation to a person party to the contract as principal,

but not in relation to any other insolvency proceedings, notwithstanding that rights or liabilities arising from market contracts fall to be dealt with in the proceedings.

(1B) The reference in subsection (1A)(b) to the beginning of insolvency proceedings is to—

(a) the presentation of a bankruptcy petition or a petition for sequestration of a person's estate, or

(b) the presentation of a petition for an administration order or a winding-up petition or the passing of a resolution for voluntary winding up, or

(c) the appointment of an administrative receiver.'.—*[Mr. Redwood.]*

Clause 149

PROCEEDINGS OF EXCHANGE OR CLEARING HOUSE TAKE PRECEDENCE OVER INSOLVENCY PROCEDURES

Amendments made: No. 182, in page 164, line 5, leave out from '1986' to 'shall' in line 6 and insert 'or the Bankruptcy (Scotland) Act 1985'.

No. 183, in page 164, leave out lines 13 to 15 and insert—

'This does not prevent a relevant office-holder from afterwards seeking to recover any amount under section 153(4) or 154(3) or prevent the court from afterwards making any such order or decree as is mentioned in section 155(1) or (2) (but subject to subsections (3) and (4) of that section).'.—*[Mr. Redwood.]*

Clause 151

SUPPLEMENTARY PROVISIONS AS TO DEFAULT PROCEEDINGS

Amendments made: No. 184, in page 165, line 36, leave out 'or have been pending' and insert

'pending or could be taken, or have been or could have been taken.'.

No. 185, in page 165, line 39, leave out

'the Bankruptcy (Scotland) Act 1985'

and insert

'any rule of law in Scotland to the like effect as the said section 285, in the Bankruptcy (Scotland) Act 1985 or in the Debtors (Scotland) Act 1987 as to the effect of sequestration,'.—*[Mr. Redwood.]*

Clause 153

NET SUM PAYABLE ON COMPLETION OF DEFAULT PROCEEDINGS

Amendments made: No. 186, in page 166, line 21, leave out from 'upon' to 'to' and insert—

'proceedings under its default rules being duly completed in accordance with this Part,'.

No. 187, in page 166, line 34, leave out '129' and insert '247'.

No. 188, in page 166, line 47, leave out subsection (4) and insert—

'(4) However, where (or to the extent that) a sum is taken into account by virtue of subsection (2)(b) or (3)(b) which arises from a contract entered into at a time when the creditor had notice—

(a) that a bankruptcy petition or, in Scotland, a petition for sequestration was pending, or

(b) that a meeting of creditors had been summoned under section 98 of the Insolvency Act 1986 or that a winding-up petition was pending,

the value of any profit to him arising from the sum being so taken into account (or being so taken into account to that extent) is recoverable from him by the relevant office-holder unless the court directs otherwise.

(4A) Subsection (4) does not apply in relation to a sum arising from a contract effected under the default rules of a recognised investment exchange or recognised clearing house.'.—*[Mr. Redwood.]*

Clause 154

DISCLAIMER OF PROPERTY, RESCISSION OF CONTRACTS, &C.

Amendments made: No. 189, in page 167, line 23, leave out 'and 315' and insert ', 315 and 345'.

No. 190, in page 167, line 24, at end insert—

'(1A) In Scotland, a permanent trustee on the sequestrated estate of a defaulter or a liquidator is bound by any market contract to which that defaulter is a party and by any contract as is mentioned in subsection (1)(b) above notwithstanding section 42 of the Bankruptcy (Scotland) Act 1985 or any rule of law to the like effect applying in liquidations.'.

No. 191, in page 167, line 27, after 'petition)' insert

', and section 32(8) of the Bankruptcy (Scotland) Act 1985 (effect of dealing with debtor relating to estate vested in permanent trustee),'.

No. 192, in page 167, line 38, leave out subsection (3) and insert—

'(3) However, where—

(a) a market contract is entered into by a person who has notice that a petition has been presented for the winding up or bankruptcy or sequestration of the estate of the other party to the contract, or

(b) margin in relation to a market contract is accepted by a person who has notice that such a petition has been presented in relation to the person by whom or on whose behalf the margin is provided,

the value of any profit to him arising from the contract or, as the case may be, the amount or value of the margin is recoverable from him by the relevant office-holder unless the court directs otherwise.

(3A) Subsection (3)(a) does not apply where the person entering into the contract is a recognised investment exchange or recognised clearing house acting in accordance with its rules, or where the contract is effected under the default rules of such an exchange or clearing house; but subsection (3)(b) applies in relation to the provision of margin in relation to such a contract.'.—*[Mr. Redwood.]*

Clause 155

ADJUSTMENT OF PRIOR TRANSACTIONS

Amendments made: No. 193, in page 168, line 1, leave out 'market contract' and insert 'transaction to which this section applies'.

No. 194, in page 168, leave out lines 7 to 10.

No. 195, in page 168, line 11, leave out 'a market contract' and insert 'any such transaction'.

No. 196, in page 168, leave out lines 18 to 20.

No. 197, in page 168, line 21, leave out subsection (3) and insert—

'(3) This section applies to—

(a) a market contract to which a recognised investment exchange or recognised clearing house is a party or which is entered into under its default rules, and

(b) a disposition of property in pursuance of such a market contract.

(4) Where margin is provided in relation to a market contract and (by virtue of subsection (3)(a) or otherwise) no such order or decree as is mentioned in subsection (1) or (2) has been, or could be, made in relation to that contract, this section applies to—

(a) the provision of the margin,

(b) any contract effected by the exchange or clearing house in question for the purpose of realising the property provided as margin, and

(c) any disposition of property in accordance with the rules of the exchange or clearing house as to the application of property provided as margin.'.

No. 198, in page 168, line 31, leave out Clause 156.—*[Mr. Redwood]*

Clause 157

DELEGATIONS OF FUNCTIONS TO DESIGNATED AGENCY

Amendments made: No. 199, in page 169, line 24, leave out 'Part' and insert 'section'.

No. 200, in page 169, line 30, leave out 'Part' and insert 'section'.

No. 201, in page 169, line 32, *[Clause 157]* at end insert—

'(3) The Secretary of State may—

(a) in the circumstances mentioned in subsection (3), (4) or (5) of section 115 of the Financial Services Act 1986, or

(b) if it appears to him that a designated agency is unable or unwilling to discharge all or any of the functions under this Part which have been transferred to it,

make an order under that section resuming all functions under this Part which have been transferred to the agency.

This does not affect his power to make an order under subsection (1) or (2) of that section with respect to such functions.'.—*[Mr. Redwood.]*

Clause 158

SUPPLEMENTARY PROVISIONS

Amendment made: No. 202, in page 170, line 8, at end insert—

'(4) The references in sections 119 and 121 of the Financial Services Act 1986 (competition) to what is necessary for the protection of investors shall be construed as including references to what is necessary for the purposes of this Part.

(5) Section 204 of the Financial Services Act 1986 (service of notices) applies in relation to a notice, direction or other document required or authorised by or under this Part to be given to or served on any person other than the Secretary of State.'.—*[Mr. Redwood.]*

Clause 159

CERTAIN OVERSEAS EXCHANGES AND CLEARING HOUSES

Amendments made: No. 203, in page 170, line 13, leave out from beginning to 'in' in line 15 and insert 'is approved by him'.

No. 204, in page 170, line 20, leave out subsections (2) and (3) and insert—

'(2) The Secretary of State shall not approve an overseas investment exchange or clearing house unless he is satisfied—

(a) that the rules and practices of the body, together with the law of the country in which the body's head office is situated, provide adequate procedures for dealing with the default of persons party to contracts connected with the body, and

(b) that it is otherwise appropriate to approve the body.

(3) The reference in subsection (2)(a) to default is to a person being unable to meet his obligations.'.

No. 205, in page 170, line 33, leave out 'regulations may' and insert

'Secretary of State may make regulations which'.

No. 206, in page 170, line 38, at end insert

'; and different provision may be made with respect to different bodies or descriptions of body.'.

No. 207, in page 170, line 38, at end insert—

'(6) Where the regulations apply any provisions of the Financial Services Act 1986, they may provide that those provisions apply with such exceptions, additions and adaptations as appear to the Secretary of State to be necessary or expedient.'.

No. 208, in page 170, line 39, leave out Clause 160.—*[Mr. Redwood.]*

Clause 161

MARKET CHARGES

Amendments made: No. 209, in page 171, leave out line 22 and insert

'In this Part "market charge" means a charge'.

No. 210, in page 171, leave out line 35.

No. 211, in page 171, line 37, leave out from 'purposes' to end of line 39 and insert

'it is a "market charge" so far as it has effect for the specified purposes.'.

No. 212, in page 172, line 4, leave out 'sections 162 and 163' and insert 'this Part'.

No. 213, in page 172, line 5, at end insert—

'(4A) The regulations may provide that a charge shall or shall not be treated as a market charge if or to the extent that it secures obligations of a specified description, is a charge over property of a specified description or contains provisions of a specified description.'.

No. 214, in page 172, line 6, leave out subsection (5) and insert—

'(5) Before making regulations under this section in relation to charges granted in favour of a person within subsection (1)(c), the Secretary of State shall consult the Treasury and the Bank of England.'.—*[Mr. Redwood.]*

Clause 162

MODIFICATIONS OF THE LAW OF INSOLVENCY

Amendment made: No. 215, in page 172, line 25, leave out subsection (5) and insert—

'(5) Before making regulations under this section in relation to charges granted in favour of a person within section 161(1)(c), the Secretary of State shall consult the Treasury and the Bank of England.'.—*[Mr. Redwood.]*

Clause 163

ADMINISTRATION ORDERS, &C.

Amendments made: No. 216, in page 172, line 29, leave out subsections (1) to (3) and insert—

'(1) The following provisions of the Insolvency Act 1986 (which relate to administration orders and administrators) do not apply in relation to a market charge—

(a) sections 10(1)(b) and 11(3)(c) (restriction on enforcement of security while petition for administration order pending or order in force), and

(b) section 15(1) and (2) (power of administrator to deal with charged property);

and section 11(2) of that Act (receiver to vacate office when so required by administrator) does not apply to a receiver appointed under a market charge.

(2) However, where a market charge falls to be enforced after an administration order has been made or a petition for an administration order has been presented, and there exists another charge over some or all of the same property ranking in priority to or *pari passu* with the market charge, the court may order that there shall be taken after enforcement of the market charge such steps as the court may direct for the purpose of ensuring that the chargee under the other charge is not prejudiced by the enforcement of the market charge.

(3) The following provisions of the Insolvency Act 1986 (which relate to the powers of receivers) to not apply in relation to a market charge—

(a) section 43 (power of administrative receiver to dispose of charged property), and

(b) section 61 (power of receiver in Scotland to dispose of an interest in property).'.

No. 217, in page 172, line 37, leave out subsections (4) and (5) and insert—

'(4) Sections 127 and 284 of the Insolvency Act 1986 (avoidance of property dispositions effected after commencement of winding up or presentation of bankruptcy petition), and section 32(8) of the Bankruptcy (Scotland) Act 1985 (effect of dealing with debtor relating to estate vested in permanent trustee), do not apply to a disposition of property as a result of which the property becomes subject to a market charge or any transaction pursuant to which that disposition is made.

(5) However, if a person (other than the chargee under the market charge) who is party to a disposition mentioned in subsection (4) has notice at the time of the disposition that a petition has been presented for the winding up or bankruptcy or sequestration of the estate of the party making the disposition, the value of any profit to him arising from the disposition is recoverable from him by the relevant office-holder unless the court directs otherwise.'.

No. 218, in page 173, line 6, at end insert—

'(7) In a case falling within both subsection (4) above (as a disposition of property as a result of which the property becomes subject to a market charge) and section 154(2) (as the provision of margin in relation to a market contract), section 154(3) applies with respect to the recovery of the amount or value of the margin and subsection (5) above does not apply.'.—*[Mr. Redwood.]*

Clause 164

POWER TO MAKE PROVISION ABOUT CERTAIN OTHER CHARGES

Amendment made: No. 219, in page 173, line 12, leave out subsection (2) and insert—

'(2) The regulations may specify any description of charge granted in favour of—

(a) a body approved under section 159 (certain overseas exchanges and clearing houses),

(b) a person included in the list maintained by the Bank of England for the purposes of section *(Certain money market institutions)* (certain money market institutions),

(c) the Bank of England,

(d) an authorised person within the meaning of the Financial Services Act 1986, or

(e) an international securities self-regulating organisation within the meaning of that Act,

for the purpose of securing debts or liabilities arising in connection with or as a result of the settlement of contracts or the transfer of assets, rights or interests on a financial market.

(2A) The regulations may specify any description of charge granted for that purpose in favour of any other person in connection with exchange facilities or clearing services provided by a recognised investment exchange or recognised clearing house or by any such body, person, authority or organisation as is mentioned in subsection (2).

(2B) Where a charge is granted partly for the purpose specified in subsection (2) and partly for other purposes, the power conferred by this section is exercisable in relation to the charge so far as it has effect for the purpose.'.

No. 220, in page 173, line 32, leave out subsections (4) and (5) and insert—

'(4) Before making regulations under this section relating to a description of charges defined by reference to their being granted—

(a) in favour of a person included in the list maintained by the Bank of England for the purposes of section *(Certain money market institutions)*, or in connection with exchange facilities or clearing services provided by a person included in that list, or

(b) in favour of the Bank of England, or in connection with settlement arrangements provided by the Bank,

the Secretary of State shall consult the Treasury and the Bank of England.

(5) Regulations under this section may provide that they apply or do not apply to a charge if or to the extent that it secures obligations of a specified description, is a charge over property of a specified description or contains provisions of a specified description.'.—*[Mr. Redwood.]*

Clause 165

APPLICATION OF MARGIN NOT AFFECTED BY SUBSEQUENT INTERESTS

Amendment made: No. 221, in page 173, line 41, leave out Clause 165.—*[Mr. Redwood.]*

Clause 167

PROCEEDINGS AGAINST MARKET PROPERTY BY UNSECURED CREDITORS

Amendment made: No. 222, in page 174, line 8, leave out from 'property' to 'margin' and insert

'(other than land) is held by a recognised investment exchange or recognised clearing house as'.—*[Mr. Redwood.]*

Clause 168

POWER TO APPLY PROVISIONS TO OTHER CASES

Amendment made: No. 223, in page 174, line 31, leave out from beginning to third 'to' in line 37 and insert—

'(a) section 159, *(Certain money market institutions)* or *(Settlement arrangements provided by the Bank of England)* (power to extend provisions relating to market contracts), or

(b) section 164 (power to extend provisions relating to market charges),

includes power to apply sections *(Application of margin not affected by certain other interests)*, *(Priority of floating market charge over subsequent charges)*, 166 and 167'.—*[Mr. Redwood.]*

Clause 169

POWERS OF COURT IN RELATION TO CERTAIN PROCEEDINGS BEGUN BEFORE COMMENCEMENT

Amendments made: No. 224, in page 175, line 8, leave out 'Part' and insert 'section'.

No. 225, in page 175, line 29, leave out 'Part' and insert 'section'.

No. 226, in page 175, line 35, leave out 'this Part specified below' and insert

'Schedule *(Financial markets and insolvency: provisions applying to pre-commencement cases)*'.

No. 227, in page 175, line 37, leave out subsection (5) and insert—

'(5) The provisions of that Schedule ("the relevant provisions") reproduce the effect of certain provisions of this Part as they appeared in the Bill for this Act as introduced into the House of Lords and published on that date.'.—*[Mr. Redwood.]*

Clause 170

INSOLVENCY PROCEEDINGS IN OTHER JURISDICTIONS

Amendments made: No. 228, in page 177, line 3, leave out from beginning to 'by' in line 4 and insert

'insofar as the making of the order or the doing of the act would be prohibited in the case of a court in the United Kingdom or a relevant office-holder'.

No. 229, in page 177, line 4, at end insert—

'(3) Subsection (2) does not affect the recognition or enforcement of a judgment required to be recognised or enforced under or by virtue of the Civil Jurisdiction and Judgments Act 1982.'.—*[Mr. Redwood.]*

Clause 171

INDEMNITY FOR CERTAIN ACTS, &C.

Amendment made: No. 230, in page 177, line 19, after 'servant' insert

'or member of the governing body'.—*[Mr. Redwood.]*.

Clause 173

MEANING OF "DEFAULT RULES" AND RELATED EXPRESSIONS

Amendments made: No. 231, in page 177, line 44, leave out from beginning to 'unable' and insert

'for the taking of action in the event of a person appearing to be'.

No. 232, in page 178, line 8, at end insert—

'(4) If an exchange or clearing house takes action under its default rules in respect of a person, all subsequent proceedings under its rules for the purposes of or in connection with the settlement of market contracts to which the defaulter is a party shall be treated as done under its default rules.'.—*[Mr. Redwood.]*

Clause 174

MEANING OF "RELEVANT OFFICEHOLDER"

Amendment made: No. 233, in page 178, line 22, leave out subsection (2) and insert—

'(2) In subsection (1)(b) "company" means any company, society, association, partnership or other body which may be wound up under the Insolvency Act 1986.'.

Clause 175

MINOR DEFINITIONS

Amendments made: No. 234, in page 178, line 31, at end insert—

'"administrative receiver has the meaning given by section 251 of the Insolvency Act 1986;'.

No. 235, in page 178, line 35, at end insert—

'"interin trustee" and "permanent trustee" have the same meaning as in the Bankruptcy (Scotland) Act 1985;'.

No. 236, in page 178, line 46, at end insert—

'(1A) References in this Part to settlement in relation to a market contract are to the discharge of the rights and liabilities of the parties to the contract, whether by performance, compromise or otherwise.

(1B) In this part the expressions "margin" and "cover for margin" have the same meaning.'.

No. 237, in page 179, line 2, at end insert—

'(2A) For the purposes of this Part a person shall be taken to have notice of a matter if he deliberately failed to make enquiries as to that matter in circumstances in which a reasonable and honest person would have done so.

This does not apply for the purposes of a provision requiring "actual notice".'

No. 238, in page 179, line 3, leave out subsection (3).

No. 239, in page 179, line 8, at end insert

'; and in relation to a building society references to insolvency law or to any provision of the Insolvency Act 1986 are to that law or provision as modified by the Building Societies Act 1986.'.—*Mr. Redwood.]*

Clause 176

INDEX OF DEFINED EXPRESSIONS

Amendments made: No. 240, in page 179, line 17, at end insert—

'administrative receiver	section 175(1)'.

No. 241, in page 179, line 19, at end insert—

'cover for margin	section 175(1B)'.

No. 242, in page 179, line 23, at end insert—

'interim trustee	section 175(1) and (5)(b)'

No. 243, in page 179, line 25, at end insert—

'margin	section 175(1B)'.

No. 244, in page 179, line 27, at end insert—

'notice	section 175(2A)'.

No. 245, in page 179, line 30, column 2, leave out '175(3)' and insert

'(Construction of references to parties to market contract)'.

No. 246, in page 179, line 30, at end insert—

'permanent trustee	section 175(1) and (5)(b)'

No. 247, in page 179, line 34, at end insert—

'settlement and related expressions (in relation to a market contract)	section 175(1A)'.—*[Mr. Redwood.]*

Amendment made: No. 248, new schedule—

'FINANCIAL MARKETS AND INSOLVENCY: PROVISIONS APPLYING TO PRE-COMMENCEMENT CASES

Introductory

1. The provisions of this Schedule have effect for the purpose of safeguarding the operation of certain financial markets—

(a) in the event of the insolvency, winding-up or default of a person party to transactions in the market (paragraphs 2 to 8), and

(b) as regards the effectiveness or enforcement of certain charges given to secure obligations in connection with such transactions (paragraph 9 to 12).

Recognised investment exchanges and clearing houses

2.—(1) This Schedule applies to the following descriptions of contract connected with a recognised investment exchange or recognised clearing house.

The contracts are referred to in this Schedule as "market contracts".

(2) In relation to a recognised investment exchange, this Schedule applies to—

(a) contracts entered into by a member or designated non-member of the exchange which are—

(i) made on or otherwise subject to the rules of the exchange,

(ii) on terms expressed to be as traded on the exchange, or

(iii) on the same terms as those on which an equivalent contract would be made on the exchange; and

(b) contracts subject to the rules of the exchange entered into by the exchange for the purposes of or in connection with the provision of clearing services.

A "designated non-member" means a person in respect of whom action may be taken under the default rules of the exchange but who is not a member of the exchange.

(3) In relation to a recognised clearing house, this Schedule applies to contracts subject to the rules of the clearing house entered into by the clearing house for the purposes of or in connection with the provision of clearing services for a recognised investment exchange.

This includes contracts effected under or in consequence of action taken by the clearing house under its default rules.

3. The general law of insolvency has effect in relation to market contracts, and action taken under the rules of a recognised investment exchange or recognised clearing house with respect to such contracts, subject to the following provisions of this Schedule.

4.—(1) None of the following shall be regarded as to any extent invalid at law on the ground of inconsistency with the law relating to the distribution of the assets of a person on bankruptcy, winding-up sequestration, or in the administration of an insolvent estate—

(a) a market contract,

(a) the rules of a recognised investment exchange or recognised clearing house as to the settlement of market contracts,

(c) the default rules of a recognised investment exchange or recognised clearing house.

(2) The powers of a relevant office-holder in his capacity as such, and the powers of the court under the Insolvency Act 1986 or the Bankruptcy (Scotland) Act 1985, shall not be exercised in such a way as to prevent or interfere with—

(a) the settlement of a market contract in accordance with the rules of a recognised investment exchange or recognised clearing house,

(b) any action taken under the default rules of such an exchange or clearing house.

(3) Nothing in the following provisions of this Schedule shall be construed as affecting the generality of sub-paragraph (2).

(4) A debt or other liability arising out of a market contract which is the subject of default proceedings may not be proved in a winding-up or bankruptcy, or in Scotland claimed in a winding-up or sequestration, until the completion of the default proceedings.

A debt or other liability which by virtue of this sub paragraph may not be proved or claimed shall not be taken into account for the purposes of any set-off until the completion of the default proceedings.

5.—(1) A liquidator or trustee of a defaulter shall not—

(a) declare or pay any dividend to the creditors, or

(b) return any capital to contributories,

unless he has retained what he reasonably considers to be an adequate reserve in respect of any claims arising as a result of the default proceedings of the exchange or clearing house concerned.

(2) Nothing in sections 11(3), 130 or 285 of the Insolvency Act 1986 (which restrict the taking of certain legal proceedings and other steps), and nothing in the Bankruptcy (Scotland) Act 1985, shall affect any action taken by an exchange or clearing house for the purpose of its default proceedings.

6.—(1) The following provisions apply with respect to the net sum certified by a recognised investment exchange or recognised clearing house, upon the completion of proceedings under its default rules, to be payable by or to a defaulter.

(2) If, in England and Wales, a backruptcy or winding-up order has been made, or a resolution for voluntary winding-up has been passed, the debt—

(a) is provable in the bankruptcy or winding-up or, as the case may be, is payable to the relevant office-holder, and

(b) shall be taken into account, where appropriate, under section 323 of the Insolvency Act 1986 (mutual dealings and set-off) or the corresponding provision applicable in the case of a winding-up,

in the same way as a debt due before the commencement of the bankruptcy or winding-up.

(3) If, in Scotland, an award of sequestration or a winding-up order has been made, or a resolution for voluntary winding-up has been passed, the debt—

(a) may be claimed in the sequestration or winding-up or, as the case may be, is payable to the relevant officer-holder, and

(b) shall be taken into account for the purposes of any rule of law relating to compensation or set-off applicable in sequestration or winding-up,

in the same way as a debt due before the date of sequestration (within the meaning of section 73(1) of the Bankruptcy (Scotland) Act 1985) or the commencement of the winding-up.

7.—(1) Sections 178, 186, 315 and 345 of the Insolvency Act 1986 (power to disclaim onerous property and court's power to order rescission of contracts, &c.) do not apply in relation to—

(a) a market contract, or

(b) a contract effected by the exchange or clearing house for the purpose of realising property provided as margin in relation to market contracts.

In the application of this sub-paragraph in Scotland, the reference to sections 178 and 315 shall be construed as a reference to any rule of law having the like effect as those sections.

(2) Sections 127 and 284 of the Insolvency Act 1986 (avoidance of property dispositions effected after commencement of winding-up or presentation of backruptcy petition) do not apply to—

(a) a market contract, or any disposition of property in pursuance of such a contract,

(b) the provision of margin in relation to market contracts,

(c) a contract effected by the exchange or clearing house for the purpose of realising property provided as margin in relation to a market contract, or any disposition of property in pursuance of such a contract, or

(d) any disposition of property in accordance with the rules of the exchange or clearing house as to the application of property provided as margin.

(3) However, if a person enters into a market contract knowing that a petition has been presented for the winding-up or bankruptcy of the other party to the contract, the value of any profit or benefit to him arising from the contract is recoverable from him by the relevant office-holder unless the court directs otherwise.

(4) Any sum recoverable by virtue of sub-paragraph (3) has the same priority, in the event of the insolvency of the person from whom it is due, as if it were secured by a fixed charge.

8.—(1) No order shall be made in relation to a market contract under—

(a) section 238 or 339 of the Insolvency Act 1986 (transactions at an under-value),

(b) section 239 or 340 of that Act (preferences), or

(c) section 423 of that Act (transactions defrauding creditors),

unless the court is satisfied that the person in favour of whom the contract was made knew at the time he entered into it that it was at an under-value (within the meaning of the relevant provision) or, as the case may be, that a preference was being given.

(2) As respects Scotland, no decree shall be granted in relation to a market contract—

(a) under section 34 or 36 of the Bankruptcy (Scotland) Act 1985 or section 242 or 243 of the Insolvency Act 1986 (gratuitous alienations and unfair preferences), or

(b) at common law,

unless the court is satisfied that the person with whom the contract was made knew at the time he entered into it that it was challengeable under any of the provisions mentioned in paragraph (a) or at common law.

(3) Sub-paragraphs (1) and (2) apply in relation to—

(a) a disposition of property in pursuance of a market contract,

(b) the provision of margin in relation to market contracts,

(c) a contract effected by a recognised investment exchange or recognised clearing house for the purpose of realising property provided as margin, or

(d) a disposition of property in accordance with the rules of the exchange or clearing house as to the application of property provided as a margin,

as they apply in relation to the making of a market contract.

Market charges

9.—(1) The charges to which paragraphs 10 to 12 apply are charges, whether fixed or floating, granted—

(a) in favour of a recognised investment exchange, for the purpose of securing debts or liabilities arising in connection with the settlement of market contracts,

(b) in favour of a recognised clearing house, for the purpose of securing debts or liabilities arising in connection with their ensuring the performance of market contracts, or

(c) in favour a person who agrees to make payments as a result of the transfer of specified securities made through the medium of a computer-based system established by the Bank of England and The Stock Exchange, for the purpose of securing debts or liabilities of the transferee arising in connection with the payments.

Those charges are referred to in this Schedule as "market charges".

(2) Where a charge is granted partly for purposes specified in sub-paragraph (1)(a), (b) or (c) and partly for other purposes, paragraphs 10 to 12 apply to it so far as it has effect for the specified purposes; and the expression "market charge" shall be construed accordingly.

(3) In this paragraph and paragraphs 10 to 12—

"charge" means any form of security, including a mortgage and, in Scotland, a heritable security; and

"specified securities" means securities for the time being specified in the list in Schedule 1 to the Stock Transfer Act 1982, and includes any right to such securities.

10. The general law of insolvency has effect in relation to market charges and action taken in enforcing them subject to the following provisions of this Schedule.

11.—(1) Sections 10(1)(b) and 11(3)(c) of the Insolvency Act 1986 (no enforcement of security while petition for administration order pending or order in force) do not apply to a market charge.

(2) Section 11(2) of that Act (receiver to vacate office when so required by administrator) does not apply to a receiver appointed under a market charge.

(3) Section 15(1) and (2) of that Act (administrator's power to deal with charged property) do not apply to a market charge.

(4) Sections 127 and 284 of that Act (avoidance of property dispositions effected after commencement of winding up or presentation of bankruptcy petition) do not apply to—

(a) a disposition of property as a result of which the property becomes subject to a market charge, or any transaction pursuant to which that disposition is made, or

(b) any disposition of property made in enforcing a market charge.

(5) However, if a person (other than the chargee under the market charge) who is a party to a disposition mentioned in sub-paragraph (4)(a) knows at the time of the disposition that a petition has been presented for the winding-up or bankruptcy of the party making the disposition, the value of any profit or benefit to him arising from the disposition is recoverable from him by the relevant office-holder unless the court directs otherwise.

(6) Any sum recoverable by virtue of sub-paragraph (5) has the same priority, in the event of the insolvency of the person from whom it is due, as if it were secured by a fixed charge.

12.—(1) No legal proceedings, execution or other legal process may be commenced or continued, and no distress may be levied against property which is, or becomes, subject to a market charge except with the consent of the person in whose favour the charge was granted or the leave of the court.

(2) The court may give leave subject to such terms as it thinks fit.

(3) Sub-paragraph (1) does not apply to proceedings to enforce any security over, or any equitable interest in, the property.

(4) Sections 10(1)(c), 11(3)(d), 130(3) and 285(3) of the Insolvency Act 1986 (which restrict the taking of certain legal proceedings and other steps) have effect accordingly.

(5) In the application of this paragraph to Scotland, the reference to execution being commenced or continued includes a reference to diligence being carried out or continued, and the reference to distress being levied shall be omitted.

Supplementary provisions

13.—(1) In this Schedule "default rules" means—

(a) in relation to a recognised investment exchange, rules which provide in the event of a member or designated non-member of the exchange appearing to be unable, or likely to become unable, to meet his obligations in respect of one or more market contracts, for the settlement forthwith of all unsettled market contracts to which he is a party as principal, other than those whose performance is ensured by a recognised clearing house;

(b) in relation to a recognised clearing house, rules which provide in the event of a member of the clearing house appearing to be unable, or likely to become unable, to meet his obligations in respect of any market contract, for the closing out of his position in relation to all market contracts to which he is a party.

(2) References in this Schedule to a "defaulter" are to a person in respect of whom action has been taken by a recognised investment exchange or recognised clearing house under its default rules, whether by declaring him to be a defaulter or otherwise; and references in this Schedule to "default" shall be construed accordingly.

(3) In this Schedule "default proceedings" means proceedings taken by a recognised clearing house under its default rules.

14.—(1) The following are relevant office-holders for the purposes of this Schedule—

(a) the official receiver,

(b) any person acting in relation to a company as its liquidator, provisional liquidator, administrator or administrative receiver,

(c) any person acting in relation to an individual (or, in Scotland, a deceased debtor) as his trustee in bankruptcy or interim receiver of his property or as permanent or interim trustee in the sequestration of his estate,

(d) any person acting as administrator (or, in Scotland, as judicial factor) of an insolvent estate of a deceased person.

(2) Sub-paragraph (1)(c) applies in relation to a partnership, and any debtor within the meaning of the Bankruptcy (Scotland) Act 1985, as it applies in relation to an individual.

(3) In this paragraph—

"administrative receiver" has the meaning given by section 251 of the Insolvency Act 1986;

"company" means a company within the meaning of section 735(1) of the Companies Act 1985 or a company which may be wound up under Part V of the Insolvency Act 1986 (unregistered companies); and

"interim trustee" and "permanent trustee" have the same meaning as in the Bankruptcy (Scotland) Act 1985.

15.—(1) In this Schedule—

"clearing house" has the same meaning as in the Financial Services Act 1986;

"investment" and "investment exchange" have the same meaning as in the Financial Services Act 1986;

"recognised" means recognised under the Financial Services Act 1986;

"The Stock Exchange" means The International Stock Exchange of the United Kingdom and the Republic of Ireland Limited.

(2) References in this Schedule to ensuring the performance of a transaction have the same meaning as in the Financial Services Act 1986.

(3) References in this Schedule to a market contract to which a person is a party include, unless the contrary intention appears, contracts to which he is party agent.'.—*[Mr. Redwood.]*

New clause 13

TAKEOVER PANEL

'.—(1) The Secretary of State shall designate a Takover Panel, (in this Act referred to as "the Panel") for the regulation of takeover bids and other general bids to the holders of securities or the securities of a particular class or classes of any United Kingdom public limited company.

(2) The Secretary of State shall choose the members of the Panel in consultation with the Governor of the Bank of England either as full time members or as a part time members.

(3) The Secretary of State shall publish a Code of Practice setting out general principles relating to the functions of the Panel and the status and terms of office of such members and staff as is considered desirable in the prevailing circumstances.

(4) No appeal shall lie from the final decision of the Panel save that such decision may be subject to judicial review.".'. —*[Ms. Quin.]*

Brought up, and read the First time.

Ms. Quin: I beg to move, That the clause be read a Second time.

The new clause is along the lines of a new clause tabled in another place when the Bill began its passage though the House. It was also referred to in Standing Committee. The arguments are well known, but we believe that it is an important issue and therefore do not apologise for bringing it to the attention of the House now.

The new clause would put the takeover panel on a statutory footing. We know that the panel is very attached to its present status as a non-statutory body. I know, too, that the director-general of the panel has written to

[Ms. Quin]

Members of the Standing Committee making his views clear. Nevertheless, it is interesting that the director-general of the takeover panel acknowledges that our new clause preserves the essential characteristics of the panel's method of working and its freedom from tactical litigations, and we understand the panel's attachment to flexibility. However, the panel has been in existence for 21 years and there is no doubt that economic conditions have changed considerably during that time. That is certainly true of the increase in takeover activity of recent years.

There was an interesting debate on this matter in another place, when it was clear that some of their Lordships who had previously supported the non-statutory panel had become less convinced as time went on. Lord Rippon of Hexham said in an interesting contribution that he did not feel that we had a system in which the interests of shareholders and the public interest were best protected. He was concerned, as were others, about the deterioration of standards in takeover bids, and he referred to the aggressive tactics of some merchant banks which seemingly encourage bids. He was worried, too, by the behaviour of some institutional shareholders who increasingly regard share certificates, in the words of the noble Lord, as

"casino chips to be used to secure short-term capital gains rather than long-term investments"—*[Official Report, House of Lords, 6 March 1989; Vol. 504, c. 1295.]*

Since we have been anxious about the problem of short-termism and the lack of long-term industrial strategy in this country, we have great sympathy with his words.

It was interesting to note that another noble Lord, Lord Lucas of Chilworth, said that he had been swayed by events in the last few years into believing that something stronger and with more force was needed.

In the debate in the other place it was said that a working party of the takeover panel was looking at its operation in regulating takeovers. I do not know whether the working party has reached any conclusions or, if it has, what they are, but it would be interesting to know if it has come to any firm conclusions. Perhaps the Minister could tell us about that.

There is undoubtedly a European Community dimension to all this because of the negotiations presently taking place, of which I know the Minister is aware, about the formulation of the 13th company law directive. We think that some of the matters that concern us would be given statutory force by that directive, although it is obvious that, as negotiations are continuing, the form of the directive is not clear. However, article 6 seems to give the force that interests us.

As I have said, we are not out to destroy the flexibility of the takeover panel but simply to give it the weight, importance and extra effectiveness that we think statute would give it. My hon. Friend the Member for Norwich, South (Mr. Garrett) said in Committee that it is anomalous that the Securities and Investments Board draws its authority from the Secretary of State while the takeover panel does not. The new clause restates our view that the takeover panel should have statutory force.

Mr. Cousins: I agree with my hon. Friend the Member for Gateshead, East (Ms. Quin). With the Financial Services Act 1986, the Government created a mixed economy of regulation in which there are statutory bodies operating in a way that is not quite free. So far, at any rate, that has proved a successful format. The new clause seeks to put other matters of regulation of financial matters on a similar basis. The Government should be flattered that we recognise and have such a good opinion of the 1986 mixed economy regulation formula.

The present system of regulation is rather inchoate. It is not so much a mixed economy as a car boot sale. In different parts of the system, regulation is achieved on different principles and by different methods. The new clause simply seeks to extend to the work of the takeover panel the same principles and formula of regulation as those applied more narrowly in the more specific financial markets by the Financial Services Act. I hope that the new clause is acceptable to the Government. The fact that we are prepared to extend that formula to other areas should commend itself to the Government.

Mr. Hanley: The hon. Member for Gateshead, East (Ms. Quin) is absolutely right to say that the takeover panel wrote to members of the Standing Committee when this matter was raised earlier. Because of that approach, I decided to look at the takeover panel, to study the way in which it does its work, and to see those who work therein. I do not think that I was suborned by my visit. I came away with a much greater appreciation of the work of the takeover panel and of the people who work in it, especially those on secondment.

The vast majority of the consultants on the takeover panel come from major financial and business institutions. They are extremely dedicated and act independently. In hardly any cases has the takeover panel been accused of anything by any of the parties to the activities that it has helped to regulate, because it is utterly fair. The other reason why it is so successful is that because it is non-statutory, the advice that it gives is not subject to being decided in the courts because it exists within the market by the consent and agreement of all those various parties, which respect it thoroughly.

I ask my hon. Friend the Minister to resist the new clause for the important reason that if the panel were statutory, it would be susceptible to litigation. Then, the parties of a contested takeover, trying to use every tactic available to them, might resort to the courts and perhaps for no other reason than delay for tactical advantage. That would be most undesirable. A company with the resources and the tenacity of a Lonhro could extend the takeover bid for many months. The advice given honestly and independently by the members of the takeover panel and its staff would be put to question. While I am sure that they would be supported in any decision, many takeover bids would be put in jeopardy for the wrong reasons. I ask all my hon. Friends to resist the new clause.

Mr. Nicholas Baker: I have appeared before the takeover panel, and I have found it quick, cheap, efficient and independent. Opposition Members have argued in favour of tidiness and said that they do like such bodies to be regulated by different systems. I am not interested in tidiness for the sake of it in the regulation of companies. I want a system of regulation which works, and this does. It is flexible, and members of the Committee were presented with examples of the different changes that the takeover panel has accommodated in changing its rules. I

will not go over them now, but it is impressive how, in 21 years, the panel has adapted to new problems that have arisen, and new situations that have to be met.

Furthermore, the panel has avoided litigation. I plead guilty to being a lawyer. The hon. Member for Norwich, South (Mr. Garrett) wants more work for lawyers. I came to Parliament to try to reduce the work for lawyers, but I have been unsuccessful. The takeover panel is a good example of how to avoid litigation by being non-statutory and not giving rise to litigation. This is an example of where the self-regulation system works, so let us allow it to do so and resist the new clause.

Mr. Redwood: The hon. Member for Gateshead, East (Ms Quin) provided two of the best reasons why the new clause should be resisted. She agreed that the director-general wants the takeover panel to stay as it is, and she accepted that it is doing good work. She recognised that freedom from tactical litigation is an important part of its method of operation. Its flexibility is what makes it so successful and widely accepted by all those participating in the market place for control and in need of rules and a guiding hand to ensure fair play between the parties. She asked me what had emerged from the panel working party looking at its operations. That work has led to proposals for rule changes which I hope will be welcomed on both sides of the House.

It has been requested that a model section 212 notice of disclosure should be issued, and I am happy to see that happen. It has been suggested that a cash alternative in a bid should be required if a company has bought 10 per cent. of the shares of the target company in the previous 12 months, rather than 15 per cent. That may help hon. Members who have been worried about certain kinds of bid using paper rather than cash.

There is another requirement that there should be no purchase above 30 per cent. of the shares until it is clear that the Secretary of State does not intend to refer the matter to the MMC. This shows the takeover panel at work responding to changing conditions, which it can do speedily and flexibly as a result of its structure. I am grateful to my hon. Friends the Members for Richmond and Barnes (Mr. Hanley) and for Dorset, North (Mr. Baker) for urging the House to reject the new clause, and I must do the same.

12.15 am

We have a successful panel system. It achieves the important objective of protecting shareholders' interests while maintaining an open and efficient market for takeovers. Compliance with the code is high and the panel continues to exercise authority over those it regulates. It is difficult to understand why we should tinker with a system that operates so effectively. It is not enough to be motivated by a vague desire to establish all regulation in statute. There must be a real and perceived need for improvement before legislation can be justified, and there is no such need in respect of the panel.

Nor do I think that there is a need for the Secretary of State to have a role in appointing the members of the panel. It is already the position that the chairman, two deputy chairmen and one further individual are independent lay members appointed by the Governor of the Bank of England. The remaining member organisations represent the full range of those who have a interest in the proper market conduct of takeovers. We are continuing to discuss the effect of the takeover directive in Brussels. It would be premature for Parliament to be considering at the same time as the new clause the implementation of the directive as none of us has any idea what exactly the directive will provide. Its existence as a proposal is no argument for legislating before the final text is agreed. We are still at the Council working party stage. There is a long way to go before a satisfactory directive is finally agreed.

The new clause is potentially damaging in the effect that it might have on the status of the panel and the code. That is where I think that the hon. Member for Gateshead, East is in some difficulty. We regard the maintenance of the panel's current relationship with the courts as essential to the proper conduct of takeovers. As the code is not legally binding, the panel can be flexible in the setting and interpretation of its rules. It is also able to make rulings quickly during the course of takeovers. Broadly speaking, the panel is the final arbiter in its rulings. Takeovers cannot be delayed or frustrated through tactical litigation during their progress. The measure of discretion that is available to the panel affords that combination of flexibility and speed which enables it to be successful.

Mr. Cousins: I am trying to follow the Minister's argument. Would he regard the implications of the DTI inspector's report on the County NatWest affair, especially the recommendations for future legislation contained in paragraphs 10.35 and 16.41, as being potentially threatening to the integrity of the takeover panel as he is presenting it this evening?

Mr. Redwood: No, I do not find it so threatening. I think that the panel has proved its worth in many situations in recent years.

I believe that the new clause could jeopardise the satisfactory operation of the panel and could lead to some legal difficulties. I urge the House to reject it.

Ms. Quin: At least one positive result of tabling the new clause and discussing the issue in Committee was to encourage the hon. Member for Richmond and Barnes (Mr. Hanley) to visit the takeover panel.

In tabling the new clause we were aware of the danger of promoting too much litigation, and I felt that we had responded to it, especially when I had introduced the clause to the House. We do not believe that everything in the garden is rosy in the way that has been described by the Minister. The fact that the panel has been carrying out an examination and has recommended some changes shows that certain changes were felt to be necessary. I refer again to the debate which took place in another place, during which specific concerns were expressed about the panel's ability to deal with takeovers in the special climate that we have seen develop over the past few years. For those reasons, I shall press the new clause to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 22, Noes 115.

Division No. 358] [12.19 am

AYES

Barnes, Harry *(Derbyshire NE)*	Fields, Terry *(L'pool B G'n)*
Battle, John	Foster, Derek
Bennett, A. F. *(D'nt'n & R'dish)*	Garrett, John *(Norwich South)*
Carlile, Alex *(Mont'g)*	Hughes, John *(Coventry NE)*
Clay, Bob	Jones, Martyn *(Clwyd S W)*
Cousins, Jim	Michie, Bill *(Sheffield Heeley)*
Cryer, Bob	Nellist, Dave
Dixon, Don	Powell, Ray *(Ogmore)*

Quin, Ms Joyce
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Steel, Rt Hon David
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Alan Meale.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cran, James
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lord, Michael
Maclean, David
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morris, M *(N'hampton S)*
Nelson, Anthony
Neubert, Michael
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Steen, Anthony
Stern, Michael
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Noes:
Mr. Greg Knight and
Mr. Irvine Patnick.

Question accordingly negatived.

New Clause 51

Amendment of Financial Services Act 1986

In Chapter V of part 1 of the Financial Services Act 1986 (conduct of investment business) after section 48(2)(1) insert

"(m) requiring a person to whom the rules apply to register in a specified manner all individuals employed by him, or by his appointed representative, carrying on or holding themselves out as carrying on investment business of a kind specified in the rules;

(n) establishing conditions for entry of an individual in a register established in pursuance of subsection (m) above and in particular specified tests of competence or educational qualification."—*[Sir William Clark.]*

Brought up, and read the First time.

12.30 am

Sir William Clark (Croydon, South): I beg to move, That the clause be read a Second time.

I shall not detain the House for long. The new clause has two objectives. It seeks first that the Securities and Investments Board should have the power to maintain a register of all those in the financial advising world, and secondly, that the SIB should be able to lay down conditions as to how and when those names should be placed on the register. That could be by a competence test or by educational qualification. The SIB may be inhibited from taking the lead, so I suggest that we should alter the Companies Bill to remind the SIB that it can take such a lead and then it will probably do so.

The background to the new clause, as my hon. Friend will recollect, is that during the early stages of the Financial Services Bill, the SIB and the Marketing of Investments Board organising committee petitioned the Government to include a competence test, but that was refused. Now that FIMBRA is embarking on competence tests and the SIB is also considering its position, the time has come to provide the powers which could be used to set a standard. The designated rules could be used a a vehicle for requiring all appropriate self-regulatory organisations and registered professional bodies to introduce registers and tests. If the Minister cannot give us a categorical assurance tonight, or if the wording of the new clause is somehow defective, I hope that he will give the new clause sympathetic consideration.

Mr. Redwood: I have listened with interest to the arguments presented by my hon. Friend the Member for Croydon, South (Sir W. Clark) in presenting new clause 51, but I believe that the Bill has enough safeguards for investors already in place. The House should remember the substantial degree of control over individuals employed in investment business by the existing powers in the Financial Services Act.

Authorised firms have a clear and direct responsibility for ensuring that their employees are properly selected, trained and supervised. They are also responsible for ensuring that their employees comply with the full panoply of conduct of business rules or risk loss of authorisation or other sanctions. Large firms in which staff tend to specialise or which undertake a variety of activities have to ensure that the only members of their staff who advise the public on investments are those who are fully competent to do so.

The Act provides two other powers. First is the power to obtain information from authorised businesses, self-regulatory organisations and other recognised bodies. That enables the SIB to obtain such information on individuals and other matters as it deems neccessary for investor protection. The recognised bodies are able to obtain information from their members under similar provisions in their own rule books.

The second relevant power is contained in section 59 of the Financial Services Act 1986, under which the SIB can seek an order banning an individual from being employed

in connection with investment business. A list can therefore be kept of all individuals who appear not to be fit and proper persons to engage in such business.

Given the weight that the Act places on the authorisation of businesses and not individuals, and given the array of powers available to ensure that those businesses employ only individuals who are properly selected and trained, I cannot see the advantage to be gained from requiring specific tests of competence.

Passing such a test would never guarantee that an individual was incompetent at that time or in the future any more than the absence of a qualification could be held to disqualify someone with a lifetime's experience who had been giving good service.

I am afraid that I am not convinced that the limited benefits of the additional powers proposed by my hon. Friend would outweigh the burdens that they would place on business.

In the light of that, I hope that my hon. Friend will withdraw new clause 51.

Questions put and negatived.

Clause 177

STATEMENTS OF PRINCIPLE

Mr. Redwood: I beg to move amendment No. 249, in page 180, line 17, after 'not' insert 'of itself'.

The amendment clarifies the rights of action of investors in the event that the breach of a principle promulgated by the SIB also involves a breach of the common law.

It is clear that some matters that may be coverred by principles might already have legal consequences under the common law, such as actions for negligence or breach of trust. However, the principles stated in new section 47A(3) are not to give rise to any right of action on the part of an investor or other person affected, nor to invalidate any transaction. It has been pointed out that the clause as currently drafted might be held to extinguish such rights as already existed. That was not the intention, so the amendment makes it clear that any rights that an investor might have at common law in respect of matters covered by these principles are not extinguished.

Amendment agreed to.

Sir William Clark: I beg to move amendment No. 289, in, page 181, line 2, after 'any person' insert,

'subject to the approval of the Secretary of State'.

Mr. Deputy Speaker (Sir Paul Dean): With this, it will be convenient to consider amendment No. 290, in page 181, line 13 after 'authority', insert

'and the Secretary of State'.

Sir William Clark: It is essential that recognised professional bodies avoid any charge of second-class regulation. The misguided attempt to relieve RPBs of the responsibility of complying with the core rules laid down by the SIB give weight to that charge.

I know that RPBs are bound by statute and royal charters, but they must use their best endeavours to comply with the standards sensibly laid down and adopted by self-regulating organisations, and the amendments aim to achieve that.

We must take care, because it would be illogical if some financial advisers were subject to some rules while others were subject to other rules. I hope that my hon. Friend the Minister will consider the amendments sympathetically, because I believe that the Government should do something about this.

Mr. Redwood: I recognise the genuine concerns that have persuaded my hon. Friend to move the amendments, but I hope to be able to convince him that the action that we propose will meet his concerns.

New section 47A of the Financial Services Act 1986 will give the Secretary of State a power, which it is intended should be transferred to the SIB, to promulgate statements of principle on the conduct required of investment businesses. A breach of such a statement of principle could lead to disciplinary action. New section 47B gives the SIB and SROs a limited power to waive the application of the principles in a particular case if its application would be unduly onerous and if it could be waived without undue risk to investors.

The purpose of the clause is to provide more flexibility in the operation of the Financial Services Act by allowing regulators scope to make provision, the legal effect of which is appropriate for the mischief that they are seeking to control. The clause does not set out the level of detail for which the statements of principle should provide. Under this power, it would be possible for the SIB to make statements of principle which deal in some detail with matters that are currently dealt with in rules under section 48.

If the powers were to be used in that way, I am sure that my hon. Friend would agree that there should be appropriate flexibility to provide for waivers in the closely defined circumstances set out in the clause. However, the board has said that it does not, for the foreseeable future, propose to use the power in this way. It proposes to use it to promulgate up to 12 general principles which are of such a fundamental nature that the use of the waiver would not be appropriate in any circumstances. In the light of that, the Government have decided not to commence new section 47B while the principles take that form.

I hope that my hon. Friend agrees that this is a satisfactory way of dealing with the important problem which he has raised. I understand that the SIB is content with this approach, which is important. I should be grateful if my hon. Friend would withdraw his amendment.

Sir William Clark: Given that reply, for which I am grateful, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 178

RESTRICTION OF RIGHT TO BRING ACTION FOR CONTRAVENTION OF RULES, REGULATIONS, &C.

Mr. Redwood: I beg to move amendment No. 251, in page 182, line 38, leave out from 'body),' to end of line 39 and insert

'after "paragraphs 2 to 25" insert "(except paragraph 22AA)".'.

Mr. Deputy Speaker (Sir Paul Dean): With this, it will be convenient to take amendment No. 254, in schedule 21, page 300, line 43, after '22' insert

'(and after the paragraph inserted by section 178(3))'.

Mr. Redwood: The amendments are purely technical. I commend them to the House.

[Mr. Redwood]

Amendment agreed to.

Clause 179

APPLICATION OF DESIGNATED RULES AND REGULATIONS TO MEMBERS OF SELF-REGULATING ORGANISATIONS

Mr. Redwood: I beg to move amendment No. 215A, in page 183, line 14, at end insert—

'(3A) It may be provided that, to such extent as may be specified, the designated rules or regulations may not be modified or waived (under section 63B below or section 50) in relation to a member of a recognised self-regulating organisation.

Where such provision is made any modification or waiver previously granted shall cease to have effect, subject to any transitional provision or saving contained in the rules or regulations.'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 255, in schedule 21, page 301, line 7, at end insert—

'(3A) It may be provided that, to such extent as may be specified, the designated rules or regulations may not be modified or waived (under paragraph 22B below or section 50) in relation to a member society.

Where such provision is made any modification or waiver previously granted shall cease to have effect, subject to any transitional provision or saving contained in the rules or regulations.'.

Mr Redwood: The amendments are concerned with the extent to which rules which have been designated by the SIB under new section 63A may be waived or modified by an SRO. The Government think that there should be a mechanism by which the majority of these rules may be waived or modified for individual members of the SROs. These rules would be very different from the statements of principle made under new section 47A.

Without the flexibility represented by the power to waive or modify, it would be difficult to make effective use of the power to draft rules which might be designated. It may be appropriate at this stage to stress the important role that the SROs play and will continue to play in the structure established by the Financial Services Act. It is only these organisations that have the experience necessary to make the detailed rules appropriate to their members and to monitor and enforce compliance with those rules.

It is also clear, however, that the unconstrained use of waivers might have the potential to undermine the intention behind this new power, which is to provide a common core of rules which apply essentialy to all SRO members.

I believe that the SROs can be relied upon to use their power to waive or modify designated rules in a responsible way, but I am also conscious that there are likely to be some designated rules to which any modification or waiver might be inappropriate in principle. The amendments recognise that distinction by providing the SIB with the power to specify that certain rules designated under new section 63A may not be waived or modified by an SRO in any circumstances or only in circumstances set out in the rules or regulations.

I stress that I and, I understand, the SIB see this very much as a reserve power. I would expect that, provided SROs exercised their power to waive designated rules with moderation, there would be no need for the SIB to exercise the power that the amendment gives it. On that basis, I commend the amendment to the House.

Mr. John Garrett: In Committee, we in general opposed the power to waive rules given to SROs, and the amendments seem to reverse the Government's position. They provide that to such an extent as may be specified, presumably by the SIB, the designated rules or regulations may not be modified or waived in relation to a member of a recognised self-regulating profession. Interestingly, we understood from the SIB that the power of waive provisions came as a surprise to it. It was not particularly keen on them. We would like the Minister to say whether what I have described is true and that this is a significant change of position by the Government, in which case it is welcome.

Mr. Tim Smith: I received a note from the Securities Association about the amendment. It was worried that the amendment would introduce an unfortunate degree of inflexibility into the system. Will my hon. Friend the Minister confirm that this is a reserve power which will be used only in cases of abuse by SROs? That reassurance will probably meet the association's concerns.

12.45 am

Mr. Cousins: What proposals do the Government have for monitoring these proposals? There is now the possibility of some choice of regulatory system. The creditability of the mixed economy regulation that the Minister is proposing depends on there not being regulatory arbitrage. The proposals may go some way to undermine the clarity of the system. That may be acceptable, but does the Minister propose to put in place a monitoring of the system by the SIB, some other agency or even the Department, to ensure that abuses do not grow up from the ability to choose the regulatory mechanism under which one operates?

Mr. Redwood: I have explained the purposes behind the amendments. They reflect the debate in Committee and the response to the consultations that my officials have undertaken during the past few months. I hope that the hon. Member for Norwich, South (Mr. Garrett) welcomes it on the basis that I have described.

I must tell my hon. Friend the Member for Beaconsfield (Mr. Smith) that I spelled it out carefully, and it is on the basis which I described that it goes forward for those special circumstances which I outlined.

The hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) asked about the monitoring changes and whether there could be choice between regulators in a way which could reduce the protection to investors and other users of these financial markets. I do not think that that is possible, because all these SROs and practitioner bodies have to meet the adequacy test. That is the underlying guarantee concerning the protection offered.

Amendment agreed to.

Clause 188

STANDARD OF PROTECTION FOR INVESTORS

Mr. Tim Smith: I beg to move amendment No. 308, in page 190, line 31, at end insert

'such rules taken together with the general professional rules of the body which apply to all kinds of business undertaken

by its members must provide their clients with no less effective protection than that provided for the same purposes by the rules of self-regulating organisations under this Act.'.

The core rules are not to apply to the recognised professional bodies. We discussed this issue in Committee, where I proposed an amendment similar to, but not the same as, this one. The amendment tries to ensure that, even though the core rules are not to apply, investors who deal with members of recognised professional bodies will get no less effective protection than that afforded to those who invest through members of SROs.

In response to the amendment that I proposed in Committee, my hon. Friend the Minister's predecessor said:

"There is a difficulty with amendment (a). It risks locking the recognition tests for professional bodies to their investment business rules. That is unnecessary because in some respects—for example, solicitors and clients' money—adequate protection can be achieved by relying on the general rules of the body."—*[Official Report, Standing Committee D,* 29 June 1989; c. 643.]

I have redrafted my amendment to take his point into account. The amendment now refers not just to the investment business rules of the recognised professional body, but to the general rules that apply to all the business that the member of an RPB undertakes. For a solicitor who is a member of the Law Society, there are client account rules which apply to all his business. Now that I have modified my amendment to take account of the objection of my hon. Friend's predecessor, I hope that it will be acceptable.

Mr Redwood: I am grateful to my hon. Friend the Member for Beaconsfield (Mr Smith) for recasting his amendment, but I am afraid that I still have problems with it. I hope to convince him that the effect that he hopes to achieve can already be achieved by the Bill.

The Government have often made it clear that it is not intended that regulation of our recognised professional bodies should or could be regarded as a soft option. That is why, in the Bill, as in the original Act, the test that self-regulating organisations and professional bodies have to satisfy is, when it comes to the protection provided to investors, identical—which is what I said in response to the previous debate. When these new provisions come into force, SROs and RPBs will have to satisfy the SIB that their rules provide an adequate level of investor protection. They will not all achieve that level of investor protection in exactly the same way.

It is one of the main strengths of a practitioner-based system that, within the overall requirement of providing adequate protection for investors—which is what the debate is about—it is for the regulator concerned to devise the best way of regulating its members. There is no compromise on the level of investor protection. In every case, the SIB will have to be satisfied that it is adequate. My hon. Friend's amendment could turn out to be not only unnecessary, but harmful.

Mr. Tim Smith: Is there a parity between all RPBs and the SROs in terms of admission to the body concerned and, therefore, competence to give investment advice? That was a point raised in Committee.

Mr. Redwood: As I have just explained, the bottom line is what kind of protection is offered to investors. The adequacy test is the same for both categories. There are different routes to achieve that.

The amendment could be difficult. My hon. Friend will recall that one reason why we are amending the recognition test for the SROs and RPBs is that the original equivalence test was widely interpreted as requiring a close textual comparison of different sets of rules, rather than a comparison of their effects and we should be interested in the effects, I fear that, by reintroducing a formal comparison between the rules of an SRO and the rules of an RPB, the amendment would lead to a similar approach being adopted in the future. I urge the House to reject the amendment.

Mr. Tim Smith: I am disappointed, and it is noticeable that the Government have changed their ground. I sought to cater for the objection put up to my original amendment, yet we now have a completely different objection, which was not even mentioned in Committee. As three months have passed since that debate, I thought that I would ask a few of the RPBs whether they would mind if the core rules were applied to them. The other day, I went to the Insurance Brokers Registration Council, about which I was fairly critical in Committee. The council members are clearly not the people who are responsible for this failure of the core rules to apply to the RPBs. The council, which is an RPB, told me that it would be happy for the core rules to apply to its members. Will my hon. Friend the Minister tell me who objects?

Amendment negatived.

Clause 191

CONSEQUENTIAL AMENDMENTS AND DELEGATION OF FUNCTIONS ON COMMENCEMENT

Mr. Redwood: I beg to move Government amendment No. 253, in page 193, line 16, leave out subsection (4) and insert—

'(4) References in the Financial Services Act 1986 to a delegation order made under section 114 of that Act or to a transfer order made under paragraph 28 of Schedule 11 to that Act include an order made containing any such provision as is authorised by subsection (2) or (3).'.

The amendment makes a technical change, ensuring that the consequences of the delegation to the SIB of the new powers introduced by the Bill may be dealt with in the same way as under the Financial Services Act 1986. I commend it to the House.

Amendment agreed to.

Schedule 21

CONSEQUENTIAL AMENDMENTS OF THE FINANCIAL SERVICES ACT 1986

Mr. Redwood: I beg to move amendment No. 307, in page 298, line 6, leave out paragraph 28 and insert—

'28.—(1) Paragraph 4 (requirements for recognition of self-regulating organisation for friendly societies) is amended as follows.

(2) In sub-paragraph (4)—

(a) in paragraph (a) for "22" substitute "22C", and

(b) omit paragraph (b).

(3) In sub-paragraph (5) for "22" substitute "22C".'.

This is another purely technical amendment which amends an erroneous cross-reference in the schedule.

Amendment agreed to.

Amendments made: No. 254, in page 300, line 43, after '22' insert

'(and after the paragraph inserted by section 178(3))'.

[Mr. Redwood]

No. 255, in page 301, line 7, at end insert—

'(3A) It may be provided that, to such extent as may be specified, the designated rules or regulations may not be modified or waived (under paragraph 22B below or section 50) in relation to a member society.

Where such provision is made any modification or waiver previouly granted shall cease to have effect, subject to any transitional provision or saving contained in the rules or regulations.'.—*[Mr. Redwood.]*

New Clause 43

PROVISIONS EXTENDING TO NORTHERN IRELAND

'.—(1) The provisions of this Act extend to Northern Ireland so far as they amend, or provide for the amendment of, an enactment which so extends.

(2) So far as any provision of this Act amends the Companies Act 1985 or the Insolvency Act 1986, its application to companies registered or incorporated in Northern Ireland is subject to section 745(1) of the Companies Act 1985 or section 441(2) of the Insolvency Act 1986, as the case may be.

(3) In Part III (investigations and powers to obtain information), sections 78 to 87 (powers exercisable to assist overseas regulatory authorities) extend to Northern Ireland.

(4) Part VI (mergers and related matters) extends to Northern Ireland.

(5) In Part VII (financial markets and insolvency) the following provisions extend to Northern Ireland—

(a) sections 144 and 145 (introductory provisions and definition of "market contract"),

(b) section 146 and Schedule 20 (additional requirements for recognition of investment exchange or clearing house),

(c) sections 147, 150, 152, (*Powers of Secretary of State to give directions*), (*Application to determine whether default proceedings to be taken*), 157 and 158 (provisions relating to recognised investment exchanges and clearing houses),

(d) sections 159, (*Certain money market institutions*) and (*Settlement arrangements provided by the Bank of England*) (power to extend provisions to other financial markets),

(e) section 171 (indemnity for certain acts), and

(f) sections (*Power to make further provision by regulations*), 172, (*Construction of references to parties to market contracts*) and 173 to 176 (supplementary provisions).

(6) Part VIII (amendments of the Financial Services Act 1986) extends to Northern Ireland.

Part IX (transfer of securities) extends to Northern Ireland.

"Subject to any Order made after the passing of this Act by virtue of section 3(1)(a) of the Northern Ireland Constitution Act 1973, the transfer of securities shall not be a transferred matter for the purposes of that Act but shall for the purposes of section 3(2) be treated as specified in Schedule 3 to that Act.".

(8) In Part X (miscellaneous and general provisions), this section, section (*Making of corresponding provision for Northern Ireland*), 201 and 202 (general provisions) extend to Northern Ireland.

(9) Except as mentioned above, the provisions of this Act do not extend to Northern Ireland.'.—*[Mr. Redwood.]*

Brought up, and read the First time.

Mr. Redwood: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean:) With this, it will be convenient to take Government new clause 44—*Making of corresponding provision for Northern Ireland*—and Government amendment No. 259.

Mr. Redwood: The new clauses are to be inserted in place of the present clause 200, which is removed by amendment No. 259. The new clauses merely set out the arrangements for Northern Ireland. On the face of it, it seems curious that some provisions extend to the Province, whereas others, even in the same part, do not. It may be appropriate for me to take a few moments to explain how that has occurred. Traditionally, and constitutionally, it has been practice for the Northern Ireland authority to cary out most of the executive functions of Government, including in particular most company law functions.

Under the developed powers of the Northern Ireland Act 1974 provisions may be enacted by an Order in Council and this procedure is intended for provisions in the Bill affecting company law and insolvency law. However, some enactments amended in the Bill, notably the Financial Services Act 1986 and the Fair Trading Act 1973, were, in the main, introduced to apply on a United Kingdom basis. We therefore had to follow suit with amendments to those acts.

Inevitably there have been some new provisions in the Bill which do not follow any precedent-part IX on transfer of securities is such an example. In those cases we have taken the advice of the Northern Ireland authorities in deciding which procedure to follow.

I hope that that explains the pattern. The amendments being made simply reflects changes made in the Bill and I hope, set out the provisions a little more clearly than before.

Question put and agreed.

Clause read a Second time, and added to the Bill.

New Clause 44

MAKING OF CORRESPONDING PROVISION FOR NORTHERN IRELAND

'.—(1) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which contains a statement that it 'is only made for purposes corresponding to the purposes of provisions of this Act to which this section applies—

(a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament), but

(b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) The provisions of this Act to which this section applies are—

(a) Parts I to V, and

(b) Part VII, except sections 146, 147 and 158 and Schedule 20.'.—*[Mr. Redwood.]*

Brought up, read the First and Second time, and added to the Bill.

Mr. Redwood: I beg to move amendment No. 256, in page 195, line 4, leave out clause 193.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 282.

Mr. Redwood: Some doubt has been expressed as whether debts that were not due and payable at the commencement of a bankruptcy could be incorporated in a set off under section 323 of the Insolvency Act 1986. A set-off is a device by which a creditor can add up all his credits and debits with an insolvent person and claim the net figure.

The doubt particularly concerns contingent creditors such as guarantors of the bankrupt's debt since the

guarantor is often called upon after the commencement of the bankruptcy. The present clause seeks to deal with that perceived doubt by omitting the word "due". It has also been simplified in its construction. The clause may well have clarified the position of some contingent claims, but only by potentially widening the scope of those claims capable of being included in the set off. The extent of that widening could be considerable. It is desirable as far as possible to maintain the principle of pari passu or fair distribution in insolvency.

To avoid creating fresh uncertainty we have decided that it would be preferable to delete the clause from the Bill. In taking that decision we have borne in mind that the current law has not been fully tested in the courts. In all the circumstances it is sensible and desirable to delete the clause and allow the existing law to develop. British law thrives on cases and individual decisions—

Mr. Derek Foster (Bishop Auckland): And lawyers.

Mr. Redwood: Yes, and lawyers, and it should be allowed to do so here.

Amendment No. 282 is consequential on the deletion of clause 193 and removes the Insolvency Act 1986 from the title of the Bill.

Question put and agreed to.

Clause 197

BUILDING SOCIETIES: MISCELLANEOUS AMENDMENTS

Amendments made: No. 257, in page 196, line 22, after '(1)' insert

'In section 104 of the Building Societies Act 1986 (power to assimilate law relating to building societies and law relating to companies), in subsection (2) (relevant provisions of that Act), omit the word "and" before paragraph (d) and after that paragraph add—

"; and

(e) section 110 (provisions exempting officers and auditors from liability)."

(2)'.

No. 258, in page 197, line 1, leave out clause 198.

No. 259, in page 197, line 26, leave out clause 200.—*[Mr. Redwood.]*

Clause 201

COMMENCEMENT AND TRANSITIONAL PROVISIONS

Mr. Redwood: I beg to move amendment No. 260, in page 198, line 27, after 'The' insert

'following provisions of this Act come into force on Royal Assent—

(a) in Part VI (mergers)—

(i) sections 137 to 140, and

(ii) paragraphs 2 to 11, 13 to 15, 17 to 19 and 21 to 24 of Schedule 19, and section 143 so far as relating to those paragraphs;

(b) in Part VIII (amendments of the Financial Services Act 1986), section 187 (offers of short-dated debentures);

(c) in Part X (miscellaneous and general provisions), the repeals made by Schedule 22 in sections 71, 74, 88 and 89 of, and Schedule 9 to, the Fair Trading Act 1973, and section 199 so far as relating to those repeals.

(1A) The other'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following. Amendment (a) to the proposed amendment, before (a), insert—

'(a) in Part IV (amendments of company law), section 131 (application to declare dissolution of company void);'.

Government amendment No. 261.

Mr. Redwood: My amendment proposes that certain provisions of the Bill should be brought into effect upon Royal Assent. The first set compromises certain of the provisions on mergers in part VI of the Bill, the most important of which concern the new powers to accept undertakings to divest instead of making a reference, the temporary restrictions on share dealings once a reference has been made and the improved powers for looking at creeping acquisitions. We consider that those provisions will be of sufficient immediate use to warrant early introduction and will not, on the other hand, impinge unfairly on business.

The other provision covered is clause 187. That amends section 195 of the Financial Services Act 1986, which increases from one year to five the maximum maturity which certain debentures may have if they are to be offered without a prospectus.

The change is one of a number of measures announced in the Chancellor's Budget to unify the short-term corporate bond and sterling commercial paper markets.

Mr. John Garrett: Which Chancellor?

Mr. Redwood: They are all Chancellors of the same Government. The other changes have already been implemented and this one should be made as soon as possible so as to complete the process. The other provisions of the Bill remain as at present and Government orders will be made. The Government intend to bring as many provisions as possible into force within the first six months or so of the new year. Amendment No. 261 is consequential.

Amendment to the proposed amendment agreed to.

Main amendment, as amended, agreed to.

Amendment made: No. 261, in page 198, line 33, at end insert—

'(3) The Secretary of State may also by order under this section amend any enactment which refers to the commencement of a provision brought into force by the order so as to substitute a reference to the actual date on which it comes into force.'.—*[Mr. Redwood.]*

Schedule 22

REPEALS

Mr. Redwood: I beg to move amendment No. 262, in page 303, line 10, at end insert—

'1964 c. 40	Harbours Act 1964.	In section 42(6), the words "required to be attached to a company's balance sheet".'

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 263 to 281.

Mr. Redwood: This group of amendments make changes to schedule 22, which list the repeals made in the Bill to various amendments in consequence of its provisions. The amendments are either in consequence of changes discussed earlier or have been left over from earlier——

[Mr. Redwood]

It being One o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the Order [26 October], to put the Question on the remaining amendments standing in the name of a member of the Government.*

Amendment agreed to.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Question on amendments, moved by a Member of the Government, of which notice had been given, to that part of the Bill to be concluded at One o'clock am.*

Amendments made: No. 263, in page 303, line 34, leave out from beginning to end of line 37.

No. 264, page 303, line 38, column 3, leave out from beginning to end of line 40.

No. 309, in page 303, line 40, column 3, at end insert 'Section 160(3).'.

No. 265, in page 304, line 29, column 3, at end insert 'Section 440.'.

No. 266, in page 304, line 36, column 3, leave out from beginning to end of line 38 and insert 'Section 447(1).'.

No. 267, in page 304, line 50, column 3, at end insert—

'(a) in subsection (2), paragraphs (a) and (d) and the word "or" preceding the latter.'.

No. 268, page 305, line 24, column 23, at end insert—

'(aa) in paragraph 1(1), the words "paragraph 60(2) of Schedule 4 or paragraph 19(3) of Schedule 9"';'.

No. 269, in page 305, line 29, column 3, leave out '3(2)' and insert '3(1)'.

No. 270, in page 305, line 34, column 3, at end insert—

'(ee) in paragraph 4(1), the words "(whether as personal representative or otherwise)";'.

No. 271, in page 306, line 7, column 3, at end insert—

'In Schedule 22—
(a) the entry relating to section 36(4);
(b) in the entry relating to sections 363 to 365, the words "(with Schedule 15)";
(c) in the entry relating to sections 384 to 393, in column 2, the word "qualifications".'.

No. 272, in page 306, line 13, column 3, leave out '393 and 703(1)' and insert 'and 393'.

No. 273, in page 306, line 15, leave out from beginning to end of line 17.

No. 274, in page 306, line 18, column 3, leave out 'paragraph' and insert 'paragraphs 7(3), 23 and'.

No. 275, in page 306, line 26, after 'sections' insert '45(5)'.

No. 276, in page 306, line 27, column 3, at end insert—

'In Part I of Schedule 13, the entries relating to sections 222(4), 225 and 733(3),'.

No. 277, in page 307, line 41, column 3, at beginning insert—

'In the Table in section 84(1), the entry relating to persons appointed under section 94, 106 or 177 of the Financial Services Act 1986.'.

No. 278, in page 307, line 43, column 3, leave out '18(2)' and insert '18(1)'.

No. 279, in page 307, line 44, column 3, leave out from beginning to 'and' and insert—

'(b) in paragraph 18(7), the words "and (1A)";
(c) paragraph 18(8)'.

No. 280, in page 307, line 48, at end insert—

'1988 c. 1.	Income and Corporation Taxes Act 1988.	Section 565(6)(b).'.

No. 281, in page 307, line 49, at end insert—

'1988 c. 48.	Copyright, Designs and Patents Act 1988.	In Schedule 7, paragraph 31.'.—*[Mr. Redwood.]*

Title

Amendment made: No. 282, in line 17, leave out 'the Insolvency Act 1986.'.

Queen's and Prince of Wales's consent having been signified:—

It being after One o'clock am, MR. DEPUTY SPEAKER *proceeded, pursuant to the Order this day, to put forthwith the Question,* That the Bill be now read the Third time:—

The House divided: Ayes 110, Noes 20.

Division No. 359] **[1.00 am**

AYES

Alexander, Richard	Dover, Den
Amess, David	Dunn, Bob
Amos, Alan	Durant, Tony
Arbuthnot, James	Fallon, Michael
Arnold, Jacques *(Gravesham)*	Favell, Tony
Atkinson, David	Fenner, Dame Peggy
Baker, Nicholas *(Dorset N)*	Forsyth, Michael *(Stirling)*
Bennett, Nicholas *(Pembroke)*	Forth, Eric
Bowden, A *(Brighton K'pto'n)*	Fox, Sir Marcus
Bowis, John	Freeman, Roger
Brazier, Julian	French, Douglas
Brooke, Rt Hon Peter	Garel-Jones, Tristan
Brown, Michael *(Brigg & Cl't's)*	Gill, Christopher
Browne, John *(Winchester)*	Glyn, Dr Alan
Burns, Simon	Goodlad, Alastair
Burt, Alistair	Goodson-Wickes, Dr Charles
Butterfill, John	Greenway, John *(Ryedale)*
Carlile, Alex *(Mont'g)*	Gregory, Conal
Carlisle, John, *(Luton N)*	Griffiths, Peter *(Portsmouth N)*
Carlisle, Kenneth *(Lincoln)*	Hague, William
Carrington, Matthew	Hamilton, Hon Archie *(Epsom)*
Carttiss, Michael	Hamilton, Neil *(Tatton)*
Cash, William	Hanley, Jeremy
Chope, Christopher	Harris, David
Clark, Dr Michael *(Rochford)*	Hayward, Robert
Clarke, Rt Hon K. *(Rushcliffe)*	Heathcoat-Amory, David
Coombs, Anthony *(Wyre F'rest)*	Howarth, G. *(Cannock & B'wd)*
Cran, James	Hughes, Robert G. *(Harrow W)*
Davis, David *(Boothferry)*	Hunt, Sir John *(Ravensbourne)*
Day, Stephen	Hunter, Andrew

Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lord, Michael
Maclean, David
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Sir David
Morris, M *(N'hampton S)*
Moss, Malcolm
Nelson, Anthony
Neubert, Michael
Norris, Steve
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, John
Ridley, Rt Hon Nicholas
Sackville, Hon Tom
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Stern, Michael
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Sidney Chapman and
Mr. Stephen Dorrell.

NOES

Barnes, Harry *(Derbyshire NE)*
Battle, John
Bennett, A. F. *(D'nt'n & R'dish)*
Clay, Bob
Cousins, Jim
Cryer, Bob
Dixon, Don
Fields, Terry *(L'pool B G'n)*
Foster, Derek
Garrett, John *(Norwich South)*
Hughes, John *(Coventry NE)*
Jones, Martyn *(Clwyd S W)*
Meale, Alan
Michie, Bill *(Sheffield Hesley)*
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Vaz, Keith
Welsh, Michael *(Doncaster N)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Robert Wareing.

Question accordingly agreed to.
Bill read the Third time, and passed, with amendments.

Mr. Ronald Cannon

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Sackville.]*

1.11 am

Sir Nicholas Bonsor (Upminster) *rose*——

Hon. Members: Hear, hear.

Sir Nicholas Bonsor: That was a very nice welcome from my colleagues, and I thank them.

I am grateful for this opportunity to raise the case of Mr. Ronald Cannon, a constituent of mine who is currently serving a prison sentence of four years at Swaleside prison, Kent. Mr. Cannon is a reformed heroin addict, and like most people who have had that unfortunate experience he found it difficult to break free from the circumstances of his addiction and those who surrounded him. As a result, in October 1988 he was sentenced to prison for conspiring to supply controlled drugs.

On the face of it, that would not appear to be anything other than a straightforward case, with which I would not have bothered this House. However, three facts surround the circumstances in which Mr. Cannon is being held in prison. They should be brought to the attention of the House, and they are the subject of the debate.

There are three reasons for my concern. First, through incompetent administration by those responsible for keeping Mr. Cannon's records, he has been deprived of the opportunity that he should have been given to seek a second review of his suitability for parole. Because of that, he has been deprived of the chance of obtaining his freedom and is now languishing in jail. I am not concerned with the merits of whether that parole should be granted, only with the circumstances by which he has been denied the opportunity to put his case.

Secondly, it has been brought to my attention, from two separate sources—Mr. Cannon and his prison visitor—that my intervention in an attempt to expedite his case has in fact had the reverse effect. The House will no doubt agree with me that should that prove to be the case, it would be extremely serious; no Member of Parliament could properly represent his constituents if he thought that the result of his doing so would be to prejudice that constituent's circumstances.

Thirdly, during my investigations into what has happened to Mr. Cannon, I discovered that his case is representative of a great many of those who are seeking parole and that the whole system of parole has broken down. I shall ask the Minister to do the root and branch reform of the system of parole and remission suggested in 1988 by my noble Friend Lord Carlisle of Bucklow and his review committee on the parole system in England and Wales.

I shall deal first with the matter of Mr. Cannon's freedom, because that is probably the most important of the three points that I shall deal with. I can do no better in an effort to explain the circumstances than to read the letter which I received from Mr. Jennings, the prison visitor to whom I referred. Mr. Jennings wrote to me in a letter of 4 October in respect of my constituent. The letter states:

"I write as a member of the Board of Visitors at Swaleside Prison in Kent, a member of the Parole Review Committee and a Magistrate.

[Sir Nicholas Bonsor]

Over many months, I have been trying to assist Mr. Cannon in connection with his second parole review.

Unfortunately, when he was sentenced no-one noticed that he had already served 15/16 months on Remand in Custody. As a result, all his dates were wrongly calculated, and entered in his records—it took many months for this to be put right, and by this time he was already overdue for his first Parole Review. This was eventually completed, and not surprisingly, he was unsuccessful—The committee no doubt thinking that he would have another opportunity at his second review."

My involvement in this arose when I wrote to the predecessor of my hon. Friend the Minister on 7 June and asked him to look into the circumstances whereby Mr. Cannon had been kept waiting for the result of the Parole Board sitting that had occurred in February. Mr. Cannon had been waiting for about four months and I therefore wrote to the Minister asking when he would be given the result of the Parole Board decision. He received it four days later, but I did not know that because I received no reply to my letter until the end of August, by which time I had written a second letter to the Minister.

In the considerable correspondence that I have had with my hon. Friend the Under-Secretary of State and his predecessor, no one mentioned to me that Mr. Cannon's period on remand in custody had not been taken into account when dealing with the date of his parole review. It is dreadful that he has not been granted a second parole review. The reason for that is set out in the latest letter which I received from my hon. Friend the Minister:

"Mr. Cannon does not qualify for another parole review as, under Rule 6(6) of the Local Review Committee Rules 1967, a prisoner is not eligible for a further statutory parole review unless there is a period of 16 months or more between the previous review and the earliest date of release. In Mr. Cannon's case this period amounts to less than 14 months; he must therefore I am afraid, serve to his earliest date of release which is currently 2 April 1990."

That does not take into account the fact that the date of Mr. Cannon's first parole review was wrong, and was heard too late. Therefore, he should have had the opportunity of two parole reviews. That is why I say that he has been deprived of the opportunity to argue again for freedom earlier than he can now expect.

The second question that I wish to raise is whether my intervention has helped or hindered Mr. Cannon's case. My attention was drawn to the danger that he might have been prejudiced by my intervention by a letter that he wrote to me at the end of August. The letter states:

"Today I have seen one of the prison governors to get them to expedite my answer."

By that he meant the answer to a petition that he had sent to the Home Office immediately upon receiving the refusal of his first parole review in June. The letter continues:

"I have just been told that because I wrote to you voicing my disappointment with the parole decision my petition was withdrawn and not even looked at. But today it has gone back into the pending tray. Four months I have been waiting for an answer."

As a result of that letter, I wrote on 7 September to my hon. Friend the Under-Secretary of State:

"I am concerned that the fact that Mr. Cannon wrote to me may have jeopardized his position, and I find it hard to see why someone who is a 'prison trusty', allowed out on home leave, should be found unsuitable for parole.

I would much appreciate it if you would satisfy yourself that my intervention has not had an adverse effect on Mr. Cannon's position."

I did not receive an answer to that letter until 17 October and in that letter, my hon. Friend says:

"Finally, I should add that a reply to Mr. Cannon's petition was forwarded to the prison on 12 September and reassure you that your intervention in Mr. Cannon's cases did not adversely affect consideration of it.

Unfortunately, I cannot entirely accept that answer as being accurate, because in the letter that I received from Mr. Jennings, and that I was quoting earlier, Mr. Jennings also has something to say about the circumstances in which Mr. Cannon was prejudiced by my intervention.

He continues in his letter of 4 October as follows:

"He has tried every avenue open to him without success and the last time I telephoned London"—

by London he meant the Parole Board in London, as I confirmed on the telephone to him—

"about his case I was told . . . 'Unfortunately, Cannon has involved a Member of Parliament and this will cause further delay.'"

I cannot accept that my intervention on 7 June should still be causing further delay by the time that Mr. Jennings was talking to the parole board in London. I cannot accept that my intervention, in any circumstances, considering that it was by making a specific request that review of the case be expedited, should have caused delay in reviewing his case.

I wish my hon. Friend to investigate who made that comment to Mr. Jennings. Unfortunately, he was not able to say who had said it to him. Secondly, will he find the person who told Mr. Cannon that my intervention had caused his petition to be put aside. Thirdly, are these facts accurate? Fourthly, will he take whatever necessary action is due to be taken, either in regard to why that information was wrongly given to Mr. Cannon and Mr. Jennings, or why that delay took place? The latter would be a much more serious event than if the former had proved to have been made inaccurately, by an employee in the Home Office or in the Parole Board offices.

My last point concerns parole generally. Having made some inquiries as a result of being alarmed by the way in which Mr. Cannon had been treated, I discovered that the parole system is largely breaking down. Mr. Jennings told me that he has at least 10 cases a week about which he is deeply concerned and in which parole is failing to come up accurately or in time. He told me that in some instances, he even has cases where the parole review decision is not announced until the prisoner concerned has already been released on remission, and sometimes months later.

My hon. Friend is aware of what Lord Carlisle proposes in his review. In paragraph 299, Lord Carlisle recommends a root-and-branch reform of the parole and remission systems. I warmly endorse the proposals made in that report, and urge my hon. Friend to implement them as soon as possible. The parole system is ineffective. It is dealing with 26,000 cases a year, when it was set up and structured to deal with only 4,000 or 5,000. The projections are that, if trends continue, by the early 1990s, it will deal with 33,000. Such an escalation of the number of people being investigated for parole would make this system inoperable, and unless the Government take action, we shall shortly have a chaotic and appalling situation.

I ask my hon. Friend to do that, and to see to it that Mr. Cannon, notwithstanding the general rule, gets a further opportunity to apply for parole, because as I understand it, and as Mr. Jennings has been told, that second review should be granted if his first review had been properly

carried out in terms of his early imprisonment on remand awaiting trial. Will he also undertake the investigations that I have asked for?

1.25 am

The Parliamentary Under-Secretary of State for the Home Department (Mr. Peter Lloyd): I am grateful to my hon. Friend the Member for Upminster (Sir N. Bonsor) for raising the case of Mr. Cannon and providing me with an opportunity to address the House on the important subjects of parole and Mr. Cannon's particular circumstances. My hon. Friend has raised especially Mr. Jennings's letter this evening, and it is the first time that I have heard of it. According I shall not comment on its contents, which I have not seen. However, my hon. Friend has asked me to investigate its contents, and I shall do so. I shall take extremely seriously anything written to a colleague or to myself from a member of a board of prison visitors. I have no reason to believe that my hon. Friend's intervention, as I stated when I wrote to him, had any effect on the outcome of the parole consideration, nor on the dates.

Perhaps it would be useful if I gave some background both to the parole system, as my hon. Friend made a number of remarks on the way that it is working now, and on Mr. Cannon's case. All prisoners serving determinate sentences of more than a year are eligible for parole. Their parole eligibility date marks the earliest date on which they can be released on licence if the parole board so recommends. It is important to remember that no one may be released early on licence without a positive recommendation either from the local review committee acting on behalf of the Parole Board, or from the Parole Board itself. A prisoner becomes eligible for parole either when he has served one third of his sentence—taking into account any time spent on remand—or six months after the sentence has been passed, whichever is later. That is, I think, an essential part of the misunderstanding which clearly exists in this case.

Mr. Cannon was remanded by Havering magistrates court on 5 August 1987; committed by it on 10 November 1987; and tried at the Central Criminial court and sentenced on 26 October 1988 to four years' imprisonment for conspiracy to supply class A controlled drugs. Mr. Cannon's parole eligibility date was calculated to be 26 April 1989. As hon. Members will readily calculate, this means that in Mr. Cannon's case, his PED was six months after the start of his sentence, rather than one third the way through.

All cases are considered first by the local review committee or LRC as it is commonly called, at the prison where the inmate is held. The timing of the LRC meeting depends on the length of the sentence. Generally, for sentences of up to two years, the LRC will consider the case about eight weeks before PED. For longer sentence cases—and Mr. Cannon's case falls in this class—the review is generally held three and a half to four months before that date.

There are two objectives to these timing arrangements. First, to maximise the time available for observation and reporting in the establishment before the parole review. Perhaps I could remind my hon. Friend that parole review is definitely not re-sentencing. The parole selection procedure is based not merely on the evidence and reports available to the judge at the time of sentencing. In addition, a large number of reports on the prisoner drawn from a number of sources are prepared—from prison officers in various parts of the prison who may come into contact with the prisoner in his daily life; prison governing staff; prison medical staff; chaplains; prison probation staff; and importantly, a home circumstance report prepared by a probation officer from the probation service which would offer supervision in the event of early release on licence. These reports take some time to prepare and it is only fair that they are based on a reasonable period of observation. It is for this reason that we allow six months as a very minimum time in which to prepare and consider the reports.

The second objective is to allow sufficient time for the rest of the selection procedure to be followed and for the establishment to be notified of the parole decision in sufficient time for the inmate to be released on the parole eligibility date, or its anniversary, if parole is granted. In Mr. Cannon's case, the LRC at Wandsworth considered the reports on 9 February 1989, just over 11 weeks before his PED.

Mr. Cannon's offence did not fall in those categories of cases which can be decided on the advice of the local review committee alone. It was therefore referred to the Parole Board for a further review. Mr. Cannon's case was considered by the board on 2 June 1989. As my hon. Friend will know, the Parole Board did not find Mr. Cannon suitable for early release on licence; and accordingly the Home Secretary had no power to grant parole. Notification of this decision was sent to Swaleside prison where Mr. Cannon was then located on 12 June; and he was informed accordingly.

Naturally, Mr. Cannon was disappointed with the outcome of this parole review. He has drawn to my hon. Friend's attention the fact that he is a "prison trusty" allowed out on home leave and yet denied parole. Hon. Members will be aware that although an inmate's behaviour in prison is one of the factors considered by the Parole Board, other aspects are also reviewed. The Parole Board regularly publishes its criteria for parole selection in its annual report. It considers each case carefully under six headings. The first is the nature of the offence. The Parole Board has due regard to the public's concern about early release of inmates already convicted of offences of violence or those which jeopardise public safety. Although each case is considered individually, cases involving trafficking in drugs such as heroin are bound to cause concern.

The second heading relates to an inmate's criminal and other history. The incidence and frequency of previous offending, having regard to the nature of offences, is used as a guide to the probability of reoffending. Obviously, many previous convictions indicate, in the absence of other factors, a high probability of reoffending. Other indicators of this are persistent offending since an early age, short intervals at liberty between convictions and a record of employment which is poor in terms of the quality of the jobs and the lengths of continuous employment. If an inmate has previously been under the supervision of the probation service, his response to that may be relevant to his likely response to parole supervision. I have no doubt that the Parole Board will have reviewed Mr. Cannon particularly carefully under this heading.

The third category is prison behaviour and response to treatment. As I have said, the main bulk of the dossier will consist of reports by various prison officials who know the prisoner well. These reports build up a picture of what the

[Mr. Peter Lloyd]

prisoner has done and in what light he has shown himself since his conviction. In general, bad conduct in prison is a factor against parole and good conduct a favourable factor. But many recidivists are well experienced at playing the system, so prison behaviour—which may have little bearing on behaviour outside the prison walls—has to be regarded in light of other factors.

The fourth heading is medical considerations. In this case, where Mr. Cannon's offence involved drugs, medical reports will be of crucial importance as regards the chances of the prisoner reoffending and the possible gravity of further offences.

Fifthly, the inmate's home circumstances and employment prospects on release are considered. Home circumstances and employment prospects can be critical for success on parole. A good home, a job to go to and the absence of the circumstances and temptations which led to the earlier crime are factors favourable to parole.

The sixth and final heading is co-operation with parole supervision. The supervision of a parolee by a probation officer during the parole period is an essential part of the parole scheme. It is always difficult to be sure about this. However, a previous failure on parole or a failure on probation may make co-operation doubtful.

Each case is carefully considered against these criteria. For this reason there is no mileage in comparing Mr. Cannon's case with those of any co-defendants. The Parole Board will consider each individual's circumstances. Mr. Cannon has drawn my hon. Friend's attention to his good prisoner behaviour. I am sure that the Parole Board will have taken that into account. It will also have taken into account his criminal record—and I should have liked to have given the House an account of that——

Sir Nicholas Bonsor: I accept what my hon. Friend is saying but as I said at the outset, I am not arguing that he should have been given parole at that review. The point that I was making—and the point that Mr. Jennings made strongly to me in the letter from which I quoted—was that one reason why the parole review board might have turned down his original application was on the understanding that he could have another. I should be grateful if my hon. Friend would address that point.

Mr. Lloyd: I have partly addressed that point and will return to it. As this is part of a continuing exchange, it is worth making it clear that the Parole Board makes its own decisions, which the Home Secretary and myself can in no way alter. If the circumstances of which my hon. Friend's constituent has complained are such that he is surprised at the result, that must be part of my reply.

It is an important part of my reply to show that on the information that is available to me the result is not at all surprising. However, I accept what my hon. Friend says and I hope that he will accept that there is nothing about the background of the case that makes the Parole Board's decision in the least bit surprising.

I am satisfied that Mr. Cannon's case was considered thoroughly and carefully by the Parole Board, and, alas, he must serve until his earliest date of release, which at present is 2 April 1990, as my hon. Friend said.

But although Mr. Cannon is serving a four-year sentence, during which he might normally have expected a second review, he does not qualify for a further review. The local review committee rules provide that an inmate is not eligible for a further statutory parole review unless there is a period of 16 months or more between the previous local review committee review and the earliest date of release.

In Mr. Cannon's case, owing to the time that he spent on remand from 10 November 1987 to 25 October 1988, he was required to serve the full six months minimum qualifying period before his parole eligibility date. That was the point that I made at the beginning of my remarks and where the root of the misunderstanding probably lies.

The local review committee review may take place only up to four months earlier than that date. For Mr. Cannon, that meant that the very first date on which his case might have been eligible for local review committee consideration would have been 26 December 1988. Even at this relatively late hour, those hon. Members who are present will readily be able to appreciate that Boxing day 1988 was less than 16 months before the earliest date of release of 2 April 1990. I recognise that it falls short by a mere three weeks, but I am sure that my hon. Friend will appreciate that the line must be drawn somewhere. Mr. Cannon's local review committee review actually took place on 9 February, just under 14 months before his earliest date of release. But if it had happened at the earliest point that it could have done, he would still not have been eligible for a second one.

I am aware that fine footwork is involved in the timing of parole reviews, and decisions about the eligibility of second and subsequent reviews are not an easy matter to understand, particularly at this time of night. I appreciate how difficult it must be for Mr. Cannon and his family and my hon. Friend to accept the Parole Board's decision and to know that because of the time that he spent on remand he is not eligible for a further review.

I am also sorry that it should have take so long to complete the first review. Here I come to one of my hon. Friend's major points. The delays that have plagued the parole system are a sad reflection on the increasing number of cases and, until recently, the inability of the Home Office parole unit to keep pace. But I reject my hon. Friend's suggestion that the system is breaking down. It is plagued by heavy delays, but within those delays it works effectively. Parole delays cause unnecessary anxiety to inmates and their families and lead to problems for the staff in the prisons. They are unacceptable and we have taken some firm steps to eliminate them. We have reorganised the parole unit, streamlined procedures and authorised and recruited additional staff. The Home Secretary has appointed additional members to the Parole Board and the board is considering additional cases at each panel sitting. We took those measures several months ago, but already they are beginning to bear fruit.

We are now seeing the first signs of real improvement and there are no longer any significant delays on cases that do not go the Parole Board but stay with the local review committees, but there are still some delays with the Parole Board. I am sure that the worst of the delays are now being eliminated and we are considering what further changes and reforms are needed to reduce those delays still further and then eliminate them altogether. I am sure that that will be achieved, if not this year, certainly during the first half of next year. That is our intention.

I am grateful to my hon. Friend for raising this difficult case. I shall look at the letter from Mr. Jennings, to which he referred, and follow it back to its source. But on the

timing of the review and on the decision that there is no opportunity under the rules for a second review, the letters that I and my predecessor have sent to my hon. Friend are correct. But I realise that the situation is complex.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to Two o'clock.

House of Commons

Friday 27 October 1989
The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Several Hon. Members: On a point of order.

Mr. Speaker: Order. I am going to take petitions first.

PETITIONS

Football (Identity Cards)

9.34 am

Mr. Graham Allen (Nottingham, North): I have a petition from the Football Supporters Association of the east midlands and other football supporters, and the signatures on it have been collected from places as far apart as Boston, Leicester, Derby, Nottingham and all the counties of the east midlands. The petition states:

We condemn the proposed legislation to force football supporters to carry identification cards, and we believe that a system of identity cards will have little impact on the problems of football—related violence, will hinder football's attempts to attract a new generation of supporters and will lead to the eventual demise of the game as a spectator sport.

Wherefore your petitioners pray that your hon. House will urge the Government to bring forward proposals which have the support of genuine football supporters.

On behalf of those genuine football supporters, I have pleasure in presenting the petition to the House. Let the Government take note.

To lie upon the Table

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Speaker.

Mr. Speaker: I am taking petitions first.

Mr. Denis Howell (Birmingham, Small Heath): I, too, wish to present a humble petition by football supporters, which brings the total number of signatures to the petition to over 430,000 which, I think, makes it the third largest petition since the war. The House will be interested to know that that represents almost exactly the gate at every football club in the country on a Saturday afternoon.

The petition says that the proposed Football Spectators Bill will cause total chaos at the turnstiles to legitimate spectators entering football grounds and will impose unacceptable restrictions upon the liberties of law-abiding subjects and place unacceptable costs upon such supporters. As with the other petitions, this one states:

Wherefore your petitioners pray that your hon. House will urge the Government to bring forward proposals which will have the support of genuine football supporters. And your petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Several Hon. Members *rose*——

Mr. Speaker: There is one more petition.

Student Loans

9.38 am

Ms. Joan Ruddock (Lewisham, Deptford): I wish to present a petition organised by the students of Goldsmiths' college in my constituency and signed by David Anteh, 7 Malpas road, Brockley and 1,200 others. The petition states:

The humble petition of citizens and students of Great Britain and Northern Ireland showeth that any proposals to introduce the payment by students of tuition fees and student loans, whether partially or fully, will further limit access to higher education. Wherefore your petitioners pray that your hon. House do reject any proposals to introduce the payment by students of tuition fees or student loans and your petitioners in duty bound will ever pray etc.

The petitioners fear, as I do, that student loans will seriously limit access to——

Mr. Speaker: Order. The hon. Lady must not make a speech on this matter. She must present her petition now please.

Ms. Ruddock: This matter is of concern to the students and staff of Goldsmiths' college because that college has equal opportunities for women, black students and part-time students, all of whom would be disproportionately affected by the Government's proposals. I am pleased to present this petition on their behalf.

To lie upon the Table.

Points of Order

Mr. Speaker: I shall now take points of order.

Dr. David Owen (Plymouth, Devonport): In view of the uncertainty and confusion in the international money markets, Mr. Speaker, have you had any indication from the new Chancellor of the Exchequer about a statement on the economic situation?

Mr. Graham Allen (Nottingham, North): They are paying his wages.

Mr. Speaker: Order. It is intolerable to have background conversations going on when I am listening to a point of order.

Dr. Owen: I should have thought that it was in the interests of all hon. Members that we should hear about any new Government economic initiative, such as a change in the base rate or a change in policy towards sterling, not through the press but here in the House. Therefore, it seems reasonable to ask you whether you have had any indication of the Government's intention to make a statement in the House.

Mr. Speaker: I shall deal with one matter at a time. I have had no such information. Normally I should receive notification before 10 o'clock.

Mr. Bob Cryer (Bradford, South): Further to that point of order, Mr. Speaker. This is an important issue. While you have not had notification of that, the Opposition did not have notification that two Bills were to be guillotined this week. That causes us anxiety. First, the Government should come to the House as an urgent priority to sort out the enormous chaos caused by the squabbling between Nos. 10 and 11 Downing street. Secondly, at least on this occasion, the Government should give proper notification

[Mr. Bob Cryer]

to the Opposition and on the annunciators so that they cannot slip in a few platitudes in the middle of the debate this morning, but must provide an adequate explanation to the House. I raise this matter because of their conduct—

Mr. Speaker: Order. This matter was raised yesterday. I heard the Leader of the House apologise for the fact that no notice was given. We cannot pursue that matter now. I am sure that in future notice will be given.

Mr. A. J. Beith (Berwick-upon-Tweed): On a point of order, Mr. Speaker. You said that you had no information that the Government sought a statement from the new Chancellor of the Exchequer. Will you confirm that, if the new Chancellor is willing and considers it necessary, as many of us do, to make a statement about exchange rate policy, it would still be possible for you to arrange a statement at 11 o'clock if you received notice between now and then, after the Chancellor has seen the response of the British exchange markets to overnight falls in New York?

Several Hon. Members *rose*—

Mr. Speaker: Is this the same subject?

Mr. Joseph Ashton (Bassetlaw): Yes. In a similar crisis 25 years ago, John Profumo lied to the House. He was asked to come to the House to explain his actions. Yesterday, my right hon. Friend the Member for Chesterfield (Mr. Benn) made a serious allegation that the Prime Minister had misled the House, because at 3.15 pm yesterday she said that the Chancellor had her full support—

Mr. Speaker: Order.

Mr. Ashton: I have not finished my point of order.

Mr. Speaker: I know. The hon. Member made broadly the same point yesterday. We cannot continue with it today. The Front Bench gave the right hon. Member for Chesterfield (Mr. Benn) the answer.

Mr. Ashton: With respect, Mr. Speaker, I am not asking the Front Bench. It answered the point, but I am putting it to you. Despite the Prime Minister misleading the House at 3.15 yesterday afternoon—

Mr. Speaker: Order. If the hon. Gentleman makes that kind of allegation, he should write to me, because it is a matter of privilege. I will not have that allegation made in the Chamber today.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Speaker. On 19 October the Home Secretary said in a statement on the Guildford and Woolwich pub bombings:

"the four persons involved will be eligible to apply to me for compensation under the provisions of section 133 of the Criminal Justice Act 1988. The amount of the compensation will be determined by an independent assessor."—[*Official Report*, 19 October 1989; Vol. 158, c. 273.]

Yesterday, at Question Time, the Home Secretary said:

"But I hope that Opposition Members, in their pursuit of this matter, will take into account the fact that the people who suffered most from it were not those who were wrongfully imprisoned, but those who were murdered at Guildford."—[*Official Report*, 26 October 1989; Vol. 158, c. 1035.]

My point of order is that the Home Secretary made it clear in his statement that the four had been wrongfully imprisoned, that the convictions were quashed and that, as there had been a miscarriage of justice, the four could apply to him for compensation. Yesterday, however, he seemed to go some way from accepting the decision of the Court of Appeal, prejudicing their right to compensation—

Mr. Speaker: Order. No—this is a matter of argument between the hon. Member—and perhaps other hon. Members—and the Home Secretary. It is not a matter of order for the Chair. I said yesterday—the whole House must accept and recognise this—that I cannot be held responsible for answers given, provided that they are in order. The Home Secretary's answer was in order.

Mr. Graham Allen (Nottingham, North): On a point of order, Mr. Speaker. My point of order for you is that the House is being denied access to information. Clearly, the Government and the former Chancellor of the Exchequer had access yesterday and previously to the Treasury's autumn forecasts. Setting aside Walters and all the rest of it, those forecasts were the basis of the ex-Chancellor's decision yesterday. Will the House be allowed to see that information, so that we can know the true extent of the economic catastrophe and of what happened yesterday?

Mr. Speaker: That is a spurious point of order, even for a Friday morning.

Mr. Tony Banks (Newham, North-West): I wonder whether you could assist me, Mr. Speaker. I understand that you have one particularly strong, peculiar and far-reaching power, which is not often exercised, but which you share with my wife. You have the ability to section a Member whom you feel is probably bordering on insanity. I think that you should move directly to No. 10 Downing street, as clearly there is a candidate there for your exercise of that power.

Mr. Speaker: I was chosen by the House to be the Speaker. Let us move on.

Football Spectators Bill *[Lords]* [Ways and Means]

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Football Spectators Bill *[Lords]*, it is expedient to authorise the payment into the Consolidated Fund of any fees received by the Secretary of State under the Act—*[Mr. Moynihan.]*

9.45 am

Mr. Bob Cryer (Bradford, South): This ways and means resolution should not pass without comment. It is a narrow resolution which was made available to Members only this morning. It should have been provided earlier in the week, as is the custom. The Government have been thrown into chaos by the huge diversion in economic policy between the former Chancellor of the Exchequer and the Prime Minister's croney, who was employed at the taxpayers expense to the tune of £50,000 a year—at least there had been some saving to taxpayers—so it is understandable that the Government have not been able to issue the resolution earlier for Members' consideration.

The resolution relates to clause 10(2) of the Bill:

"An application for a licence in respect of any premises shall be made in such manner, in such form and accompanied by such fee as may be detemined by the Secretary of State."

That is a wide power. The Secretary of State has absolute power to determine the fee, the manner and the form in which the fee shall be levied. Will the Minister give an account of what scale of fees he has in mind? As has been demonstrated by the number of petitions presented this morning, there is widespread anxiety among football supporters and clubs about the scheme, which will involve football clubs in expenditure. I want that assurance from the sports Minister today.

Unfortunately, it seems that the fees will not be listed in a statutory instrument. The primary legislation gives the Secretary of State the power to levy the fees, so this is the only opportunity that we shall have specifically to discuss the fees. The Minister now has a useful opportunity to tell the House whether he will bear in mind the position of football clubs so that some of the marginal clubs are not driven out of existence.

Some football league clubs are in a good financial position. They are wealthy and powerful. But that does not apply to all clubs. Several clubs are struggling for survival. This wretched football identity scheme will create more problems for such clubs, so the Secretary of State should take into account their financial position and the effect of fees on them. Will the Minister give that assurance?

Mr. Keith Vaz (Leicester, East): Will my hon. Friend give way?

Mr. Cryer: I shall finish my point. We want an assurance that, in applying the power that we grant to him, the Secretary of State will take into account the financial position of clubs, if necessary levying only a nominal fee, and that he will not regard this power as a means of raising revenue. The resolution requires that the fees be paid into the Consolidated Fund.

Mr. Vaz: Does my hon. Friend agree with me and other members of the Committee which considered the Football Spectators Bill that, as the Taylor inquiry has not yet produced a report, the best course of action would be to withdraw the motion and the Bill until we have the final report from Lord Justice Taylor?

Mr. Cryer: That would be an extremely sensible course of action. The Government promised that they would be able to take into account the results of the Taylor inquiry as the Bill progressed through Committee, but that was patently not the case. I expect the Government to give solid, cast-iron assurances to the House about the level of fees that they will levy. I hope that the assurances are rather stronger than those which were given to the House about taking into account the results of the Taylor inquiry.

One of the problems with ministerial assurances, although I continue to look for them as they provide the only opportunity that we have to obtain assurances in respect of ways and means motions, is that, at a time of Government chaos of the sort that we have seen over the past 24 hours, Ministers can move with amazing rapidity. For example, only yesterday at 6 pm the right hon. and learned Member for Ribble Valley (Mr. Waddington) was the Government Chief Whip. By about 7 pm, he was the Home Secretary.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The hon. Gentleman is straying far from the ways and means motion. I know that he appreciates that it is a narrow motion.

Mr. Cryer: Indeed, Madam Deputy Speaker.

I am saying that I am seeking assurances about the level of fees that will be levied. The difficulty is that the Minister for Sport can be changed. I shall welcome the assurances that I hope he will give, but he could disappear tomorrow. An alteration should be made so that a system of fees and safeguards is set out in the Bill, and the fees should take into account the financial position of clubs. That would be of great advantage to the House. It might be to the advantage of everyone, including the Government, if it is borne in mind when legislation is being drafted that the Prime Minister sacks people at a minute's notice and exercises arbitrary, chaotic and arrogant power.

9.53 am

Mr. Denis Howell (Birmingham, Small Heath): I am grateful to my hon. Friend the Member for Bradford, South (Mr. Cryer) for filling the void by catching the eye of Mr. Speaker while we were waiting for the Minister to explain the proposal that is before us. We have been considering the Bill for a long time and it is unfortunate that we never get any explanation from the Government. As my hon. Friend says, they continue with their proposals to levy licence fees and other unacceptable charges. At the end of the day, the burden will fall on innocent spectators and not on the clubs. It will fall also on the Consolidated Fund. It is outrageous that the motion is on the Order Paper. We are proceeding with a measure to tax football and also, possibly, to impose further expenditure upon Government funds. It is entirely inappropriate and, in my view, foolhardy.

It is a matter of major importance that, following one of the most horrendous catastrophes witnessed in British society for a long time—the Hillsborough disaster—the Government found it necessary to appoint one of the most eminent judges in the land to hold an inquiry. We know before we have his report that extremely serious matters will have to be discussed following his pronouncements. All these matters will bear on the licence fees that are likely

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to be levied on football clubs throughout the country, and we know that we cannot have the Taylor report before December.

We cannot have a debate, which we have been promised, before January, which is half a football season away. Yet the Government choose to proceed with powers to set up a licensing authority, which will have the right to charge without any appeal being possible. They are giving a licensing authority the power of taxation without representation before the Football Spectators Bill is on the statute book. In effect, they are implementing the measure now.

Mr. Steve Norris (Epping Forest): Come on, Denis.

Mr. Howell: It is perfectly true.

It is ludicrous that any Government should proceed before the Lord Justice of Appeal whom they appointed has pronounced upon their schemes—*[Interruption.]* May I say to the Minister——

Madam Deputy Speaker: Order. It would be helpful to the right hon. Gentleman who has the Floor if there were not so much cross-talk across the Chamber.

Mr. Howell: Thank you very much, Madam Deputy Speaker.

The object of the ways and means motion is to give the licensing authority the power to charge. When the Minister considers the events at Hillsborough and when he asks himself whether there will be additional difficulties at the turnstiles when the identity scheme is imposed, he should ask himself also what would have been the consequences if the scheme had been in operation at Hillsborough on the day of the disaster.

It is inconceivable that Lord Justice Taylor will say anything other than that the Bill is nonsensical and, furthermore, a danger to public safety. I have no doubt that he will say that it should be withdrawn. That is not a far-fetched hypothesis but one that is based on reality. The Government's decision to allow the licensing authority to be set up and to impose fees on football in circumstances that mean that we might not have a scheme at all is crass stupidity of an order that very few of us have seen before. That is an additional reason—*[Interruption.]* Conservative Members are laughing. I suppose that this week they have seen more crass stupidity than most of my right hon. and hon. Friends can evisage.

Mr. Tony Banks (Newham, North-West): My right hon. Friend has referred to the problems associated with Hillsborough and the report that is being prepared by Lord Justice Taylor. Is he aware that there were great problems at the Conservative party conference when the breakdown of a computer meant that many Conservative Members were denied access? There was no violence outside the conference centre, but inside——

Mr. James Couchman (Gillingham): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. The intervention by the hon. Member for Newham, North-West (Mr. Banks) is far removed from the speech of the right hon. Member for Birmingham, Small Heath (Mr. Howell).

Mr. Tony Banks: I was merely pointing out, Madam Deputy Speaker, that the same problem could arise with the implementation of a football membership scheme.

Mr. Howell: I shall take up my hon. Friend's point, and I hope that I shall be able to do so within the rules of order.

Madam Deputy Speaker: The right hon. Gentleman must remain within the rules of order.

Mr. Howell: I quite agree, Madam Deputy Speaker, and the rules of order bear on the expenditure which can be forced on clubs unnecessarily, which I am sure you will appreciate.

The ways and means motion is being imposed upon us 24 hours after the Minister for Sport has changed the rules of the game. When, in Committee, we sought to introduce some pilot schemes, he said that that could not be done. When we sought to exempt certain divisions, he said that that could not be done.

Mr. Joseph Ashton (Bassetlaw): The Minister is not listening.

Mr. Howell: The Minister never listens, so that does not worry me. If he does listen, he does not comprehend, which is even worse.

Only a day ago the Minister solemnly announced—not to the House as he should have done today—but in a press statement:

"Electronic turnstiles will be tested before identity cards."

The Minister is seeking powers to set up a licensing authority and the Ways and Means resolution will give that authority power to charge, yet he now tells us that he does not know whether the arrangements will work and whether the scheme will be practicable; we are now to have turnstile experiments at two or three grounds.

You, Madam Deputy Speaker, are a great supporter of West Bromwich Albion, which is in your constituency. We know that you appreciate your constituents' devoted support of that team. You have been seen very recently at that very ground. You were seen there only last Saturday, and I am very pleased about that.

Mr. John Carlisle (Luton, North): Will the right hon. Gentleman give way?

Mr. Howell: I shall give way to the hon. Gentleman, but not in the middle of my fulsome tribute to Madam Deputy Speaker. Madam Deputy Speaker, who goes to West Bromwich Albion, knows what a struggle it has, and that every penny counts. She knows that it is vital that spectators should get into the ground promptly, and no licensing authority should set about its business before Parliament has considered the Taylor report and decided whether the whole nonsensical idea should be scrapped or whether some other scheme should be introduced.

Mr. John Carlisle: I am sorry to interrupt the cosy chat between midlands Labour Members. The right hon. Member for Birmingham, Small Health (Mr. Howell) is misleading the House, as he did throughout Committee stage and on Second Reading, when he says that having introduced the proposals my hon. Friend the Minister for Sport is erring from his original policy. It has always been made perfectly clear—the right hon. Gentleman knows this—that before the scheme is put into operation some sort of experiment has to take place to test the machinery to be used. The right hon. Gentleman will also know that

it was proposed that some sort of scheme should be put into operation before the season in which the policy was fully implemented. The right hon. Gentleman is deliberately misleading the House. My hon. Friend's proposals are perfectly in line with all the statements made throughout the passage of the Bill.

Mr. Howell: That is another example of the logic with which we have repeatedly been faced this week. People say, "Everything's all right." When we ask, "In that case, why did the Chancellor resign?" we receive no answer. The hon. Gentleman's intervention belongs to the same perverted logic. The Minister has said throughout that he would not proceed in this way. If he had always intended to proceed in this way, why did he issue the press statement yesterday? He did so because what he proposed was a departure from everything that he had told us in Committee.

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): May I clarify two points, because the right hon. Gentleman is going off at a tangent? First, I have made it clear since before the introduction of the Bill that if the Government went ahead with a national membership scheme, we should need to be satisfied that the technology was up and working and correct so that the scheme could be implemented effectively from day one. The testing of that technology will be a matter for the football membership authority, which will examine in detail the appropriate technology and tests. Absolutely nothing has changed on that front. I hope that that assists the right hon. Gentleman.

Moreover, the right hon. Gentleman's comments to the effect that I have issued a presss release on this subject this week is inaccurate.

Mr. Howell: No doubt it was Mr. Bernard Ingham who gave the information to *The Times*. Perhaps one of his minions at the Department of the Environment told Sheila Gunn and journalists from other newspapers what the Minister wished to convey.

The statement that has been issued is wholly unacceptable to us in any case because the experiment that we are told is to take place while powers of licensing and taxation are being granted will take place over a short period. If the Minister proposes to have an experiment, it should be over a longer period—at least a season. *[Interruption.]* The Minister says no. Let me tell him. He obviously intends a proper evaluation of the scheme, and to an extent I welcome that, but no such proper evaluation can take place unless we judge the effects of the scheme on normal league games, cup ties and derbies, in mid-week, in good weather and on filthy winter nights. Unless we examine the effect of the scheme in all those circumstances, any evaluation will be worthless. I submit to the House that that is exactly what the scheme is—worthless.

Mr. Norris: The right hon. Gentleman has made a serious allegation. He said that my hon. Friend the Minister had fundamentally changed the rules and changed his policy since our debates in Committee. I wonder whether the right hon. Gentleman remembers my hon. Friend's words at 11.30 am on Thursday 20 July. He may not have been present, of course, because I know that he had to spend a great deal of time outside the Committee Room briefing his various friends in the press. If he was around at 11.30 am—*Hansard* conveniently records the fact that it was 11.30 am—he may remember my hon. Friend saying:

> "I said that testing the technology for the scheme would be part of the preparations for implementation. I have also said repeatedly that we shall not go ahead with implementation until we are satisfied that the technology is workable, efficient and safe."—[*Official Report, Standing Committee A*, 20 July 1989; c. 503.]

Does the right hon. Gentleman agree that not one word of that has changed—that my hon. Friend has done no more than reiterate exactly what he said in July?

Mr. Howell: Judging by the rather offensive comments with which the hon. Gentleman introduced his intervention, we have a potential new Chief Whip staring us in the face. Even at 11.30 pm, we can well understand what the Minister is saying and we can also understand the Bill, which says that it is the business of the Football Membership Authority, not the Minister, to put the scheme in position and to satisfy itself as to the technology.

The very fact that the Minister has decided to have a scheme for testing the equipment before he has even set up the Football Membership Authority shows once and for all that the Bill has nothing to do with setting up an independent body and everything to do with making football subject to the disciplines of the Government—whether it likes it or not.

Mr. Moynihan: The right hon. Gentleman is wrong again—on two counts. First, nobody has spoken about a system of testing being introduced before the football authority is set up. Secondly, this is not a matter for the Football Membership Authority alone because, as the right hon. Gentleman will recall, the Government have given a commitment to the House to the effect that, once the Football Membership Authority is established—subject to the will of Parliament—there will be a further debate in the House on the approval of the scheme by my right hon. Friend the Secretary of State. The prospect of that second important debate was welcomed by the right hon. Gentleman. It will be vital in the light of any findings that Lord Justice Taylor may make and will give Parliament a full opportunity to consider them.

Mr. Howell: The Minister only compounds the confusion. He says that the scheme is the business of the football and licensing authorities, yet before they are even established and have been given an opportunity to decide what action to take, the Minister makes his pronouncement, by one means or another, that he intends to usurp the authorities' powers and judgment and to proceed, which may have the consequence of fees being imposed on football clubs.

I endorse the arguments that have been made about the scheme's technical aspects. We shall welcome an experiment, provided that it is undertaken over a sufficient length of time and embraces all the varied circumstances likely to arise in a football season, so that the system is put to a severe test. We have no evidence yet of the efficiency of the proposed computerised turnstiles. I am advised that six companies submitted tenders for identity cards but that it may be that not one of their systems is satisfactory in meeting the requirements of 20,000 football supporters passing through the turnstiles in the evening to watch an important Cup-tie kick-off.

If tests are to be made at grounds such as those of Liverpool, Spurs or Arsenal they must be undertaken in

[Mr. Howell]

typical circumstances. It is nonsensical and irresponsible on a great scale to proceed with the motion and to impose fees before those experiments have been completed and in advance of the authorities being established.

Since the Committee stage, a number of horrendous events have occurred that affect part II of the Bill. The withdrawal of membership cards from anyone found guilty of participating in any of those events is governed by part I. I refer to the disgraceful scenes in Sweden and to the incidents that occurred on the ship taking British supporters to a match there.

Mr. Alistair Burt (Bury, North): On a point of order, Madam Deputy Speaker. The motion is narrow in its scope, and it cannot be in order for the right hon. Gentleman to rattle through a speech covering much wider matters while attempting to keep himself in order by occasionally using the word "fees" and "licensing authority".

Madam Deputy Speaker: I am sure that the hon. Member for Bury, North (Mr. Burt) has himself strayed from the straight and narrow from time to time. The right hon. Gentleman is a distinguished parliamentarian who knows full well the scope of the motion, and I am sure that he will take the point that has been made both by the hon. Member for Bury, North and by myself.

Mr. Howell: I assure you, Madam Deputy Speaker, that I am making every endeavour to keep within the rules of order. However, I acknowledge, as you obviously do, Madam Deputy Speaker, the political rigidity of the hon. Member for Bury, North (Mr. Burt).

Whatever view is taken of the Bill by right hon. and hon. Members in all parts of the House, it is a matter of serious concern to all that our country's good name was disgraced on the voyage to Sweden to which I referred, in Sweden itself, and in Poland. I have a long list of other incidents that occurred during the summer that beg investigation, but I shall not bore the House with the details at this time. Even if the people responsible for those incidents can be prosecuted and convicted, the names of only five persons will be registered on the computer and prevented from travelling abroad again. After all the trouble in Sweden, Poland and even Iceland, and despite the cost to the Consolidated Fund and to the clubs, only five people may be prevented from travelling abroad in future—yet we all know that hundreds of neo-Fascists disgraced our country's good name. That should be cleared up before the Bill proceeds any further.

Mr. John Carlisle: The right hon. Gentleman appears to be misleading the House again. A few moments ago, he said that the Bill should be delayed and that fees should not be levied or paid because the system is not yet ready to be introduced. He went on to deal with part II of the Bill, which he and his right hon. and hon. Friends consistently supported in Committee and which he acknowledges has some merit and should be implemented. The right hon. Gentleman cannot have it both ways. Does he want the Bill to proceed as it stands or not? He knows full well that it would be impossible to implement part II of the Bill and not part I.

Madam Deputy Speaker: I advise the right hon. Gentleman not to continue down the path that he has chosen. The House is debating not the Bill but a narrow motion concerning money matters in the form of the fees that are to be paid. The right hon. Gentleman must limit his comments to that aspect.

Mr. Howell: You will be glad to learn, Madam Deputy Speaker, that my sea voyage to Sweden has ended.

The offences covered by part II inevitably affect the operation of part I, and the question of who pays for the system and the licensing fees are inter-related. Of course we support part II, but as we said throughout the Committee stage, and as was proved in the summer, the proposed scheme is wholly inadequate for its purpose. I repeat that we support it only because it is better than nothing. We are as anxious as the Government to eliminate disgraceful behaviour by British football supporters overseas.

I turn specifically to financial matters. I remarked earlier that six or seven companies have been shortlisted to operate the identity scheme, but I understand that the costs of the initial research will be £250,000. The Minister laughs because the Government are obviously not worried by such sums. The cost to fourth division clubs struggling to exist will be £10,000. In addition, £2·5 million is to be spent on testing the pilot scheme. Today, before even the football or licensing authorities have been established, the Government are imposing £2·75 million in fees in respect of a scheme that may never be implemented and which we believe to be totally inadequate and incapable of dealing with the problems that beset our great sport.

If the Government had any sense they would not have tabled the motion but would have sought to take the whole House with them. They should have allowed a breathing space to await Lord Justice Taylor's report and to allow time for the authorities to be established, so that they could initiate experiments covering every possible set of circumstances likely to arise during a season. For the Government to proceed contrary to those considerations is an act of gross irresponsibility.

10.18 am

Mr. Steve Norris (Epping Forest): I could not disagree more with the right hon. Member for Birmingham, Small Heath (Mr. Howell). I welcome the motion itself because, apart from anything else, it is nice to consider a motion that will bring money into the Exchequer rather than cause the Exchequer constantly to dispense it, as is the case with most money resolutions.

As you, Madam Deputy Speaker, reminded the House, the motion is narrow in its scope and relates specifically, as the hon. Member for Bradford, South (Mr. Cryer) rightly said, to clause 10(2). It concerns the ability of the Exchequer to receive fees from clubs towards the cost of establishing schemes. I sat on the Committee during the latter days before the summer recess and listened to right hon. and hon. Members of all parties as they recounted an appalling catalogue of violence and fear that has for too long been concomitant with football. During the summer I observed the violence to which the right hon. Member for Small Heath has referred, not only abroad but at the start of our own season. No one at Stamford Bridge or anywhere else, especially those responsible for football management, seems to have learnt anything about the problem.

Mr. Tony Banks: The hon. Gentleman has just mentioned the ground belonging to the club—Chelsea—of which I am an avid supporter. Would he care to tell us what he thinks is not being done at Stamford Bridge that should be being done, to justify the direction of such a colossal calumny at that wonderful club?

Mr. Norris: I shall do so within the specific context of the money resolution, as is appropriate. It is a question of the fees that will be payable for the establishment of a membership card scheme. This, in my view, encapsulates the whole debate that took place in Committee, in which I know that the hon. Gentleman would have loved to participate if he had had time.

As a Chelsea supporter, the hon. Gentleman will recognise that the overwhelming majority of those who go to Stamford Bridge do so because they want to watch the match. They do not want any hassle. They do not want their children frightened, or to be beaten up, and they do not want to go to the match alone and virtually armed. They want to take their families. It is precisely to eliminate the inner-city mobs—the small number of people who turn such games into the battleground that they have so sadly become over the years—that the Bill has been drafted.

Conservative Members are under no illusion. It is fine to talk. As ever, we have had fine words from the hon. Member for Small Heath, but, as ever—and as in Committee—we have heard no concrete proposal from the Opposition to tackle the inner-city cancer of violence which, though perpetrated by the few, affects the enjoyment of the many.

Mr. Denis Howell: Contrary to that extraordinary proposition, we have advanced the policy that the thing to do is to target the evil-doers rather than imposing ludicrous restrictions on all the innocent football supporters. Not only did we say that the matches and the wrong-doers could be indentified and targeted—we said in Committee that the Sweden-England match was the first that should be targeted, and that the Government's failure to do so had led to all the mayhem.

Mr. Norris: There was a good deal of anecdotal reportage during what must have been one of the most entertaining Standing Committees on which many of us have ever served, and there is no doubt that those of us who emerged from it—bloody but unbowed—know much more about Sheffield Wednesday in the 1930s, not to mention Accrington Stanley and many other fine clubs and traditions. We heard a brilliant exposition of the importance of identifying the clubs involved——

Mr. Burt: And Millwall Tommy.

Mr. Norris: I am very sorry, Madam Deputy Speaker, that you did not have the opportunity to learn about Millwall Tommy. The hon. Member for Derbyshire, North-East (Mr. Barnes)—who is in the Chamber, as I expected him to be—brought a lump to my throat when he expounded on the merits or, indeed, demerits of Millwall Tommy. It was a wonderful experience.

Although we have had a homily about the importance of ridding the game of the few offenders—and who in his right mind could disagree with that proposition?—we have been all too short of a mechanism to achieve it. My hon. Friend the Minister, however, is seeking to provide finance for a workable scheme. He wants to be sure that it works before he introduces it, enabling us to identify those who commit offences at matches and should therefore not be allowed to attend them in future.

The right hon. Member for Small Heath has just drawn attention to the fact that once the cameras are switched on, the hand motions will have to go. I take the point. From now on I shall keep my hands in my pockets. I cannot see any of us getting on unless we do so.

The significant difference between the Opposition and Conservative Members who supported my hon. Friend the Minister in Committee is that the former have been keen to listen to those whom I can only describe as the ill-informed, who have spoken to them, perhaps, on the terraces at Hillsborough and elsewhere. They have flooded us with the cards that were thrust under their noses, requiring little more than a signature, purporting to express views about a matter that they clearly had not studied. Conservative Members, however, have produced concrete proposals to deal with this major problem.

Sadly, we shall not catch all those who perpetrate the violence. There will, I fear, still be violence on our terraces, even when the scheme is in operation. There is however, a stark contrast between the experience of the average club in the Football League with that of the club formerly presided over by my hon. Friend the Member for Welwyn Hatfield (Mr. Evans), who entertained us so much in Committee.

On the one hand—whatever the semantics and the fine arguments about the effects on turnover, profit or attendance—we have a ground that is, quite simply, free of violence. That has never been denied. On the other, the hon. Member for Newham, North-West (Mr. Banks)—being an assiduous attender at Stamford Bridge—has had the opportunity to observe the inadequacy of the preparations made by other clubs in the league. Their chairmen have now squealed about the tremendous burden and cost to the clubs. The reason why today's resolution is so important is that they have failed to observe their common duty to provide security and facilities which even begin to compare with the ludicrous fees that they have been prepared to pay to players.

If the Bill and the money resolution help to put the balance right and to make football once again a game to which whole families can go without fear and trepidation, it will constitute a major advance against one of the real social evils of our day. On that basis, I commend the resolution unreservedly.

10.27 am

Mr. Joseph Ashton (Bassetlaw): One of our problems when a Bill is guillotined is that Conservative Members immediately waste the Committee's time, and many issues that we wish to discuss at length are not discussed for that reason. A perfect example is the hon. Member for Epping Forest (Mr. Norris), who has admitted that he has only ever seen one football match—and that was when the chairman of Luton Town, the hon. Member for Welwyn Hatfield (Mr. Evans), gave him a free ticket to Wembley for the cup final.

Mr. Norris: Rubbish.

Mr. Ashton: The hon. Gentleman made great play of our proposals. Perhaps he does not know that the Football Grounds Improvements Trust gives £9 million a year to grounds, much of it to prevent violence through the use of

[Mr. Ashton]

cameras, videos and better policing and technology. The trust was set up following a proposal that I made in the House back in 1974 that a football betting levy scheme be set up to take money from the pools. The pools then voluntarily set up their own trust to provide grounds money out of their profits. My hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) has followed the same line.

We have indeed made concrete proposals, and 99 per cent. of the problems inside the grounds have been solved through the use of better policing and technology. I do not want to widen the debate; I merely wish to answer some of the nonsense poured out by the hon. Member for Epping Forest. [HON. MEMBERS: "Where is he?"] He has disappeared, as usual. The hon. Gentleman invariably comes out with long perorations—despite knowing nothing about either the Bill or the game—and then immediately disappears from the scene.

Let me return to this narrow motion, which we all expected the Minister to introduce because of the guillotine. As I recall, we were promised an extra day, not after the Bill had been passed, as the Minister said this morning, but before. The Bill was rushed into the House within two or three weeks of the tragic events at Hillsborough. On 15 April, when delaying people at the turnstiles meant that, ultimately, the gates had to be opened and 95 people poured in to their deaths, we thought it was proved that we should have time to give the Bill measured consideration.

As has been said, it was stupidity and madness to introduce the Bill before the Taylor report was finalised and without listening to its recommendations, which we should have studied in a calm and measured way, to assess how the system should be amended so that we can prevent such a disaster happening in the future.

The Minister promised, as I recall, that although a guillotine motion was to be imposed, there would be further full-day debates before the Bill passed into law. We have not had them. The House has been misled. The Minister said in an intervention this morning that there would be a full-day debate on the licensing authority, but by then it will be no good because the Bill will be law.

I am not saying that the Taylor report was held back, as it was done very quickly after the Hillsborough disaster, but it is amazing that it was released the Friday after the House had gone into recess, when many hon. Members had gone on holiday. The media were concerned that there should be some analysis and discussion of the Taylor report, but it has never been discussed in the House. This is our first chance to do so.

Ninety-five people went to their deaths that day, and all sorts of allegations have been made about the police. There have been stories in the press, and some of the police are now being prosecuted. The chief constable offered his resignation, which was not accepted. The disaster was one of the biggest news stories of the year and £10 million has been raised for the dependants of people who died. Councils in Nottingham, Liverpool and Sheffield have been involved. It was one of the biggest events of the year, but it has had little discussion in the House—all we have today is this motion.

Mr. Burt: It is not fair to suggest that the Minister has misled the House. The hon. Member for Bassetlaw (Mr. Ashton) is aware that this is an enabling Bill and that, after it becomes an Act, there will be a period of delay before its measures are implemented. If the hon. Member checks his memory he will realise that the Minister promised that, during that period, there would be a debate on the Taylor report. That has always been contemplated. There has been no change. There is no question of the Minister misleading the House in the way that the hon. Gentleman has suggested.

Madam Deputy Speaker: Order. I shall be obliged if the hon. Gentleman who now has the Floor does not respond to those comments. We must confine ourselves to discussion of the motion.

Mr. Ashton: Clause 10 provides that the licensing authority may grant a licence

"in such form . . . as may be determined by the Secretary of State."

Everything depends on the whim, fancy and decision of the Secretary of State. The Bill gives enormous powers to the Secretary of State. Once the Bill has been passed, it will be too late to do anything about it.

The motion refers to cash being granted to a licensing authority that has not yet been set up. Will the licensing authority have the power to overrule the police, or are the police still in absolute control, as they were at the time of the Hillsborough disaster? Will the licensing authority or the Secretary of State have the power to tell the police that they do not agree with what they are planning to do? For example, could they have said that the Liverpool supporters should not have been in the small end of the ground and the Nottingham Forest supporters in the large end, as that was one of the reasons for the disaster? Will the authority have the power to overrule the police? It does not say.

Clause 10 says that the conditions surrounding the cash that the licensing authority will have to pay into the Consolidated Fund

"may include conditions imposing requirements as respects the seating of spectators."

They "may include". Who will decide? If there is a row between the club and the licensing authority, will it be the Secretary of State or the police who make a decision?

I am sorry to have to refer to Hillsborough again, but it is relevant. Since the disaster, the terracing at the Leppings lane end of the ground has been closed off to spectators, who are not allowed access through the gate at that end. That has caused inconvenience to people in the club. I know about that, because I am a shareholder in Sheffield Wednesday, although there is no financial reward for that.

The club has received complaints from people who attend regularly that they have to walk all the way around the ground and that matches have had to be played with that end closed off. The police have not allowed the barriers to be re-erected and they have even said that a match that was due to be played between Liverpool and Sheffield Wednesday on the anniversary of the disaster —by some quirk of the computer—should be brought forward to a Wednesday night in early December. That will cause enormous inconvenience to the Liverpool supporters, who will have to travel over the Pennines in the pitch dark, probably in snow and frost. The match that was scheduled for new year's day has got to kick off at 12 o'clock, which will mean Manchester City supporters having to set off in the dark, in the frost and snow.

The police are continually laying down this hard and fast line. Throughout Britain, spectators tell us that the police reaction has been one of overkill, and has reduced the numbers in football grounds. Spectators had to produce tickets more than 100 yards from the ground at the Arsenal and Liverpool match the other night. Kick-offs have been delayed by 20 minutes, and there is utter confusion on television, the radio and in newspapers about kick-off times. Who is in charge? What is the point of having a licensing authority if the police will still have overall control, and can say that it does not matter what people do, or how many people in the licensing authority represent supporters or clubs, they will decide?

These examples show that the Bill is in complete confusion. When a Bill is guillotined through the House after a disaster has taken place, it is a panic political response to show that something must be seen to be done, and that it does not matter whether it is the right or the wrong thing.

During the debate on Monday, as can be seen from the amendments, there will be three to four hours for discussion before Third Reading, and the Divisions will take up all that time.

A thousand serious questions have been raised this morning and during Committee but they have not been answered, except in a clownish way by the hon. Member for Epping Forrest, who added nothing to the debate, or by the cheap points that were made about Luton Town football club being a great success. These are serious issues about violence and law and order. People are being crushed to death inside football grounds, but the issue has not been analysed and no answers have been given to the House, which has had no chance to debate the subject at the length it deserves.

10.37 am

Mr. A. J. Beith (Berwick-upon-Tweed): This motion may seem to be a small detail of the Football Specators Bill. I am sure that that is how the Minister and his supporters see it, but it ought not to be recorded at all —it ought not to be rumbling on as it is. It is another element in pushing through a Bill which ought to await measured discussion on every detail of the Taylor report. It is no use right hon. and hon. Members saying that there will be another debate on whether to bring it into effect. By that stage, everything in this motion and all the details of the Bill will be in print, on the statute book, and incapable of amendment. To change it, we shall have to go through the whole process again, and I am sure that the Government have no intention of bringing in another Bill. It will be a case of take it or leave it with the Football Spectators Bill and this motion, as passed.

That is no way to respond to a serious, high-level inquiry into a monumental disaster which revealed some of the terrible dangers in this measure. The Bill is a lunatic response to serious problems and I am amazed at the capacity of Conservative Members to talk themselves into the belief that the Bill will do some good, when they are just devising some sort of political response to a situation for which they have no answers.

The motion talks about the fees that will have to be paid by the very clubs which will have their gates decimated by the Bill. The fees will be levied on clubs which will lose casual specators. Throughout Britain, people watch football matches on a Saturday but they have no regular commitment to a particular club. It does not seem likely that they will get involved in membership schemes, but they constitute a significant minority in the attendance at football matches. If those people are taken away, how will the clubs pay those fees, and how will they pay for the cost of improvements to grounds and of additional security? Those are the sort of things for which we should be finding ways and means and, as has been pointed out, the Football Trust is involved in that. That is where the money should be spent, not on financing a licensing authority to carry out this ludicrous scheme.

The third and fourth division clubs which are not paying ridiculous fees for players, do not have fancy sums of money to play around with and those whose gates are the smallest will find the scheme a heavy burden. I see the problem clearly from the standpoint of Berwick Rangers which is in the happy position of being the one League club in England which will not be subject to the scheme. If that club had been included, this could have been regarded as a hybrid Bill and these shambolic proceedings could have been brought to a halt at a much earlier stage. Many third and fourth division clubs are in a position similar to a team such as Berwick Rangers and have to manage on relatively small gates. We hope that the number of people attending will increase, but the gates will not provide the income necessary to carry out the improvements about which we have been talking. Clubs of that type where there is no violence, and no great press of people giving rise even to incidental violence or hooliganism, will have to bear the burden of the scheme, as will innocent spectators.

We do not know whether the scheme will go ahead at all. Yet the licensing fees and the provision for them is being brought before us today. We do not know much about the licensing authority, but if it is like any other body to which Ministers in the Department of the Environment appoint members, such as the National Rivers Authority and its regional advisory committees, it will consist of paid-up supporters of the Government. If we are lucky, people who know about football will pick up one or two places. The way in which Ministers exercise their powers of patronage should be a lesson as to the sort of body to be created. Ministers will say that we must have people on the authority who are committed to the success of the scheme, but they will have to go a long way to find people who know about football and believe in the scheme as there are only a handful of them and they are mainly Conservative Members.

Mr. Norris: Will the hon. Gentleman accept that among those who can be counted as the most ardent supporters of a scheme to control membership, which is what we are discussing here, are the police. In stark contrast with some directors of clubs, the police have made it clear from the outset and throughout the Committee proceedings that they believe it necessary to introduce a scheme to control membership and that they welcome participation in it. The right hon. Member for Birmingham, Small Heath (Mr. Howell) will confirm that Mr. Alan Dyer, chief constable of Bedfordshire, has commented favourably on the scheme which operates at Luton Town football club, and that colleagues of his in the Association of Chief Police Officers have expressed similar optimistic comments about the scheme.

Mr. Beith: The hon. Gentleman should talk to the Police Federation which represents the ordinary constables who will have to face the crowds outside the turnstiles when the scheme is introduced. The arrangements at Luton Town must be satisfactory to the police and are not likely to give rise to problems, but anyone who thinks that one can run football on the basis that people cannot watch it will have to think again.

Mr. Moynihan: The Police Federation suggested a scheme far more draconian than that before the House today and sought to extend the Luton scheme nation wide with a ban on away supporters.

Mr. Beith: As I was saying, I do not believe that one can run football in this country as a spectator sport without away supporters.

Mr. David Evans (Welwyn Hatfield): I must explain to the hon. Member for Berwick-upon-Tweed (Mr. Beith) that only 45,000 people go to away matches per week. We are therefore talking about 10 per cent. of those going to football matches, so the hon. Gentleman's ridiculous statement about people not going to football matches is completely irrelevant to the argument.

Mr. Beith: Those 45,000 people have a right to enjoy their Saturdays. The vast majority of them are not hooligans but people who want to watch football. I do not understand the hon. Gentleman's figure. Thousands of football supporters cannot be classified as either home or away supporters and their liberty would be involved if any scheme of this kind were to be pursued.

We are in danger of going far wider than the motion before use. It is extraordinary that in the face of experience this year, the Government should go against all the advice that they have received and carry on with the Bill so that it will be cut and dried in every detail before we have an opportunity to consider the Taylor report. This is another example of the Prime Minister calling the tune—as she does in economic policy—and another example of a Minister who could usefully resign.

10.45 pm

Mr. Keith Vaz (Leicester, East): I want to correct the impression given by the hon. Member for Epping Forest (Mr. Norris) that the information given and the experiences shared in Committee were not relevant to our discussions. I am a relatively new Member of the House and I was delighted to participate in a Committee with my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell), and my hon. Friends the Members for Bassetlaw (Mr. Ashton) and for Stalybridge and Hyde (Mr. Pendry). They brought a great deal of experience to the Committee. As the House and Committee members will know, I am the president of two small football clubs in my constituency which will not be affected directly by the membership scheme.

I oppose the ways and means motion because it will ensure that clubs such as Leicester City in my constituency will not be able to afford the improvements that are necessary if the game is to survive. The Government should be providing more resources to enable clubs to invest in football rather than fining clubs, which is what the motion will do.

I and other hon. Members fear that the Bill is a forerunner to the possibility of compulsory identity cards being imposed on all citizens. The evidence submitted to the Minister of State, Home Office by independent organisations made it clear that motions of this kind and the imposition of fees will not pay for the scheme. They have said so in respect of the possibility of compulsory identity cards for all citizens and of the imposition of cards for football supporters.

I share the comments of my right hon. Friend the Member for Small Heath and my hon. Friend the Member for Bradford, South (Mr. Cryer) as I believe that the motion should not proceed until the House has had a chance to discuss the recommendations of the Taylor inquiry. I was surprised that the interim report of the inquiry was published as soon as Parliament had risen for the long summer recess. The House should have debated the interim report before coming to this motion. Lord Justice Taylor is one of the country's most eminent judges and the Secretary of State gave him a wide criteria of references. It is possible that Lord Justice Taylor will come forward with recommendations concerning fees. I understand that he has a copy of the Bill and of the Committee's deliberations and he may want to comment on the imposition of fees proposed by the ways and means motion. I urge the Minister to accept that the proper procedure is to await the final report of Lord Justice Taylor to see what he has to say about this important matter and about clause 10. Obviously, if he makes no recommendations it will be safe to proceed.

During the summer recess, I visited the Norman Chester centre in my constituency, which has been referred to by many right hon. and hon. Members. I do not know whether the Minister has visited the centre, but I hope that he will listen to its views about the Bill, particularly about clause 10. Its views would be of much interest to him. The centre opposes the Bill because it does not believe that it will solve the underlying problems that the Government wish to solve.

During my visit, I heard the news that the Department of the Environment had voted the Norman Chester centre a grant of £40,000. I support that Government expenditure, because I believe that it is the only centre of its kind in the western world. It makes a valuable contribution and has assisted hon. Members with briefings and information. The grant of £40,000 has been given to the centre to monitor the effects of the Bill. It is strange that the Government have not worked out their own conclusions about the possible effects of the Bill but have to vote money to outside organisations to monitor what happens. The safest course of action would be to give the grant to the centre, enabling it to monitor an experimental scheme along the lines suggested by my right hon. Friend the Member for Small Heath and see whether the experiment works. If the proposed changes are successful, Labour Members will be the first to support what the Government are doing, but it is dangerous to go ahead with the resolution and the Bill without considering those effects, and then to ask an independent organisation to monitor the effects because the Government do not know what will happen.

I hope that the Minister will visit Leicester and meet the Norman Chester centre's director, John Williams, and others, and I hope that he will press the vice-chancellor of the university to provide more facilities and a building from which the centre can conduct its important research. Most of all, I hope that the Government will think again about the resolution, realise that procedurally it is not the

correct way to proceed, and return at a later stage if the report recommends the identity scheme and we shall support the resolution at that time.

10.52 am

Mr. John Carlisle (Luton, North): Once again, the hon. Member for Leicester, East (Mr. Vaz) and his right hon. and hon. Friends have followed the chorus of disapproval for the Bill and the resolution. He showed what members of the Committee experienced before and throughout the passage of the Bill—the utter complacency of Opposition Members and, in some cases, of the hierarchy of football management on the Football League and Football Association. They say all is well and that nothing should be done.

In Committee, the right hon. Member for Birmingham, Small Heath (Mr. Howell) and other Opposition Members said that there is nothing seriously wrong with football and that the hooligan problem will go away. After the Stockholm trouble, the right hon. Member for Small Heath was quoted as saying, "We need more arrests." That was his answer to the problem. He did not suggest how those arrests would be made or how the troublemakers and hooligans would be identified. Throughout the Committee proceedings, Opposition Members displayed an abdication of responsibility and utter complacency. They did not accept that we face a serious problem and that only the Government have the guts to face it.

Mr. Denis Howell: The hon. Gentleman knows that that is a monstrously inaccurate, almost libellous, statement. In Committee, we said that what has been done inside grounds—I am giving credit to the Prime Minister and her colleagues—has led to considerable improvements. The trouble is the social problem outside grounds, inside shopping centres and motorway service stations and on trains. We said that the people who caused trouble in Sweden, and the people who cause trouble in this country, should be apprehended because they are common criminals dealing with evil. They should be dealt with in the normal way.

Mr. Carlisle: I shall not follow that comment because I know that I should be going against the instructions that you, Madam Deputy Speaker, gave the House.

The right hon. Gentleman's intervention re-emphasises that the Opposition are interested only in delaying tactics. The reason why they may oppose the resolution later in the Lobby is not because of a passionate belief that the system will not work but because they want to block any scheme put forward to correct the problem. That is what Conservative Members found so frustrating about their tactics and those of the Football League management. Had that management accepted some of the recommendations of the all-party football committee—the hon. Member for Stalybridge and Hyde (Mr. Pendry) will remember the discussions that we had years ago—we may not have had to ask the House to pass the Ways and Means resolution.

Regrettably, since the season started, arrests, inside and outside football grounds have been running at about the same level as in the past two seasons. We had some appalling scenes in London a few weeks ago. At the Arsenal-Liverpool match the other night, many police had to be employed to protect not only those going to the ground but—and this is why the Ways and Means resolution is required—those who live around the ground who have nothing to do with football.

The extraordinarily selfish attitude of Labour members is that the problem affects only football and that it should therefore be addressed only with football in mind. The success of the Luton town scheme, which was so admirably introduced by my hon. Friend the Member for Welwyn Hatfield (Mr. Evans), is its benefit to the town itself. The spin-off of that scheme is that the game and the stadium have benefited. I should thank the management of Luton town and my hon. Friend the Member for Welwyn Hatfield, because my constituents can go about the town in peace on a Saturday afternoon, which cannot be guaranteed in most other towns and cities when a football match is taking place.

Mr. David Evans: My hon. Friend says that one can walk around Luton on a Saturday afternoon free from hooligans, bullies and cowards, but is he aware that at Highbury stadium——

Madam Deputy Speaker: Order. I must, yet again, refer hon. Members to what is on the Order Paper. This has nothing to do with the resolution.

Mr. Carlisle: I am sure that my hon. Friend should not wish to stray away from this important subject. The basis for the fees that we are considering is important for people outside football—a problem that has been completely ignored by Labour Members.

Relevant to the fees that we are discussing and to some news that appeared this morning is the opinion that has been expressed by the Football Supporters Association, which received constant support throughout the Committee's proceedings from Labour members and which has since taken on a rather important role in the argument. Indeed, my right hon. Friend the Minister has acknowledged that it has an important role to play. In this morning's edition of *The Daily Telegraph*, Mr. Rogan Taylor discusses England's prospects in the World cup. It is important that the motion is passed because the World cup is to be played next summer. Mr. Taylor says:

> "We need to attract the family group, the reasonable supporter to the England trips so that the tickets in Italy go to decent supporters. We want to give them an alternative to travelling with hooligans . . . We need to isolate and alienate those who might cause trouble so that they can be easily identified and either expelled . . . or even arrested."

That is relevant to the resolution. We need to get the Bill on to the statute book to support the very sentiments expressed by Mr. Rogan Taylor, which are well-supported by the Opposition, unless they suddenly dissociate themselves from his remarks. The fees are required so that the Bill can pass through the House unimpeded. That is why Conservative Members are delighted that the Leader of the House had the good sense to ask the House to support a guillotine motion to cut short the disgraceful delaying and filibustering tactics that were used in Committee.

The country, the football authorities and the whole machinery of football needs the Bill. That is why it is imperative. The sooner we approve that the money should be made available the better, and the greater thanks we shall receive from those inside and outside football for our courage and our determination to tackle the problem.

11 am

Mr. Tom Pendry (Stalybridge and Hyde): Once more we have had to hear the hon. Member for Luton, North (Mr. Carlisle) tell us how good the Luton Town scheme is. It is quite irrelevant to the motion and to the Bill itself, because if every club had to adopt Luton Town's financial situation, many of them would be out of business. Luton Town is in terrible trouble because of that scheme.

The hon. Member for Luton, North quoted Rogan Taylor of the Football Supporters Association. The Government should have been listening to precisely such a responsible approach to what would have been Part II of the Bill. The Minister has said many times that the football supporters should be listened to, but why does he not put it on the face of the Bill that they should be represented on the various responsible bodies? He has not done so, so we shall be arguing that the licensing authority and the membership authority should include representatives of the football supporters talking in the responsible way that has been brought to our notice by the hon. Member for Luton, North.

There are three good reasons why we should not be debating the motion this morning. First, we are debating it before Report and Third Reading. It is clear from the Order Paper, that the Government propose to change the character of the Football Licensing Authority. We should not be debating the motion in a vacuum. We should be debating the Government's intentions concerning the powers of the FLA and the money aspect. That is one good reason why we should be debating the money aspect on or after Report and Third Reading.

Secondly, my hon. Friend the Member for Bassetlaw (Mr. Ashton) pointed out that we have not had an opportunity to debate Taylor's interim report. Because of the timing of that report—we do not blame Lord Justice Taylor, who had to rush through an interim report—we should have been able to debate it as soon as we returned after the recess, and before considering the money resolution. The interim report contains many issues that should be debated and has caused a great deal of confusion in the 92 football clubs.

Thirdly, clause 10 was never really debated in Committee because of the Government's bulldozing tactics. Because they wanted to guillotine our deliberations, we did not have the opportunity to discuss clause 10.

Another good reason that has emerged from today's debate is that, as the Minister said, the Secretary of State can override the recommendations of the football authorities on new technology. We know that six computer companies have been shortlisted. The Minister should listen as I am raising a vital matter. We know how the new Whip, the hon. Member for Sheffield, Hallam (Mr. Patnick) behaved in Committee, and he is continuing that behaviour on the Treasury Bench.

If the committee set up by the FA and the Football League to scrutinise in great depth the new technology of the ID-card scheme reaches the conclusion that none of the six companies is capable of introducing a workable scheme, will the Secretary of State overrule the committee's decision? The Minister owes it to the House to say whether the Government will override a committee that has studied the matter in great depth.

The football world welcomes the standardisation of safety rules throughout the country, but the licensing authority would have to consult closely the football authorities and the Football League.

The interim report has created a good deal of confusion and difficulty in the 92 league clubs. Lord Justice Taylor states:

"where there are perimeter fences all gates to the pitch should be kept fully open during the period when spectators are on the terraces."

But there are different interpretations across the 92 league clubs. For example, Tottenham has taken all its fences down, another club has the bolts slid out with the gates in place, others remove the gates entirely. We should have debated the Taylor report because the Minister has to address such issues.

Will the Minister spell out whether the licences, once granted, will stay in force for a specified period, as that is not clear from the Bill? In answer to a question tabled by my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) the Minister said, on 20 June this year, that the FLA would cost some £500,000 to £750,000 —presumably over a season. In view of some of the statements that have been made, has that figure changed? How will the cost be shared among the league clubs? We have heard that the average cost to each club could be up to £10,000. We know that some of the smaller clubs could not possibly afford that amount of money. Tranmere, Darlington, Bury, Chester, Stockport and Bristol are all represented by marginal Conservative seats, so we know that hon. Members representing those constituencies will be very worried about their clubs going out of existence because of the Bill.

Since Hillsborough, the FLA has acquired a new dimension and has become a much more important body. It has sweeping powers: it can force clubs to close parts of their grounds, and it can keep football supporters away. There is very little opportunity for the average football supporter to have any say in all this. Appeals can be made within 21 days, but to whom should they appeal? We certainly know that the composition of the FLA would not include a football supporter. I hope that the Minister will say whether football supporters will be represented.

We also know that the terms and conditions imposed by the FLA are not subject to appeal, unlike the Safety of Sports Grounds Act 1975 introduced by my right hon. Friend the Member for Small Heath.

I have tried to keep strictly in order and you, Madam Deputy Speaker, have been very tolerant. It is absolutely clear that the Government have not timed the resolution very well. We should have discussed it within the whole spectrum of the interim report. Better still, we should have waited until the final report. Since we have such an inquiry into the safety aspect of football, it makes no sense to mess around with interim measures that will not help that great game progress.

I should like the Minister to answer my specific points and some of the valid points which have been made by my right hon. and hon. Friends. The Minister knows that the legislation will threaten this great game. I hope that the new Secretary of State will not be like his predecessor, but will view this matter much more clinically and objectively. I hope, therefore, that we will soon see the demise of this legislation.

11.10 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): Many points have been raised and, as you rightly pointed out, Madam Deputy Speaker, many were out of order within the context of this narrow motion. Of course, important questions arise. Without exception, they are covered by a variety of amendments which we will discuss in a detailed and lengthy debate on Monday.

As is customary, the hon. Member for Bradford, South (Mr. Cryer) addressed the motion precisely. I would pick him up only on an inaccuracy. He felt that the motion had been tabled too recently and thus the Opposition had not been given enough time to consider it. I accept that the end of July is one of our busiest times, when the effects of motions are not always observed by every hon. Member, but this motion was first put on the Order Paper on 28 July. I hope that that gave hon. Members the opportunity to consider it in detail.

The ways and means motion is required to enable any fees received by the Secretary of State in respect of the issue of licences by the Football Licensing Authority to be paid into the Consolidated Fund. The Football Spectators Bill establishes the Football Licensing Authority. Football clubs will need a licence from the FLA before they can admit spectators to a match designated under the Bill. In addition to its task of ensuring that clubs operate the national membership scheme effectively, Government amendments in Committee have given the FLA the task of advising the Secretary of State on seating accommodation at football grounds and, subject to parliamentary approval in the light of Lord Justice Taylor's final report, additional powers in respect of safety at football grounds.

Mr. Eric S. Heffer (Liverpool, Walton): Will the hon. Gentleman give way? [AN HON. MEMBER: "No."]

Mr. Moynihan: Let me proceed for a short time on this point.

Mr. Heffer: On a point of order, Madam Deputy Speaker. When I asked the Minister to give way, the Whip said no. Who decides whether the Minister gives way?

Madam Deputy Speaker (Miss Betty Boothroyd): All I heard was the Minister's statement that he would give way in a moment.

Mr. Moynihan: I said that I would give way to the hon. Member for Liverpool, Walton (Mr. Heffer). He is aware that it is best to develop the argument, let it rest and then allow him to intervene. Funding of the FLA was discussed in Committee. I explained then that we had three options: we could recover the full cost from licence fees; we could meet the cost from the Exchequer; or we could arrive at a balance between the two. Having considered this further, we decided that it would be appropriate to meet the FLA costs by a mix of licence fees and grant aid. I give way to the hon. Member for Walton.

Mr. Heffer: I was going to ask the hon. Gentleman why we are pressing forward with the measure at this stage. This question has been raised by my hon. Friends and we need an answer. Why has the motion been tabled at this stage, without our having discussed Lord Justice Taylor's interim report? *[Interruption.]* I know that the question has been raised a hundred times. I will raise it again. I want to know the reason. These matters are of the utmost importance, especially to areas such as mine, which suffered great loss of life because of what happened at Hillsborough.

Mr. Moynihan: It is the determined wish of Government to ensure that there is a framework of legislation in place as soon as possible so that any recommendations in Lord Justice Taylor's final report that relate to the safety of spectators at football matches can be implemented as soon as possible. If we did not have the framework of legislation in place, we would have to wait later—possibly a delay of a year—before we might be able to implement by law the very important safety recommendations that Lord Justice Taylor may make in his final report.

Mr. Tony Banks: The question is simple: what happens if Lord Justice Taylor says that there should not be a membership scheme?

Mr. Moynihan: I have made the point absolutely clear to the House many times. The whole House will have the opportunity to consider everything that Lord Justice Taylor says. It will be able to consider all the arguments that he puts forward to support his conclusions. It is right for Parliament then and there to consider those arguments in the light of the various views put forward by Lord Justice Taylor. To hypothesise about what may or may not be in the report is not only redundant in terms of the time of the House but totally irrelevant to the motion before us.

Mr. Beith: Will the hon. Gentleman give way?

Mr. Moynihan: If the hon. Gentleman wishes to intervene on that point, I will not give way, because it is clearly out of order and beyond the remit of the motion. If the hon. Gentleman wishes to intervene on the motion, I shall be happy to give way.

Mr. Beith: What will happen if Lord Taylor's report gives rise to a feeling that either the terms of the motion or other parts of the Bill need to be altered?

Mr. Moynihan: If the hon. Gentleman had studied the Bill carefully, he would know that we have a framework that does not need to be altered. Any safety recommendation can be accommodated within the Bill's scope. It is a framework to cover a national membership scheme and extensive licensing powers concerning safety, which I very much hope the hon. Gentleman will welcome.

We estimate that the FLA's annual budget will be between £500,000 and £750,000, as the hon. Member for Stalybridge and Hyde (Mr. Pendry) pointed out. As a non-departmental public body, this will be met from my Department's vote. It is difficult to be more precise about the costs until the safety functions of the FLA have been finalised. A proportion of these costs will be recovered through licence fees, but we do not have in mind any rigid percentage. As the hon. Members for Stalybridge and Hyde and for Bradford, South pointed out, it is important to be flexible in our approach to the amount paid by different clubs and to be cognisant of their ability to pay. We seek to recover about £250,000 from football, which will mean about £2,500 per club.

I speak generally because we need to look at the recommendations on safety which Lord Justice Taylor may make, which will affect the FLA's work. It is important that we continue our discussions on how the amount is to be raised from football, whether by a flat-rate

[Mr. Moynihan]

charge or, more likely, a sliding scale, charging big clubs higher amounts and smaller clubs lesser fees. That has been the view of football authorities in initial discussions with us. I have considerable sympathy for their argument for a sliding scale of fees, but we must discuss the matter further.

On Report on Monday, I shall table a new clause to the Bill which will provide for any licence fees received by the FLA to be surrendered by the authority to the Secretary of State. In accordance with standard Government accounting procedures, the fees will be treated as revenue and the Secretary of State will, in turn, surrender them to the Consolidated Fund. To achieve this, we are debating the ways and means motion this morning. It is by means of that motion that payments of receipts into the Consolidated Fund are authorised.

Mr. Tristan Garel-Jones (Watford) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House proceeded to a Division—

Mr. Harry Barnes (Derbyshire, North-East) *(seated and covered)*: On a point of order, Madam Deputy Speaker. The closure has just been moved. Some of us have been in the Chamber since 9.35 am. I have been here the whole time, except for three minutes when I went out to get information that was appropriate to the debate. We have had no opportunity to contribute to the debate. I deliberately did not intervene, in order to facilitate procedures. The closure motion should not have been moved at this stage. It is part of the general procedural incompetence, mess and fiddling in which the Government have been involved on this whole measure, including the ways and means motion, which we have debated at this stage instead of after Third Reading.

Madam Deputy Speaker: A number of hon. Members have wanted to speak on the motion. The motion is very narrow in terms of debate. I believe that it has been widely debated this morning, with ample time given to it.

Mr. Tony Banks *(seated and covered)*: On a point of order, Madam Deputy Speaker. It was quite clear that the Government Whips were actually moving for a Closure. At one point, the Minister was given his instructions by the Whip, who told him not to give way to an hon. Member who was trying to intervene. Fortunately, the hon. Gentleman did give way, which shows that he has a little residual good sense.

I am one of those hon. Members who have been in the Chamber since 9.30 this morning. Only two hon. Members were still rising in the hope of catching your eye, Madam Deputy Speaker. May I ask you, with great respect, why you accepted a closure motion? What criterion did you adopt? As only two hon. Members, who had been in the Chamber throughout the debate, were still waiting to speak, should they not have been allowed to make short contributions within order?

Madam Deputy Speaker: As the hon. Gentleman knows, the Chair does not have to give reasons. However, in answer to an earlier point of order, I did say that this was a narrow motion, which I felt had been thoroughly debated.

The House having divided: Ayes 133, Noes 5.

Division No. 360] **[11.18 am**

AYES

Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Burns, Simon
Burt, Alistair
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Davies, Q. *(Staml'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Evans, David *(Welwyn Hatf'd)*
Fallon, Michael
Fenner, Dame Peggy
Fishburn, John Dudley
Fowler, Rt Hon Norman
Fox, Sir Marcus
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Howard, Michael
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Knapman, Roger
Knight, Greg *(Derby North)*
Lilley, Peter
Lyell, Sir Nicholas
Maclean, David
McNair-Wilson, Sir Patrick
Mans, Keith
Maples, John
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Neubert, Michael
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Porter, Barry *(Wirral S)*
Raison, Rt Hon Timothy
Redwood, John
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rost, Peter
Rowe, Andrew
Sackville, Hon Tom
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Sims, Roger
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Ward, John
Warren, Kenneth
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Irvine Patnick and
Mr. John M. Taylor.

NOES

Barnes, Harry *(Derbyshire NE)*
Beith, A. J.
Cartliss, Michael
Fearn, Ronald
Skinner, Dennis

Tellers for the Noes
Mr. Bob Cryer and
Mr. Joe Ashton.

Question accordingly agreed to.

Resolved,

That, for the purposes of any Act resulting from the Football Spectators Bill *[Lords]*, it is expedient to authorise the payment into the Consolidated Fund of any fees received by the Secretary of State under the Act.—*[Mr. Lilley.]*

Orders of the Day

Children Bill *[Lords]*

[ALLOTTED DAY]

As amended (in the Standing Committee), further considered.

New clause 10

GRANDPARENTS

'.—(1) Grandparents shall have the right of access to their grandchild before he is taken into care.

(2) Grandparents shall have the right to be present or legally represented at any hearing or inquiry concerned with access to care, fostering and adoption of their grandchild or grandchildren.'.—*[Mr. Ray Powell.]*

Brought up, and read the First time.

11.30 am

Mr. Ray Powell (Ogmore): I beg to move that the clause be read a Second time.

I am glad to have the opportunity of supporting new clause 10 this morning. I am sure that all hon. Members will appreciate the necessity for this change in the law and will embrace the new clause. First, I pay tribute to the work of the Lords and Ladies in the other place, where the Bill began, for the tremendous amount of work that they did. I pay tribute also to all hon. Members who served on the Committee, and to the Minister, for all the trouble, effort, energy and time that they have concentrated on the interests of children. Undoubtedly, that displays to the country that Parliament is not only about politics; it is about people. Parliamentarians of all parties care about children, and my speech will show the great number of hon. Members of all parties who have contributed in this Session to the campaign to grant certain rights to grandparents so that they can protect, care for and look after their grandchildren. Having said that about the Minister and the Committee, I must point out that having read in detail the letter that the Minister of State sent me earlier this week, I am not entirely satisfied that what he said is the answer.

I have been campaigning nationally and internationally for grandparents' rights for the past three years. However, we are here today primarily to consider and promote the rights of children, not of grandchildren, parents or great grandparents. As parliamentarians, we are here to protect the rights of children by law.

This morning right hon. and hon. Members will be rightly interested in yesterday's political manoeuvres, the resignations of the Chancellor of the Exchequer and the Prime Minister's economic adviser and the other positions that were then on offer. Indeed, many hon. Members left the Chamber to get back to their offices or homes so that they could be near their telephones just in case they received a call. We also discussed the Prime Minister's statement on the Commonwealth conference in some detail yesterday, and all that that entailed.

This morning we should forget all about yesterday and about what happened earlier this morning and concentrate on this important Bill. Thousands of grandparents are

[Mr. Ray Powell]

suffering right now because of the complexities of the present law relating to child care. We must alter that state of affairs.

Because of the thousands of letters that I have received from grandparents on this subject, I can assure the House that grandparents are disinterested in the Chancellor's resignation, the state of the pound and in the slate for the new appointments. They are daily preoccupied with the grief, suffering, frustration and mental torture in which the law has trapped them. To love, care for and nurture one's grandchild for years and then for that grandchild to be taken away is so devastating that one cannot hope to attract responses to the matters that preoccupy hon. Members. I plead yet again that we spare parliamentary time for those less fortunate than ourselves and that we pass legislation to help them.

We are all aware of one-parent families, the increasing divorce rate and of the innocent children who are forced into the middle of a situation not of their making. We are all aware of the vile, repugnant, nauseating and extensive increase in child sexual abuse. The liberal attitudes of some people tend to condone some of those offences to a certain degree. Innocent children suffer not only from that abuse but from the after-effects and the resulting break-up of the family unit. When the stability of their family life is shattered, they soon realise that everything changes and they seek help. They search for consolation, comfort, protection and real, honest sexless love.

Let hon. Members try to imagine themselves as children again and abandoned for the reasons that I have described. To whom would they turn? Who else but the senior of the family? To whom but the mothers and fathers of one or the other of their own mothers or fathers? Children would not seek out the social services or a guardian. They would not seek anyone from outside their family unit, which is why grandparents should have the legal right to be the first people contacted. Grandparents should be the first to have a legal right to care for, protect and adopt their grandchildren so that we can avoid the escalation of such young people growing into disturbed adults, without stability in their lives and with little hope—unless we change the law.

Let the thousands of grandparents who have written to me have that right. Let the law be changed to stop the heartache, sorrow, stress, emotional unheaval, trauma, grief, mental torture and frustration that the present system inflicts not only on children, whom the Bill seeks to protect, but on their loving, caring and loyal grandparents. Grandparents are crying out with undoubted passion for something that is becoming uncommon. It is rare in this avaricious and mercenary society to find people crying out to be afforded the legal right to give something. Grandparents want to give their love, time, care and devotion. Those feelings can be understood by all who are grandparents or caring, loving and unselfish parents.

We should be grateful that the majority of people still enjoy good family life, but we are here this morning to consider a Bill to help protect family life as we know it and to protect children. That is why it is essential that we support the new clause.

The new clause is essential for all children and grandparents, but it is especially essential for those grandparents who are involved in laborious legal battles about allowing them access to their grandchildren or establishing their right to care for or adopt those children. The new clause is the only way in which it can be made abundantly clear that we respect grandparents' rights, that we appreciate their profound difficulties and are determined to rectify present injustices.

On Second Reading I referred to a ten-minute Bill that I had introduced on 17 February 1988. I also referred to an early-day motion that I had tabled, which had received 333 signatures of support from right hon. and hon. Members of every political party. Those signatures represented support from more than 60 per cent. of the House. That early-day motion read:

"That this House deplores the increasing frequency of grandparents being deprived of the right of access to, care, fostering or adoption of their grandchildren; notes with alarm the attitude of some social services employees; and calls on Her Majesty's Government to introduce early legislation to give legal rights to grandparents providing immediate right of access before children are taken into care and the right to be present or legally represented at any official hearing or inquiry regarding future access to, care, fostering and adoption of their grandchild or grandchildren."

That early-day motion commanded the support of more than 60 per cent. of the House. Therefore, the majority have made a decision and it is up to the Minister to take due note of what they have signified.

I received letters from Ministers who said that they fully supported the early-day motion, but were unable, because of the protocol of the House, to sign it. If one considers the number of Ministers, shadow Ministers and others unable to sign that early-day motion who pledged their support, it is clear that about 80 per cent. of the House is in favour of what it advocates.

11.45 am

I have referred to that early-day motion because new clause 10 follows, word for word, what it said. We are not allowed to discuss early-day motions, but they are referred to at length in the press, which reports on how many hon. Members sign various motions. The fact that my early-day motion received such overwhelming majority support means that it is imperative for the Minister to accept the new clause. I am not interested in receiving letters from him regarding meetings that he has had with the Opposition Front Bench team. I want him to acknowledge the wish of the majority in this House and I hope that he will embrace new clause 10 in the body of the Bill. When it becomes law the grandparents of this country will be so glad to receive the help and the assistance for which they are crying out.

The campaign for grandparents' rights has continued for more than 10 years and, apart from myself, it has also been conducted by other Opposition and Conservative Members. The problem has not recently been thrown at us; it has been outstanding for more than 10 years. That problem could be solved by new clause 10 and I trust that the Minister will give us a pledge that he will embody it in the Bill.

Only yesterday Mrs. Hughes from Hertfordshire was lobbying the House on grandparents' rights. She has no access to her grandchildren, but she thought that she should because she had reared one child for 10 years. There was, however, a dispute in the family and the daughter decided that her mother should not have right of access and took the child away. Mrs. Hughes told me that she had saved £6,000 for her retirement. She is now a widow and she cannot afford the legal fees for solicitors.

She asked me for advice to see whether she could apply for legal aid because she wanted to go to the courts to try to gain access. Her problem encapsulates what new clause 10 is all about. We can all imagine what she is going through after 10 years of trying to see her granddaughter, but being refused her wish.

My office is only just up the Stairs above the No Lobby and I could fetch bundles of heartbreaking letters that I have received. Some people have written to tell me that they have lost their wives through suicide because they were denied access to their grandchildren. We cannot allow this to continue any longer.

The Minister may quote amendments to the Bill where he has included the word "grandparent" and for that I am extremely grateful. That inclusion, however, does not cover the problem of immediate access by grandparents. That is especially important in cases where the wife and husband have been killed in a car crash but the two children in the back of the car survive. One child may be in hospital in intensive care and the other child may be released. That child, however, is not released to its grandparents, but is sent, after one week of probationary care, to social sevices. Social services staff immediately take that child into care and appoint a guardian. In no time at all grandparents have not only lost their own son or daughter, but have lost their grandchild to social services.

As a result of new clause 10 grandparents in such cases would be contacted immediately either by the police, social services or any other local or national Government officer. They would be contacted first to see whether they were able to take care of their grandchildren. They should be the ones called on to look after their grandchildren.

An organisation called LOGIC—the love of grandparents in conflict—was established about 12 months ago. I am glad to say that it was created by grandparents throughout the country to advise grandparents on how to get legal advice—some of it free, some of it at substantially reduced rates. I do not want to criticise the two lawyers who serve as Ministers on the Bill, but many of my constituents who are miners made redundant in the past 10 years find themselves looking at their bank balances to see whether they can knock on the doors of barristers and solicitors who charge high fees. Although grandparents want to extend their rights to look after their grandchildren most are prevented from engaging the services of solicitors for financial reasons. As a result, they lose their rights to their grandchildren.

A letter in the *Manchester Evening News* in September 1989 referred to a grandparent who had criticised other grandpareats for demanding rights of access to their grandchildren or the right to adopt them. The letter says:

"I feel deeply sorry for Realistic Grandmother of Wythenshawe, who says that grandparents are interfering old men and women who should not have "rights" to their grandchildren.

I have five lovely grandsons, aged 16 down to three, and I do not know what I would have done without them, particularly since I lost my husband three years ago.

What a lot of love and happiness this embittered old grandmother is missing. Does she know what it is like to feel lonely and depressed, then suddenly the phone will ring and I hear one of my grandsons say, "Hello grandma"? It's music in my ears.

They share their news with me, be it good or bad, and I share mine with them.

She says she has not seen her grandson for 11 years and does not particularly wish to, but please, before it is too late, get to know him and get that chip off your shoulder. That is why your family leave you alone, but you don't know what you are missing . . . grandchildren are jewels in your crown."

That is typical of thousands of letters about grandparents that I have received.

When we realise the pain of separation felt by grandparents we feel a responsibility as parliamentarians to do something about it. It is no legal fault of grandparents that they should be deprived of their grandchildren.

During the recess I had the great good fortune to go to Barbados to represent the House at the Commonwealth Parliamentary Association's 35th annual conference. I went with many colleagues from both sides of the House, and there we discussed in great depth the rights of children. We were not out there for a holiday. We held an important debate on Thursday 12 October entitled:

"What can Commonwealth Parliaments do individually and collectively to promote the survival and rights of children?"

This was not the Commonwealth conference about which we heard a statement from the Prime Minister yesterday. It was a conference at which everyone agreed about what we should be doing about the survival and rights of children. All the representatives applauded the efforts being made in their countries and I took the opportunity to go to the rostrum to speak on behalf of the United Kingdom branch about what we are doing in Parliament. I underlined the fact that the Government have brought in the Children Bill, and that it was a lengthy Bill involving many changes and a great deal of protection for the people of this country.

Naturally, I mentioned grandparents and what the laws here mean to them—they deprive them of their rights of access and adoption. Commonwealth representatives at the meeting were appalled to hear that grandparents here are not recognised as the seniors of the family unit, to be consulted before any action is taken by anyone else, including the state.

A representative from the Cook islands, who was the islands' Prime Minister last year, told me later the same day that children are treated as flowers there. He said that grandparents are consulted on each and every issue to do with the family. When there is a dispute, the family unit is called in to resolve it. The Cook islands may be small but the people there obviously nurture their children well. It is time that we looked at the example of such countries and recognised that they have always regarded grandparents as the most important members of the family, to be consulted before anyone else.

The Commonwealth conference hosted an interesting and open debate to which many members contributed, and it would be wise of the Minister, before he proceeds any further with the Bill, to read extracts from the speeches and decide whether we can copy some of the Commonwealth countries that may look to us for guidance but to which perhaps we should also look for guidance. I was surprised to hear the Speaker of the Barbados Parliament tell the conference that 35 per cent. of the children born in Barbados are in one-parent families. That causes problems, but the people there still enjoy family unity and still recognise grandparents as the senior members of the family. It is essential that we recognise that same principle.

[Mr. Ray Powell]

12 noon

At the beginning of my speech I outlined the support that I have received. The Government should clearly understand that the law must be changed. It is time that they looked in detail at the proposals contained in the new clause. We know that we have to protect children and I recognise that we must also protect the rights of parents. However, it is sometimes necessary in the interests of children to protect also the rights of grandparents.

In the three-year struggle to have this burning problem recognised, people from all sides of the political spectrum, not only in the House and in the other place but throughout the country, have campaigned with me. First, I introduced a 10-minute Bill and then an early-day motion. That was followed by a national lobby of grandparents and following that, grandparents from all over the country held a meeting in Westminster hall. The meeting was addressed by 25 hon. Members representing all the parties in the House. I am sorry that the compassion and the pleas of those hon. Members were not recorded. It is a shame that television cameras were not present in Westminster hall for that meeting.

I look forward to television cameras coming into the Chamber. I do not know whether they will be able to take head and shoulder shots of me or whether I will have to stand on the Bench in order to be caught by the camera. My hon. Friend the Member for Ashfield (Mr. Haynes) has said that if I were to speak from the Dispatch Box I would need to stand on an orange box in order to be able to see over it. When I speak about my size I always think about Lloyd George. He had other problems although they may not have been connected with grandparents. He was very short but he was dynamic. I expect that he was a grandparent.

I continued my campaign by means of petitions, the first of which contained 12,000 signatures and asked for a change in the law. There was a further petition containing 8,000 names. I have also had Adjournment debates. Hon. Members know the ritual. Anyone who wants to promote something has to go through all the processes to get parliamentary support and approval to try to get the Government to understand that there is a problem that needs to be solved. I continually raised the issue in business questions and spoke on Second Reading of the Bill. The Government pulled up stumps at 1.30 on Wednesday morning, but if they had not I had enough material to keep the House going until the date set for the new Session. Perhaps the Government were aware of that and that was what made them introduce the guillotine.

I appreciate the work that has gone into the Children Bill and I am sure that all hon. Members appreciate the work carried out by the Committee. I pay tribute to the members of the Committee for the major concessions that they have won from the Government, such as the inspection of private schools, safeguarding runaways, registration of day care facilities, registration and inspection of private children's homes, restrictions on local authority powers to remove children from home without a court order and limited reform of the court system. Those are all excellent measures and I pay tribute to the Opposition team for ensuring that those concessions were made by the Government.

I applaud the Government for recognising that they were advancing the rights of children by paying attention to those matters. I should be pleased if the Minister would now rise in his place and say, "Yes, the hon. Member for Ogmore can have new clause 10. We will put it on the statute book." Grandparents from all parts of the country —indeed, 10 million votes—are out there waiting to support such a measure. I hope that the Minister can give his support.

I have a great deal of further material on which I wish to speak. I realise that other hon. Members may wish to speak, but I wish to draw your attention, Madam Deputy Speaker, to an important matter on which I have made notes—the rights of grandparents. Society advocates that many groups of people have rights, most of which are inherent in the law of the land. We have laws to guard against discrimination on grounds of race or creed. We have unions to fight for workers' rights. Other groups, rightly, fight for more thought to be given to the rights of the handicapped. The laws governing the rights of children and parents are constantly evolving. Nearly every section of society is covered by laws guarding its rights against injustice. However, one vulnerable and defenceless group is sadly neglected by the law and by society. Grandparents are used, abused, forgotten or simply not considered. Yet they are the bedrock and back-up system of the family. They hold a unique place in everyone's heart and mind, either through their memory if they are dead, their presence if they are alive or a sense of regret and loss if they have never been known. They are the cord holding the different branches of the family together, keeping brothers, sisters, grandchildren and cousins, in touch with each other.

Grandparents are the safety net over which family life is played out, cushioning it against the knocks of living and loving. Their children bring their problems to them. Most often, that involves the grandparent taking an active part in finding a solution. Who looks after the children while mother has to go out to work? Who steps into the breach and keeps the household running smoothly when a new addition to the family arrives? Who shops, cleans, bakes, sews, knits and gardens to help out busy parents with young children? It is the grandparents.

Until 30 years ago, grandparents lived next door or close to a daughter, son or other close relative. Sometimes a street would be inhabited by many members of one family, providing a close sense of security and protection for everyone. If the grandparents did not have their own home, they usually lived as part of the family with one of their children. Thankfully, some still do. The effect was that each generation depended upon, cared for and loved each other. Among all the roles and relationships of mother, father, daughter, son and in-law, the overriding interests are those of grandparents and grandchildren.

Thousands of books and articles have been written on parenthood and the special bond between parent and child, but equally powerful in sweetness and intensity is the relationship between grandparent and child. It has a special kind of sacredness which has to be experienced.

I wish to refer to a book on grandparents' rights. Grandparents who have legal problems, as well as those who do not, should be invited to read and digest it. It explains to them some of their rights. It explains some of the rights that perhaps the Government would be wise to spend billions of pounds advertising instead of spending that money on privatisation. Grandparents should be

acquainted with their legal rights and with the book that has been produced and edited by Jill Manthorpe and Celia Atherton. I hope that grandparents will obtain copies of it. It is promoted and backed by Age Concern. If grandparents read the book and if solicitors and others are prepared occasionally to give their time to advise grandparents, without asking them for the money that they have saved throughout their life, we might be able to establish the rights that I am seeking. If the clause is agreed to, however, grandparents would be entitled automatically to take up their rights through the courts.

As I have said, I prepared enough notes to allow me to make a three-hour speech. I did so because I have read and taken note of grandparents' claims. I have visited them. I have met them in the House and I have listened generally to their tragic circumstances. It is only by taking those steps that we in the House can recognise that the law needs to be changed.

It is not right for grandparents to have to travel miles to look from behind a shelter in a school yard just to have a glimpse of their grandson or granddaughter. It is not right for us to allow the law not to extend the right of access to grandparents, the right to be able to adopt and the right to be able to care for their grandchildren before the social services or other bodies allow them to be adopted.

I have a nephew. My sister died when she was 28 years of age and my nephew was brought up in my home with three of my brothers and four of my sisters, not as a nephew but as a son. He recently celebrated his 50th birthday. When I was congratulating him on reaching half a century I told the guests at the birthday party, "My younger brother is now 50." At 50, he broke down and cried. He did so because he had never thought of himself as part of a family unit. He had always realised that he had no mother at the age of three and that we had taken him in and cared for him. It was because he was loved and cared for in a family unit that he became a responsible and proper father, and he is now a grandfather.

People outside this place who have not had the love and care of a family unit because the law does not allow grandparents to look after them are becoming adult citizens daily. In addition, there are their children, their grandchildren and future grandchildren. Unless we change the law and allow grandparents automatically to have the rights for which I am asking, we shall deprive many people. I appeal to the Minister through you, Madam Deputy Speaker, with all the passion that I can muster, to accept that there is a need for a direct change in the law. The clause should be supported unanimously to ensure that grandparents have rights. I hope that the Minister will concede and ensure that the new clause is written into the Bill. In the interests of all grandparents, I plead for a change in the law.

12.15 pm

Mr. Andrew Rowe (Mid-Kent): If ever there were an argument for having in the House hon. Members of grandparent age, we have just heard it. None of us can have failed to be moved either by the speech of the hon. Member for Ogmore (Mr. Powell) or by the clear evidence that that speech was the product of an enormous amount of work. All of us owe him a very great debt.

I have absolutely no doubt that, over the past 20 or 30 years, in our anxiety to provide substitute parental care for many of our children, we have allowed the pendulum to swing far too far away from the natural family as that concept has been experienced in most countries of the world throughout history. Lamentably, the proposition that grandparents should, almost as matter of course, be last in the queue to be considered as suitable people to have children placed with them has held sway in far too many of our social services departments for far too long.

I have one reservation about new clause 10(1). I had in my constituency a really horrendous case in which a father had been sexually abusing his children for a very long time with the connivance and active assistance of his parents. The proposition that grandparents should have automatic right of access to a child before it is taken into care needs to be qualified in the light of such cases.

I hope that there will emerge from this brief debate an acceptance of the clear need to reinstate the position of grandparents. It should be an essential part of any social worker's training that he or she should be expected—indeed, required—to consider whether grandparents are not the best people to look after a child who needs to be taken into care. I have heard many stories of parents—often because they have formed an oppressive and unattractive liaison which is bad for the children—falling out with the grandparents and yet having their view as to whether the children should be allowed access to their grandparents and vice versa regarded as some kind of determinant.

One of the achievements of the Children Bill has been to re-establish—perhaps even to establish for the first time—the principle that the welfare of the child is paramount. That is a powerful instrument for ensuring that parents who have taken against their own parents, are not allowed to dominate the argument about whether the grandparents should have full rights.

Mr. Harry Greenway (Ealing, North): My hon. Friend is on a very important point—perhaps more important than any other in this argument. I have a number of constituency cases directly affected by these matters and, tragically, the number seems to be growing. Does my hon. Friend agree that we can automatically assume that, if the grandparents are normal wholesome people—if I may put it that way without seeming to be patronising—the child can only benefit from a relationship with them? Does he agree that that should be conceded, even it the parents are being obstructive for the reasons that he so graphically described?

Mr. Rowe: I agree in principle. It is difficult to define "normal, wholesome people", because there are perfectly natural breaches between grandparents and parents on grounds of, for example, totally different religious or cultural beliefs. In those circumstances, and depending on the age of the child and how long the parents and grandparents have been estranged, and even on whether the grandparents are living in a different country, discretion must be retained.

The hon. Member for Ogmore is right to press for greater recognition by society of the importance of grandparents and of their rights vis-a-vis their grandchildren, but I have reservations about subsection (1), believing that grandparents' rights should not be automatic. However, I should like to see reversed the present situation whereby social services departments are entitled to take a

[Mr. Rowe]

decision which the grandparents, if they do not agree with it, must fight tooth and nail, against overwhelming odds. Very often, as we have heard, they lose that fight.

I argue that, through regulations or a code of conduct, or perhaps by an amendment being made to the new clause introduced in another place, social services should be required to explain to grandparents and to the court why they hold the view that the grandparents are not the right people with whom to place the child.

Mr. Frank Haynes (Ashfield): I pay tribute to my hon. Friend the Member for Ogmore (Mr. Powell). I appreciate the amount of work that my little friend has put into the problem, with a view to persuading the Government to do the right thing by children and grandparents. I have worked with my hon. Friend on that problem for a number of years. I watched carefully the faces of the Ministers on the Treasury Bench as they listened to my hon. Friend's impassioned plea. It was impassioned because my hon. Friend the Member for Ogmore lives with the problem night and day, 24 hours a day. We discuss it together regularly. If one goes into his little office, one can see all the information that is stacked on his desk, on chairs and on the floor, relating to the problems of grandparents.

I welcome the day when my hon. Friend the Member for Ogmore stands as a Labour Minister at the Government Dispatch Box—though I shall not be here to see it, because I am retiring at the next general election.

Mr. Ray Powell: I am most disappointed to learn that my hon. Friend the Member for Ashfield (Mr. Haynes) will not be found in his place after the next general election. However, I hope that the message will go out to all concerned that, if he is not in this House, it only means that right hon. and hon. Members will have to walk down the corridor to see him speak in another place.

Mr. Haynes: I shall ignore my hon. Friend's remark, but I look forward to seeing on television my little hon. Friend standing at the Dispatch Box and fighting for another cause. I hope that that cause will not be grandparents but that the Minister will tell the House today, "The hon. Member for Ogmore can have his new clause 10." Nevertheless, I hope to see in the televised proceedings of Parliament my hon. Friend speaking as a Minister in a Labour Government. I shall provide the orange box on which he will probably have to stand if the television cameras at least are to be able to catch sight of him.

Let me say at the outset that I have an interest to declare. I am a grandparent. Many of the 650 Members of the House are grandparents, even Mr. Speaker himself; I have often talked to him about his grandchildren and mine, for any hon. Member can approach Mr. Speaker and have a private discussion with him.

I remember a day when Mr. Speaker beckoned me to the Chair and asked me whether, at 4 o'clock that afternoon, I would go upstairs and act as a grandparent, because he had 24 little toddlers in to tea. I said, "Of course I will." At five minutes to four he beckoned to me and pointed upstairs, and I said, "It's all right, I'm going." I went upstairs and found 24 children seated round a long table, having tea with Mr. Speaker's good lady. They were having a whale of a time. That is the kind of thing that goes on outside this place—deep in the community.

As I have said, I shall be retiring at the next election. My wife Vera and I are preparing for that day right now. We are moving to a new home, across the road from our daughter, son-in-law and two beautiful grandchidren—Anna, 10, and Edward, eight. I am down here all the week, and the only contact that I can have with those two grandchildren is by telephone—with a bit of luck. I only get to see them when I go back at the weekend.

You know, Madam Deputy Speaker, when Vera and I see those kids, we melt, because it is so beautiful. I must explain why I feel like that, because I am trying to express a view on behalf of the grandparents of this nation. They feel, justifiably, that they are getting a raw deal. It comes over loud and clear, as my hon. Friend the Member for Ogmore has said, when we have meetings both inside and outside this place. I well remember the meeting in the Grand Committee Room to which my hon. Friend referred: it was plainly solid with grandparents, who were pleading with the 25 Members of Parliament who found the time to go and listen to their views and to those of my hon. Friend because not everyone could do so.

Before I came to this place I was a magistrate for 15 years, and I served a fair amount of that time in the juvenile court. I saw the pleas of grandparents being completely ignored, because the law was not on their side. That is why we are appealing as we are: we wanted to do it the other day and did not get the opportunity, but we are doing it this Friday morning. We followed the debate on the Football Spectators Bill—because it was very important—but we were dying for this debate to start so that we could express our views. We have been holding ourselves back: we knew what we wanted to say, and what should happen about the Bill.

There are millions of grandparents out there looking for a fair deal and hoping that the Minister will say the right thing this morning. I know that the Minister has passion within him, although he can be a hard man—as he needs to be from time to time. There is a bit of softness and feeling in the bones of that Minister.

I hope that the Minister will come to the Dispatch Box and give us what we are pleading for, as it is essential. I realise that there is a time factor here and that there are other things to discuss, but I wanted to express my view and to say where I stand on the important issue of grandparents. I thank you, Madam Deputy Speaker, for giving me that opportunity.

12.30 pm

Mr. David Hinchliffe (Wakefield): I think that I am the first person to speak in this debate who is not a grandparent. I hope that I have not insulted the hon. Member for Mid-Kent (Mr. Rowe) by that remark.

I have found this debate very moving, particularly the speech of my hon. Friend the Member for Ogmore (Mr. Powell). I know how passionately he cares about this issue. I have had some correspondence with him about individual cases in my constituency. Many other right hon. and hon. Members have expressed their concern about this issue and would have liked to be here today. Many of them were here at 1 o'clock in the morning a few nights ago, and they were ready to speak at length on the new clause.

I will mention one of them—my hon. Friend the Member for Makerfield (Mr. McCartney)—who is the youngest grandparent in this place, I think. I know that he feels passionately about this issue. He is a couple of years younger than I am and, if my hon. Friend the Member for Ogmore would need an orange box to stand on at the Dispatch Box, my hon. Friend the Member for Makerfield would need a stepladder, as he is a good deal shorter.

I shall take up one issue with my hon. Friend the Member for Ogmore about the new clause. He knows that I have a background in social work. On many occasions I have had to take children into care. While I do not take exception to what he said about certain people who work in social services, I assure him that I know that the vast majority of practising social workers would turn first to the solid, ever-present figure of a grandparent if they have to take a child into care.

I can think of many cases when I have turned to grandparents straight away when children come into care. They have cared for the children in all sorts of circumstances. I have come across so many cases where grandparents have been the only solid, consistent figure in some children's lives, and that is why I support the new clause.

Apart from my professional interest in the subject, as a Member of Parliament I have come across many constituency cases in which the treatment of grandparents by local authorities and the courts left a great deal to be desired.

In the debate on the guillotine motion yesterday, I mentioned briefly that I had fought for a woman who is the grandparent of a six-year-old child. She brought up the child, was the only figure in the child's life and loved and cared for him in the absence of a mother. Then he was adopted, and she had no rights. She could not get legal aid, because she had no right to be heard in court. I am angry about that. The law is wrong. My hon. Friend the Member for Ogmore knows of more cases, as he is very involved with this issue.

The law is wrong. I appeal to the Minister to take on board the consensus in the House on the Bill, and particularly on new clause 10, and to ensure that it is incorporated into the Bill.

The Minister for Health (Mr. David Mellor): The speech by the hon. Member for Ogmore (Mr. Powell) reflects his great commitment to this issue, which I recognise. I join those right hon. and hon. Members who have paid tribute to him for the strength of his convictions and the eloquence with which he has put them across. Other hon. Members have rightly paid respect to his contribution and to the emotional strength of the case.

There is no doubt that, when the relationship between grandparents and children works well, there can be few better relationships. I speak as a father of young children; coincidentally—I did not arrange it because of this debate—they are spending the weekend with their grandparents, so I am well aware of the benefits of the relationship.

I do not seek to challenge the essential planks of the hon. Member for Ogmore's case, which are that the relationship between grandparents and grandchildren is vital—when it works well it has so much to offer both sides—and that the law on grandparents, as it was before the Bill, was unsatisfactory, as it did not recognise what grandparents' rights should be. I have no real quarrel with the hon. Gentleman but I will remind him of something that used to be said to me in court on the rare occasions when I was on a winning wicket but going on a little more about my case than I needed to. The judge would say, "You are pushing at an open door."

The hon. Gentleman has not recognised how far we have taken on board already, in the work done on the Bill, the points to which he attaches importance. We have made changes to the law on grandparents to which, because of his assiduity and persistence in bringing forward his private Member's Bill, he is entitled to make some claims of authorship. If the hon. Gentleman looks closely at the Bill, rather than finding cause for continued dissatisfaction he would find cause for real pride in the shared achievements.

I want to persuade the House that the impact of the Bill is marked in relation to grandparents and other close relatives. If there is any hedging or equivocation, it is only because it is necessary for us to recognise that there are some bad grandparents just as there are bad parents. The court has to take account of that possibility. However, we wish to dwell, for obvious reasons on good grandparents rather than bad.

Just as the Bill is about protecting children from bad parents, we also need to protect them from bad grandparents. We must not give grandparents rights that in some instances parents would not enjoy, just because there is, rightly, a sentimental attachment to the relationship. We have taken on board and accept the hon. Gentleman's central point that the legal rights and entitlements of grandparents must be improved, and we have improved them. I shall explain how we have done that, because many hon. Members are interested.

Mr. Ray Powell: Will the Minister give way?

Mr. Mellor: I listened with great care to what the hon. Gentleman said. It may be more advantageous if I set out the heart of the matter and if the hon. Gentleman then wants me to give way I will. There comes a time at which one has to concentrate on line-by-line issues that translate our good will into effective action. I am anxious that the hon. Gentleman should not under-estimate how much has been done.

The present law is unsatisfactory. In the Children and Young Persons (Amendment) Act 1986, grandparents are made parties in care proceedings where they can demonstrate a sufficient interest in the child. However, they cannot under the Act obtain anything like the range of orders that we would like to see. For example, they cannot participate in access proceedings by asking for an access order. They cannot participate in parental rights proceedings or obtain custody on the discharge of a care order. In future care proceedings, the court of its own motion will be able to give the care of the child to a grandparent rather than to the local authority—that is, it will be able to make a residence order. That is a major step forward.

The court can also make a contact order under the Bill, even if no application has been made. That links up with the requirements laid on the court to consider specifically the contact arrangements planned by the authority and to invite the parties to the proceedings—who could include grandparents—to comment on those arrangements. In other words, in future there will be plenty of scope for grandparents who can demonstrate a reasonable

[Mr. Mellor]

connection with or interest in the child to make a case for a contact order, which is the new terminology for an access order.

Where the child is not in care, part II of the Bill very much widens the circumstances in which grandparents may apply for contact. The hon. Member for Ogmore described cases where grandparents were standing outside a playground watching a child play because that was their only contact with him. I too consider that unacceptable, if the grandparents were people that a court would want to have contact with a child. Part II of the Bill widens the circumstances in which grandparents may apply for contact.

In allowing them to do so, we recognise the close bonds of affection that ususally exist between children and their grandparents. For the first time, we have recognised in an overt way that it can be in the best interests of a child to maintain contact with grandparents, even if there is parental opposition—for example, on the break-up of a marriage. For the first time, a court will be able to deal with those issues and maintain a contact even against parental opposition. It is a great step forward. In so far as I have any troubles or concerns about the debate this morning, I feel that the hon. Member for Ogmore has not realised how far he has pushed open the door. The door has been pushed wide open due to the impact of the hon. Gentleman and others on those of us who have been working on the detail of the Bill.

At present, a grandparent's right to apply for access is arbitrary and restrictive. The Bill provides that grandparents may apply for a contact order at any time. The only proviso to screen out undesirable circumstances is that they must first get the court's permission by showing that they have a good reason. Some may ask why that is necessary. The reason is that there may be some instances where parents are justified in preventing or limiting contact between children and their grandparents. Some grandparents may attempt to interfere in the relationship between their children and grandchildren. Given that we are dealing with vulnerable children—this is, rightly, a child-centred Bill—the court should have the ability to satisfy itself that there is a good reason for doing so.

I should like to make one thing absolutely clear. I and my hon. and learned Friend the Solicitor-General, who has had to go out for a moment but has been following the debate with great interest, are in no doubt whatsoever that in cases where grandparents have maintained a close relationship with the child, permission is unlikely to be much more than a formality. That is how we would wish it. That is a major advance, in which the hon. Gentleman can take pride.

He should take pride in that achievement, rather than feel dissatisfied. I really do not see how we could go very much further without running the risk of giving grandparents rights that we do not give to parents or other close relatives. Just as there are circumstances in which grandparents have to look after a child whose parents are tragically killed, so there are circumstances in which an elder brother or sister has had to do so. Other close family links should also be encouraged. In grouping grandparents with a range of other close relatives, one is not demeaning the position of grandparents. One would be in danger of demeaning other close relationships if one gave grandparents more rights than certain other key people.

Mr. Tim Devlin (Stockton, South): Will my hon. and learned Friend give way?

Mr. Mellor: Perhaps in a moment.

The Bill cannot be criticised for referring to close relatives rather than singling out grandparents. Although it greatly widens the rights of grandparents, the hon. Gentleman may have missed some of its impact on those rights. My only criticism of the hon. Member for Ogmore is that he many not be aware of the good provisions in the Bill, which he provoked us into making.

12.45 pm

Mr. Powell: When grandparents apply to put their case to a local authority hearing, the people conducting the hearing say, "You are not entitled to be legally represented." If they take the matter to court, they are told, "The court will not recognise your rights as grandparents." From the cases with which I have dealt, I understand that that is the problem with the law. New clause 10 suggests that they should be offered automatic rights of representation. I am not trying to convince the hon. and learned Gentleman that the law should be changed to give grandparents more protection than parents. I am pleading for grandparents' rights to be represented and for the court to be able to make a decision.

I am saying that the law should be clear, so that grandparents can interpret it without consulting barristers or solicitors. The law must be plain, so that people can understand it without continually having to consult the legal profession. I am pleading that new clause 10 should be accepted. The Minister's argument as to why it should not be accepted falls when we consider the requests that have been made by grandparents and the difficulties that they have experienced.

I am sure that my hon. Friend the Member for Wakefield (Mr. Hinchliffe), who mentioned social care cases, will confirm what I am saying. Unless the new clause is accepted, that will continue to happen.

Mr. Mellor: I cannot help feeling——

Mr. Ray Powell: I am sorry that my intervention was so long.

Mr. Mellor: I do not mind long interventions. Happily, after a few problems on Tuesday night, we are discussing the Bill properly, with hon. Members giving their views with sincerity and vigour.

I am concerned that the hon. Member for Ogmore should not under-estimate the extent to which his case has been met by the Bill. He was primarily concerned about care proceedings, but he made some wider points, which is why I described the extent to which grandparents will benefit from the open-door policy of the Bill, which will allow them to apply for all relevant orders in most proceedings relating to their grandchildren.

Mr. Devlin: Will my hon. and learned Friend give way?

Mr. Mellor: No. My hon. Friend should allow me to answer the intervention, and I am halfway through doing so. The road to hell is paved with good intentions. I shall allow my hon. Friend to be helpful in a moment, but first

I shall try to be helpful. In so far as it is necessary for someone to sweep up after that, I shall allow my hon. Friend to do so.

Care proceedings are the subject of the new clause. Under the Bill, for the first time, grandparents will be able to apply to appear before the court. The court's permission will be necessary to screen out undesirables. There may be grandparents with criminal convictions whom none of us would say should be given locus standi.

The grandparents about whom the hon. Member for Ogmore is concerned will be able to apply for a residence order—what used to be called care, custody and control of a child. That will discharge any care order. Grandparents can also apply for a contact order, with the court's permission. Even if the child went into care, they could have right of access determined by the court, and therefore one could not interfere with it. That is so much better than the position under the Children and Young Persons (Amendment) Act 1986 and a sign of how far forward we have moved.

In future care proceedings, a court of its own motion will be able to give the care of a child to a grandparent rather than a local authority. The court will be able to say, "Something needs to be done about this child. It is better that he goes to the grandparents than into local authority care." That is a major step forward.

The problem with the new clause is that it has an unintended effect, in that it does not sit well with the Bill. That is why I could not accept it, even if I thought that the principles were right. It is much better that rights of access are sorted out by a court. It will be able to look at the grandparents' influence as an alternative to the care order which is being sought.

I have regarded the new clause—I hope rightly—as a way of bringing these issues sharply into focus. Sadly, it is not possible to include it in the Bill because it does not dovetail in. The new clause has given me the opportunity to say that the position on care proceedings, like any other involving grandparents' rights, has been so transformed that the hon. Member for Ogmore should be able to walk happily out of this court—I should have said House. I am sure that the hon. Gentleman has never had to walk into a court. I am getting back into my bad old ways. The hon. Members for Ogmore and for Ashfield (Mr. Haynes) can leave the House feeling that they have participated in a great step forward for grandparents' rights. I am sorry if I bang on about it, but I should hate it if the hon. Member for Ogmore should fail at the moment of his triumph to realise how considerable that triumph is.

Lest I have left anything out, I give way to my hon. Friend the Member for Stockton, South (Mr. Devlin).

Mr. Devlin: My hon. and learned Friend has dealt in his usual comprehensive way with almost every point. I wanted to draw attention to a clause providing for rules of court to be made. One provision is that rules should be made about a court's ability to say who is and who is not a party to the proceedings and to give them legal representation. That would extend to grandparents. The precise objection of the hon. Member for Ogmore (Mr. Powell)—about grandparents turning up at court and being told that they have nothing to do with the proceedings—has been met entirely.

Mr. Mellor: I am grateful to my hon. Friend. He points to another excellent reason why the hon. Member for Ogmore should feel well pleased.

There is other work for us to do, so I shall conclude. I think that the Opposition Front Bench support my view that in the Bill we have substantially advanced the cause of grandparents and other close relatives in terms of their ability to participate in hearings about the future of a child whom they love, and to be entrusted with heavy responsibility if that is right in the circumstances. That is a major step forward. If, after the Bill becomes law, and after taking such a great step forward, it appears that there are still deficiencies, I am sure that the hon. Gentleman would not find many people who would object to further refinements.

I hope that the hon. Gentleman will give us the benefit of the doubt on this occasion. I could continue speaking about this matter for a great deal longer, but there would be no advantage to doing so. I hope that he recognises that there have been considerable advances—indeed, a transformation of the rights of grandparents—and the hon. Gentleman has played his part in achieving them. The Bill takes a substantial leap forward, but if, with the benefit of hindsight, it becomes clear that further steps need to be taken, that should more readily be possible because of the great tide of sympathy on this issue. We have gone a great way forward, and I cannot think of any hiatuses. Almost all the examples give by the hon. Gentleman are met by the Bill.

I have no objection to the thrust of the hon. Gentleman's case, but I believe that his points have been incorporated in the Bill. I hope that he will not feel it necessary to press the new clause, but should he do so, and for reasons that I am sure he will understand, I cannot advise my hon. Friends to accept his new clause.

Mr. Ray Powell *rose*——

Mr. Speaker: Does the hon. Gentleman have the leave of the House to speak again?

Hon. Members: Yes.

Mr. Powell: I regret that you were not in the Chair earlier, Mr. Speaker, so that you could listen to all the debate, but I assume that you were listening elsewhere. I have been fortunate in that you have often been in the Chair when I have spoken about grandparents' rights. You have been most sympathetic in granting a great deal of time to me to elaborate on the issues involved.

In my opening remarks I referred to an early-day motion that was supported by 333 hon. Members—the 11th highest total of signatories since 1926. If the Minister is a democrat and believes in democracy, which I am sure he does, surely he should accept a new clause that embraces the wording of an early-day motion that has been signed by more than 50 per cent. of hon. Members. I would have expected the Minister to be sympathetic towards the incorporation of that early-day motion into the Bill. I cannot understand how he can claim that the Bill embraces the principles of my new clause. That is not the case; the Bill does not give us what we want.

I am grateful for the Minister's explanation. I am extremely grateful to the Committee for its work on extending certain rights, such as naming grandparents. Nevertheless, I am still perturbed. Although grandparents will benefit by substantial advanced rights and naming

[Mr. Powell]

under the clauses that provide for them to be consulted —which is a great step forward—I remind the Minister that we have been campaigning for that for 10 years.

New Acts have been introduced, but as I mentioned them on Second Reading I do not need to do so again today. Although they embraced children's rights and the rights of child care, they were introduced piecemeal. So we pleaded on Second Reading that this Bill should be all-embracing to ensure that we will not have to come to the House year after year, trying to amend legislation to put right a wrong.

The Minister's final comments were directed to me. He urged me to accept what is already on in the Bill and to wait to see how the legislation works. He said that, if it proved necessary to alter the legislation, we could come back and do so, but that we should see how it worked first. However, if these provisions were enacted now, there would be no need for us to come back in a couple of years——

1 pm

Mr. Mellor: That is precisely what I am saying. I am sugaring the pill for the hon. Gentleman in case he is doubtful. That is the main burden of my case. Let it be clearly understood that what the hon. Gentleman is asking for today is already, in effect, provided for in the Bill. I put that point to him as plainly as I can.

Mr. Powell: That may be so, but if in 12 months or two years when the Bill is on the statute book, we find that we have to come back on behalf of grandparents to try to change the law because it is not direct enough, it will be on the Minister of State's head. It will be on the Government's head.

If it is the wish of my hon. Friends, I am quite prepared not to force a vote. However, I warn the Minister of State that in all probability—God willing—I will still be around in two or three years' time. If grandparents have the same problems and difficulties as now, and if they still have to call upon the legal profession to help them out of their difficulties, it will be because the Minister of State has not incorporated into the Bill the new clause that I and my hon. Friends are requesting. It will be on the hon. and learned Gentleman's head. It will not matter to me whether he is in the other place by then: he may be the Lord Chancellor, but I will still condemn him for today's performance and for not ensuring that a straightforward new clause was accepted and put on the statute book so that grandparents' rights were protected.

Mr. Tom Clarke (Monklands, West): This has been an excellent debate. The introductory remarks of my hon. Friend the Member for Ogmore (Mr. Powell) and the subsequent comments of my hon. Friend the Member for Ashfield (Mr. Haynes) were compelling, moving and realistic. If ever we have heard an argument about agism, that was it. They put their points most effectively.

My hon. Friend the Member for Wakefield (Mr. Hinchliffe) mentioned my hon. Friend the Member for Makerfield (Mr. McCartney). It reminded me that only a week or so ago the father of my hon. Friend the Member for Makerfield—Hugh McCartney, a former Member of the House—came to Twechar in my constituency. It is a mining community with which my hon. Friend the Member for Ashfield will have much in common. We were delighted to see him. Incidentally, he is a great-grandparent. The folks at Twechar presented him with a little bronze miner, showing the unity of purpose among my hon. Friends.

In many ways, this has been the year of the grandparent. It was the year when the Prime Minister stood outside No. 10 Downing street, between reshuffles, and announced, "We are a grandmother." Then a few days later, my hon. Friend the Member for Eccles (Miss Lestor), whose contributions to our discussions on this Bill have been outstanding, announced in the House, "We too are a grandmother." That may well have had an influence on events.

I want to be fair to the Minister of State and to confirm what he has said. It is true that substantial progress has been made towards realising many of the objectives that my hon. Friend the Member for Ogmore outlined this morning and for which he has campaigned so nobly for many years.

My hon. Friend the Member for Ogmore was absolutely right when he said that we shall watch carefully how the Bill is implemented. The Minister acknowledged the improved access to court proceedings and improved circumstances of care which were achieved as the Bill progressed.

In the spirit of the concluding remarks of my hon. Friend the Member for Ogmore, which we seriously heed, I believe that it would reflect the wishes of the House if we did not press this matter and, therefore, I seek leave to withdraw the motion.

Mr. Ray Powell: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 34

REMOVAL OF ADULTS

'(1) Where the Court has made

(a) an emergency protection order; or

(b) an interim care order;

and it is satisfied that the child's welfare would be satisfactorily safeguarded or promoted if a person who is resident in the child's household were removed from that household the court may in addition:—

(i) make an order (exclusion order) requiring that person to vacate the household; or

(ii) accept an undertaking from that person that he shall vacate the household.

(2) For the purpose of the section the term exclusion order shall include the term undertaking.

(3) Where an exclusion order is made under this section the child shall not be removed from the household.

(4) Where the court makes an exclusion order under subsection (1)(a) it shall have effect for such period, not exceeding eight days, as may be specified in the Order.

(5) s. 39(2)—(6) shall apply to subsection (1)(a) as if it referred to exclusion orders.

(6) Where the court makes an exclusion order under subsection (1)(b) shall have effect for such periods as are specified in section 35(4)—(5) as if they referred to exclusion orders.

(7) A person who is subject to an exclusion order may apply to the court for the order to be discharged.

(8) Where the court makes an exclusion order the applicant may pay any reasonable expenses incurred by the person subject to the order in connection with this accommodation throughout the period the order is in office.

(9) Where the exclusion order is in force the applicant may make arrangements for the person who is the subject of the order to return to live in the same household as the child

provided that the applicant is satisfied that the child's welfare can be satisfactorily safeguarded or promoted as a consequence.

(10) A power of arrest shall attach to all exclusion orders made under this section.

(11) A constable may arrest without warrant a person whom he has reasonable cause for suspecting of being in breach of an exclusion order by reason of that person's entry into the child's household.

(12) Where a person is arrested under subsection (11) above—

(a) he shall be brought before the court within the period of 24 hours beginning at the time of his arrest, and

(b) the court before whom he is brought may remand him.

In reckoning for the purpose of this subsection any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

(13) Where the court does not exercise its power to remand under subsection (13)(b) nor its powers under any other enactment, it shall authorise the removal of the child from the household unless it is satisfied that the child's welfare can be satisfactorily safeguarded or promoted without its doing so.

(14) For the avoidance of doubt, section 63 of the Magistrates' Courts Act 1980 shall apply to any orders made under this section.'.—*[Mr. Tom Clarke.]*

Brought up, and read the First time.

Mr. Tom Clarke: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to discuss amendment (a), in line 4, leave out 'satisfactorily safeguarded or" amendment (b), in line 6, after 'household', insert

'and the welfare of any other child resident in that household would not be harmed.'

and Government amendment No. 171.

Mr. Clarke: Given the restricted timetable—I do not wish to reopen the debate on that issue—it was my intention to catch your eye, Mr. Deputy Speaker, to speak to this new clause, but apart from minor contributions later on I hope that we might have a short Third Reading debate. That would allow us to make some important points in the limited time available to us.

The issues raised in new clause 34 were not debated at any great length in Committee. It is therefore important to discuss them now, and, in particular, to discuss the report by the Law Commission that appeared after the committee had concluded its deliberations.

The new clause is important. It is widely recognised that the sudden removal of children from the home is usually a traumatic and distressing experience for them. The purpose of the new clause is to provide an alternative to such removal in child protection cases arising out of an emergency or during the course of care proceedings. It provides that the court may order the removal of an alleged abuser either through a compulsory order or by receipt of an undertaking. The new clause is drafted to reflect the ideas contained in the working paper published in August by the Law Commission on domestic violence and the occupation of the family home.

Throughout the passage of the Bill the Government have expressed sympathy for amendments tabled on the issue of the removal of alleged abusers. In both Houses the Government promised to consider tabling their own amendment, but no such amendment appeared. Subsequently, Government officials have said that no amendment could be considered until receipt of the report of the Law Commission containing its recommendations.

Several meetings have been held with the Minister about this matter and they have been extremely helpful. On 26 September a consortium of local government and voluntary organisations met him to discuss a number of issues relating to the Bill. The Minister said that he was not opposed in principle to compulsory ouster or exclusion orders. I recollect that he agreed to discuss with the Lord Chancellor how the proposals contained in the Law Commission's working paper could be incorporated in the Bill. This morning perhaps we shall hear whether those discussions were productive and about the Government's stance on those matters.

It is true that we are all looking for new remedies for a problem that was a great worry for the Committee. Hon. Members gave examples of the difficulties and heartache for children, for their parents, for their families and, in some cases, for their community when particular circumstances lead to the lengthy removal of children from their home.

The new clause has been drafted so that exclusion orders can be obtained as an addition to an emergency placement order or interim care order. The Law Commission did not think that that was necessary or fair for families and children unless there was a specific provision against the removal of children in such circumstances. However, in Committee on 25 May the Minister strongly expressed the view that removal of abusers should take place only within the context of an EPO. Given the express provision against removal of the child when an exclusion order has been made we can see arguments for exclusion orders to run concurrently with EPOs and ICOs so that provisions for medical direction and contact may also apply.

When this Bill is enacted and this matter is dealt with there may still be a case for even more research. It might not solve the problem to know that an alleged perpetrator has been abused, although it might help, but until we find out precisely what motivates adults to indulge in this sort of child abuse—alas, it is all too common—we shall not have resolved the problem. In addition to responding to the new clause, therefore, I hope that the Minister and his colleagues will feel it possible in due course to embark on even more public debate so that we can consider why such dreadful events take place, based on research that is available to us all.

Mr. Ronnie Fearn (Southport): I agree in general with the objective that lies behind the new clause whose aim is to avoid removing a child from the family home, so as to reduce the trauma that it suffers. The trauma suffered as a result of being taken away from home often has long-term effects on a child and adds to the guilt already felt.

At the same time, it is important to remember the balance that we are attempting to achieve. The forcible removal of an adult who has not yet been charged with an offence may have detrimental effects on a family. The child at the centre of the inquiry may suffer similar guilt feelings and feel just as traumatised if an adult leaves home as if he had been removed himself—the more so if the child feels responsible for any detrimental consequences to other members of the family.

It is important to remember that we are talking about mothers as well as fathers of children. We should also recall that often only one child is at risk—not the others in the family. It is possible with the right support to resolve

[Mr. Ronnie Fearn]

some of these cases without removing the child or the suspected perpetrator. That should always be our aim, as I am sure the Minister agrees.

Much depends on the circumstances of the case. I am worried that the new clause may lead to an abuse of this power. The removal of an adult in some circumstances may be seen as a very easy option. I accept that the removal of an adult from the family home is often desirable and may well be the only solution, but there are also circumstances in which that will still have detrimental effects. So I suggest that an adult be removed only if that will promote the welfare of the child.

I hope that when the court assesses the effect on the child's welfare it will consider the context of the family setting. The phrase "satisfactorily safeguarded" is open to too many interpretations. The welfare of the child is paramount but it is sometimes inextricably linked with the welfare of others and it does no good to resolve one problem by creating another. When considering the return of the adult to the household the test does not need to be so stringent because one assumes that the welfare of the child has improved since the removal and that it will be that status which is to be safeguarded.

I hope that I have made it clear that in tabling this small amendment my objective is not to prevent the removal of an adult but to ensure that the court deliberates on the matter of care and to ensure that the power to be given to the courts is not capable of too much abuse even though the decision may be well intended. Those are my reasons for tabling amendment (a).

1.15 pm

Mr. Hinchliffe: New clause 34 is plain common sense. We spent much time on the issue in Committee and in view of the pressure of time in this debate I shall not delay the House for long. My main point is that under the present system of law the alleged victims of abuse are made to feel guilty. That is wrong. The trauma experienced by children and young persons has sometimes to be seen to be believed.

All hon. Members present in the Chamber were present in Committee when I spoke about the case of the girl whom I had to remove following allegations of sexual assault on her sister by the mother's boyfriend. That was a terrible situation and I never want to see anyone go through it again. I recognise that in that case I was removing the wrong person. However, the law as it stands and as, unfortunately, it will continue to stand under the Bill, means that the current situation will continue.

I take seriously the civil liberties question touched on by the hon. Member for Southport (Mr. Fearn). I have given a great deal of thought to that matter and I am worried about it, but I come down firmly on the side of the child or young person who is the alleged victim. I say that because such children are often not in a position to understand why they have been removed. They do not understand why they are made to feel so guilty about an apparent break-up of the family and it appears to them that they are being punished for something that they have not done.

When talking about an exclusion order or, as it is sometimes called, an ouster order, we are talking about the removal of an adult who is in a much better position, guilty or not guilty, to understand precisely the reason for the exercise of the power. I come down firmly on the side of defending the child in the home and not removing him to a foster home, a children's home or an assessment centre. I am in favour of leaving children in the home environment and removing the alleged perpetrator of the offence rather than the victim.

I know that there is a wide-ranging support for the new clause. One source of support of which perhaps the Minister is not aware is the Law Society. It has said that it is aware of the fact that exclusion or ouster orders are currently being considered by the Law Commission. The Law Society will be responding to the commission's working paper, but it realises that it may be several years before the deliberations are acted upon. The Law Society says:

"We therefore take the view that some provision needs to be made in the Bill if only as a temporary measure."

I urge the Minister to take the new clause on board. It is sound common sense and will make a great deal of difference to the treatment of many children who are victims of circumstances beyond their control.

Mr. Mellor: I do not think that there is much difference between us on this matter. It comes down to an important technical issue. As I said in Committee and in the various meetings that we have had since, the making of an emergency protection order does not mean that the local authority has to remove the child from the home. It is open to the authority, provided it does so using extreme care and proper professional judgment, to arrange to accept an agreement by the alleged abuser to go so that the child will not be further disrupted by having the link with the abuser broken. Even if that is the right thing to do it sometimes causes trauma to a child. A child should not also lose the link with brothers and sisters who may remain.

I think I said earlier that I am aware of cases in which adults have been abused and have said that being taken away from home seemed like a form of punishment for having been the victims of abuse. That is common ground and we have sought to make it a little easier for the alleged abuser to go by putting into the Bill a provision that local authorities could help with the expenses of that happening in the best interests of the child.

A narrow but difficult point arises out of new clause 34. The Law Commission has published a consultative document on domestic violence and the occupation of family homes. If people have the right of occupation it is not a trivial matter to terminate that right, as the hon. Member for Southport (Mr. Fearn) rightly said. I should feel more comfortable about proceeding on this once we have received the Law Commission's study and it has had a chance to take on board the points made during consultation. Our resolve to deal thoroughly with the matter is not weakened and we do not preclude considering it when the Law Commission has put forward its final thoughts.

Even without the new clause, the law is now stronger. As a professional who has been involved in this work, the hon. Member for Wakefield (Mr. Hinchliffe) knows that a child does not have to be removed simply because a protection order has been made. The abuser can go instead. We cannot add an ouster provision now, without first considering carefully the serious issues raised in the Law Commission's report, and I hope that the House will

understand my reasons for not accepting the new clause. I shall be happy to arrange further discussions on the matter as progress is made.

Government amendment No. 171 is important. It picks up a point made by Lord Justice Butler-Sloss in the Cleveland inquiry report. She encouraged social services departments to consider the appropriateness of using their existing powers under section 1 of the Child Care Act 1980, which are designed to prevent the reception of a child into care. Under these powers and for a limited period, they may be able to defray the additional costs incurred by the suspected abuser leaving home on a temporary basis while initial assessment of the child is completed. The power is intended to help with alternative accommodation whether the suspected abuser leaves under voluntary arrangements agreed with the authority under an emergency protection order or an interim care order. Alternatively, it could be used in support of any action taken under existing legislation or a new statutory scheme introduced as a result of the Law Commission's work. The provision oils the machinery satisfactorily, as we await the outcome of the Law Commission's deliberations. I hope that the House will agree to amendment No. 171 and that the hon. Member for Monklands, West (Mr. Clarke) will not press his new clause to a Division.

Mr. Tom Clarke: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Amendment made: No. 240.

Schedule 9A

JURISDICTION

PART I

GENERAL

Commencement of proceedings

1.—(1) The Lord Chancellor may by order specify proceedings under this Act or the Adoption Act 1976 which may only be commenced in—

(a) a specified level of court;

(b) a court which falls within a specified class of court; or

(c) a particular court determined in accordance with, or specified in, the order.

(2) The Lord Chancellor may by order specify circumstances in which specified proceedings under this Act or the Adoption Act 1976 (which might otherwise be commenced elsewhere) may only be commenced in—

(a) a specified level of court;

(b) a court which falls within a specified class of court; or

(c) a particular court determined in accordance with, or specified in, the order.

(3) The Lord Chancellor may by order make provision by virtue of which, where specified proceedings with respect to a child under—

(a) this Act;

(b) the Adoption Act 1976; or

(c) the High Court's inherent jurisdiction with respect to children,

have been commenced in or transferred to any court (whether or not by virtue of an order under this Schedule), any other specified family proceedings which may affect, or are otherwise connected with, the child may, in specified circumstances, only be commenced in that court.

(4) A class of court specified in an order under this Schedule may be described by reference to a description of proceedings and may include different levels of court.

Transfer of proceedings

2.—(1) The Lord Chancellor may by order provide that in specified circumstances the whole, or any specified part of, specified proceedings to which this paragraph applies shall be transferred to—

(a) a specified level of court;

(b) a court which falls within a specified class of court; or

(c) a particular court determined in accordance with, or specified in, the order.

(2) Any order under this paragraph may provide for the transfer to be made at any stage, or specified stage, of the proceedings and whether or not the proceedings, or any part of them, have already been transferred.

(3) The proceedings to which this paragraph applies are—

(a) any proceedings under this Act;

(b) any proceedings under the Adoption Act 1976;

(c) any other proceedings which—

(i) are family proceedings for the purposes of this Act, other than proceedings under the inherent jurisdiction of the High Court; and

(ii) may affect, or are otherwise connected with, the child concerned.

(4) Proceedings to which this paragraph applies by virtue of sub-paragraph (3)(c) may only be transferred in accordance with the provisions of an order made under this paragraph for the purpose of consolidating them with proceedings under—

(a) this Act;

(b) the Adoption Act 1976; or

(c) the High Court's inherent jurisdiction with respect to children.

(5) An order under this paragraph may make such provision as the Lord Chancellor thinks appropriate for excluding proceedings to which this paragraph applies from the operation of any enactment which would otherwise govern the transfer of those proceedings, or any part of them.

Hearings by single justice

3.—(1) In such circumstances as the Lord Chancellor may by order specify—

(a) the jurisdiction of a magistrates' court to make an emergency protection order;

(b) any specified question with respect to the transfer of specified proceedings to or from a magistrates' court in accordance with the provisions of an order under paragraph 2,

may be exercised by a single justice.

(2) Any provision made under this paragraph shall be without prejudice to any other enactment or rule of law relating to the functions which may be performed by a single justice of the peace.

General

4.—(1) For the purposes of this Schedule—

(a) the commencement of proceedings under this Act includes the making of any application under this Act in the course of proceedings (whether or not those proceedings are proceedings under this Act); and

(b) there are three levels of court, that is to say the High Court, any county court and any magistrates' court.

(2) In this Schedule "specified means specified by an order made under this Schedule.

(3) Any order under paragraph 1 may make provision as to the effect of commencing proceedings in contravention of any of the provisions of the order.

(4) An order under paragraph 2 may make provision as to the effect of a failure to comply with any of the provisions of the order.

(5) An order under this Schedule may—

(a) make such consequential, incidental or transitional provision as the Lord Chancellor considers expedient, including provision amending any other enactment so far as it concerns the jurisdiction of any court or justice of the peace;

(b) make provision for treating proceedings which are—

(i) in part proceedings of a kind mentioned in paragraph (a) or (b) of paragraph 2(3); and

(ii) in part proceedings of a kind mentioned in paragraph (c) of paragraph 2(3),

as consisting of proceedings of one or other of those kinds, for the purposes of the application of any order made under paragraph 2.

PART II

CONSEQUENTIAL AMENDMENTS

The Administration of Justice Act 1964 (c. 42)

5. In section 38 of the Administration of Justice Act 1964 (interpretation), the definition of "domestic court", which is spent, shall be omitted.

The Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

6. In the Domestic Proceedings and Magistrates' Courts Act 1978—

(a) for the words "domestic proceedings", wherever they occur in sections 16(5)(c) and 88(1), there shall be substituted "family proceedings";

(b) for the words "domestic court panel", wherever they occur in section 16(5)(b), there shall be substituted "family panel".

The Justices of the Peace Act 1979 (c.55)

7. In the Justices of the Peace Act 1979—

(a) for the words "domestic proceedings", wherever they occur in section 16(5), there shall be substituted "family proceedings";

(b) for the words "domestic court", wherever they occur in section 17(3), there shall be substituted "family proceedings court";

(c) for the words "domestic courts", wherever they occur in sections 38(2) and 58(1) and (5), there shall be substituted "family proceedings courts".

The Magistrates' Courts Act 1980 (c. 43)

8. In the Magistrates' Courts Act 1980—

(a) in section 65(1) (meaning of family proceedings), the following paragraph shall be inserted after paragraph (m)—

"(n) the Children Act 1989";

(b) in section 65(2)(a) for the words "and (m)" there shall be substituted "(m) and (n)";

(c) for the words "domestic proceedings", wherever they occur in sections 65(1), (2) and (3), 66(1) and (2), 67(1), (2) and (7), 69(1), (2), (3) and (4), 70(2) and (3), 71(1) and (2), 72(1), 73, 74(1), 121(8) and 150(1), there shall be substituted "family proceedings";

(d) for the words "domestic court panel", wherever they occur in sections 66(2), 67(2), (4), (5), (7) and (8) and 68(1), (2) and (3), there shall be substituted "family panels";

(e) for the words "domestic courts panels", wherever they occur in section 67(3), (4), (5) and (6), there shall be substituted "family panels";

(f) for the words "domestic courts", wherever they occur in sections 67(1), (3) and 68(1), there shall be substituted "family proceedings courts";

(g) for the words "domestic court", wherever they occur in section 67(2) and (5), there shall be substituted "family proceedings court".

The Supreme Court Act 1981 (c. 54)

9. In paragraph 3 of Schedule 1 to the Supreme Court Act 1981 (distribution of business to the Family Division of the High Court), the following sub-paragraph shall be added at the end—

"(e) proceedings under the Children Act 1989".

The Matrimonial and Family Proceedings Act 1984 (c. 42)

10. In section 44 of the Matrimonial and Family Proceedings Act 1984 (domestic proceedings in magistrates' courts to include applications to alter maintenance agreements) for the words "domestic proceedings", wherever they occur, there shall be substituted "family proceedings".

Insolvency Act 1986 (c.45)

11.—(1) In section 281(5)(b) of the Insolvency Act 1986 (discharge not to release bankrupt from bankruptcy debt arising under any order made in family proceedings or in domestic proceedings), the words "or in domestic proceedings" shall be omitted.

(2) In section 281(8) of that Act (interpretation), for the definitions of "domestic proceedings" and "family proceedings" there shall be substituted—

"'family proceedings' means—

(a) family proceedings within the meaning of the Magistrates' Courts Act 1980 and any proceedings which would be such proceedings but for section 65(1)(ii) of that Act (proceedings for variation of order for periodical payments); and

(b) family proceedings within the meaning of Part V of the Matrimonial and Family Proceedings Act 1984.".—*[Mr. Mellor.]*

Clause 16

DAY CARE FOR PRE-SCHOOL CHILDREN

Amendment proposed: No. 44, in page 12, line 31 leave out 'they consider' and insert 'is'.—*[Mr. Mellor.]*

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 46 to 48.

Ms. Hilary Armstrong (Durham, North-West): I intervene now although my comments also apply to later amendments, clause 64 and schedule 8. I wish to deal with the age at which the Government accept responsibility for registration of children's day care schemes. I am pleased that in these amendments the Government have raised the age from five to eight, but I am disappointed that they have stopped at the age of eight. Children over eight are still at a vulnerable age and can be exploited easily. As has been said in a previous debate, some wicked people may have motives that are difficult to detect before the event. Nevertheless, we must be vigilant. We are concerned that by raising the age limit to only eight years the Government are not allowing for the vigilance that we feel is necessary. Our argument applies wherever in the day care arrangements the Government are raising the age of responsibility from five years to eight. We would have wished the limit to be raised to 14 years. This is an issue to which we shall have to return.

Mr. Mellor: I accept that there is a genuine difference between us. The hon. Member for Durham, North-West (Ms. Armstrong) has properly put her argument before the House. I shall not repeat the reasons why the Government have taken the view that they have. Among the many things that we agree about, the issue remains a piece of unfinished business and a difference between us.

It was remiss of me not to have said initially that the amendment reflects an argument advanced by my hon. Friend the Member for Chislehurst (Mr. Sims). I promised to consider it, and as has happened so often during the progress of the Bill, having considered the argument I found that I agreed with it. I hope that my hon. Friend is satisfied.

Amendment agreed to.

Mr. Mellor: I beg to move amendment No. 45, in page 12, line 35, after 'including', insert 'training'.

Having disappointed the hon. Member for Durham, North-West (Ms. Armstrong) on one point, I can tell her that the amendment before us is the equivalent of one which she moved in Committee. I found her arguments persuasive and the amendment reflects them.

Amendment agreed to.

Amendments made: No. 46, in page 12, line 40, leave out from 'care'" to 'form' in line 42 and insert 'means any'.

No. 47, in page 13, line 3, leave out 'they consider' and insert 'is'.

No. 48, in page 13, line 9, leave out from '(7)' to end of line 14 and insert 'In this section'.—*[Mr. Mellor.]*

Clause 17

REVIEW OF PROVISION FOR DAY CARE, CHILD MINDING ETC.

Amendment made: No. 293, in page 13, line 17, after 'authority', insert 'in England and Wales'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 49, in page 13, line 18, leave out from 'provision' to end of line 19 and insert

'which they make under section 16'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 50, 51 and 374.

Mr. Mellor: The amendment reflects an undertaking given in Committee which I am glad that we have been able to honour.

Amendment agreed to.

Amendments made: No. 50, in page 13, line 21, leave out 'five' and insert 'eight'.

No. 51, in page 13, line 24, leave out 'five' and insert 'eight'.

No. 374, in page 13, line 24, after 'persons', insert 'other than the authority'.

No. 294, in page 13, line 26, leave out 'this section' and insert 'subsection (1)'.

No. 295, in line 28, at end insert—

'(2A) Every local authority in Scotland shall, at least once in every review period, review—

(a) the provision for day care within their area made for children under the age of eight by the local authority and by persons required to register under section 64(1)(b); and

(b) the extent to which the services of child minders are available within their area with respect to children under the age of eight.'.

No. 296, in line 29, after 'authorities', insert 'or, in Scotland, the authority'.

No. 52, in line 30, leave out 'five' and insert 'eight'.

No. 297, in line 33, leave out 'in England and Wales'.

No. 298, in page 14, line 6, after 'health authority', insert 'or health board'.

No. 363, in line 7, at end insert—

'(7) In the application of this section to Scotland, "day care" has the same meaning as in section *(Application of Part X to Scotland)* and "health board" has the same meaning as in the National Health Service (Scotland) Act 1978.'.—*[Mr. Mellor.]*

Clause 18

PROVISION OF ACCOMMODATION FOR CERTAIN CHILDREN

Amendment proposed: No. 53, in page 15, line 7, leave out subsection (9) and insert—

'(9) Subsections (7) and (8) do not apply while any person —

(a) in whose favour a residence order is in force with respect to the child; or

(b) who has care of the child by virtue of an order made in the exercise of the High Court's inherent jurisdiction with respect to children,

agrees to the child being looked after in accommodation provided by or on behalf of the local authority.

(9A) Where there is more than one such person as is mentioned in subsection (9), all of them must agree.'—*[Mr. Mellor.]*

1.30 pm

Mr. Hinchliffe: The clause and the amendment deal with a child's removal from voluntary care. I argued in Committee—the argument was supported by the NSPCC —that while the clause places a duty on a local authority to ascertain and consider the child's wishes and feelings before it provides accommodation, there is no comparable duty on a local authority or parent to consider the child's wishes before he or she is removed from the accommodation. I and others said in Committee that the child could be unhappy about leaving at short notice or about the arrangements which have been made. The Bill takes children's well-being and personal wishes a good way forward in law and it is unfortunate that the clause cannot be said to be a full part of that process. I shall be grateful if the Minister will undertake to consider the matter and, if possible, ensure that amendments are tabled in another place.

Mr. Mellor: I shall consider the matter and advise the hon. Gentleman on where we should go from here.

Amendment agreed to.

Clause 19

GENERAL DUTY OF LOCAL AUTHORITY IN RELATION TO CHILDREN LOOKED AFTER BY THEM

Amendment made: No. 54, in page 15, line 45, at end insert 'and linguistic'.—*[Mr. Mellor.]*

Clause 20

PROVISION OF ACCOMMODATION AND MAINTENANCE BY LOCAL AUTHORITY FOR CHILDREN WHOM THEY ARE LOOKING AFTER

Amendments made: No. 55, in page 16, line 17, at end insert—

'in other respects apart from providing accommodation for him'.

No. 56, in page 17, line 3, at end insert—

'(5A) Subject to any regulations made by the Secretary of State for the purposes of this subsection, any local authority looking after a child shall make arrangements to enable him to live with—

(a) a person falling within subsection (4); or

(b) a relative, friend or other person connected with him,

unless that would not be reasonably practicable or consistent with his welfare'.—*[Mr. Mellor.]*

No. 57, in page 17, line 8, leave out 'any' and insert 'the'.—*[Mr. Mellor.]*

Clause 21

ADVICE AND ASSISTANCE FOR CERTAIN CHILDREN

Mr. Hinchliffe: I beg to move amendment No. 488, in page 17, line 36, at end insert—

'(2A) Each local authority shall

(a) keep a register of all persons qualifying for advice and assistance within its area

(b) cause persons on that register to be visited by a person authorised by the authority once every six months.'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 455, in page 18, line 15, after 'assistance', insert—

'(6A) In each application for assistance under this section the local authority shall:

(a) decide whether to provide the help which has been asked for;

No. 489, in page 18, line 22, after 'section', insert

', or whose name is listed on the register kept in accordance with subsection (2A),'.

Mr. Hinchliffe: The amendments deal with the position of children leaving care. In the last few days, a report has emerged that is very critical of the arrangements made by local authorities for young persons leaving care. Those criticisms apply right across London local authorities, regardless of their political control. The year-long study carried out by Lucy Bonnerjea for the London boroughs children's regional panel says that

"there is no local authority which in practice smooths the way out of care for all young people."

I am very concerned—this is a major issue in west Yorkshire—at the fact that, on leaving care, many young people find their way on to the streets, into prostitution and into other undesirable circumstances. I commend the work of the *Yorkshire Evening Post*, which recently published a series on the teenage vice trap, exposing the way in which young people who have been in care or with difficult family circumstances find their way on to the streets.

Yesterday, during our debate on the guillotine motion, I said that I had spoken earlier this week to a probation officer from the Dewsbury area who had told me about a young client who, because of the Government's benefit changes, has ended up on the streets. That client has had to work as a prostitute to earn money to buy furniture for her flat. Such claimants can no longer get the grants that were previously made available by the Department. We must ask ourselves why young people find themselves in such circumstances.

One of the main reasons is the direct responsibility of the Government, who have changed the benefit arrangements for young persons. Vast numbers of people aged 16 and 17 no longer qualify for any benefit. Even though some changes have been made, the problem remains very serious. I note that the hon. Member for Mid-Kent (Mr. Rowe) has tabled an amendment, No. 362, which would require local authorities to pay benefit. I realise that the hon. Gentleman's motives are honourable, but his amendment is yet another example of local authorities being required to pick up the tab and do what the Government used to do, and what they should continue to do, for young people who have left care.

I am especially concerned about the benefits issue. I know that the Government have re-examined their views on the issue of legitimate reasons for a child leaving home, but problems remain. The Government's review of social security did absolutely nothing to help young people under the age of 18 who cannot live at home. They are eligible for income support for 12 weeks if they leave school at Easter or for 16 weeks if they leave school in the summer but thereafter their income support ceases and their case has to be reconsidered by the Minister. That is crazy. There are numerous cases in which such ministerial discretion will be required. Surely it must be wrong to treat vulnerable young people who are difficult to place more harshly than others who live in the more satisfactory home environment.

Another problem that applies to many young persons is related to the level of personal allowances. Before April 1988, the scale rates for householders on supplementary benefit were the same irrespective of age. Since April last year, however, young people having to live independently receive personal allowance at only 58 per cent. of the full adult rate. By agreeing to pay independent 16 to 17-year-olds the same rate as those aged 18 to 21, the new review raised that proportion to 79 per cent. But the lower rate for the 18 to 21-year-olds is itself based on the proposition that they are not fully independent from their parents. The fact that 16 and 17-year-olds have to demonstrate their independence from their parents to get any benefit makes paying them less than the full adult rate nonsense. Such circumstances are leading young people into taking desperate measures and, in some areas, on to the streets.

What about young people who started on YTS but who have dropped out or have been dismissed? Not every young person entering training has had the educational background or security enjoyed by hon. Members' most of who have had reasonable family backgrounds. The current rules allow a bridging allowance of £15 a week for up to eight weeks a year as long as the young person is willing to take another YTS place when it becomes available. The reduction to £15 a week may well act as a salutary lesson for a 17-year-old living at home but if that person is living independently through no fault of his own, he will be required to make up his money in other ways. That is driving young persons into undesirable circumstances. Right hon. and hon. Members will also be familiar with the problems arising from the abolition of board and lodging payments, but we will debate that aspect later.

On leaving care, many young persons find themselves in a number of undesirable circumstances. A large proportion of those from my constituency end up in London or in other major cities, well away from the places where they have lived all their lives. They lose contact with their families and their home environment and get into enormous difficulties, and may engage in male or female prostitution.

The amendment requires local authorities to establish a register of young people aged between 16 and 21 who have been in their care and to make contact with them at least twice a year. That would in effect continue the review process that is built into existing law. Such an arrangement will allow young people to receive such assistance and advice as may be necessary. Many young people leaving care will progress satisfactorily and may want nothing to do with social services, but others will welcome being contacted and assisted by a social worker.

That proposal will make further demands on the resources of local authorities, particularly in making contact with social services departments in other parts of the country, as is required by amendment No. 489, in respect of the notification procedure. However, there are good reasons for that requirement. The young person leaving care is at a difficult stage in his or her life. Benefit changes have distinctly worsened the chances of their progressing successfully, and I hope that the Minister will see the sense of the amendment and support it.

Mr. Mellor: There is certainly a role for local authorities, and the Bill imposes one on them. In the guidance issued to local authorities, emphasis will be placed on the need to ensure that young people are made fully aware of the local authority support that is available to them—particularly in cases where the young person has no other responsible adult to whom he or she can turn.

The amendment goes too far, because it amounts to imposing a much greater duty, by requiring a local authority to satisfy itself as to whether every young person up to the age of 21 needs to be advised or befriended. The hon. Gentleman is rightly concerned always about imposing extra burdens on local authorities, but his proposal would impose too great a burden. Provided that the local authority makes available information about its services, there is no harm in making the young person responsible for seeking assistance.

The hon. Gentleman's other arguments are primarily points for the Department of Social Security, and I shall ensure that his comments about benefit arrangements are brought to the attention of my right hon. Friend the Minister for Social Security.

Amendment negatived.

Mr. Mellor: I beg to move amendment No. 58, in page 18, line 16, leave out 'this section' and insert 'subsections (1) to (6)'.

Mr. Deputy Speaker: With this it will be convenient to debate Government amendments Nos. 59, 375, 60 and 61.

Mr. Mellor: These amendments are important because they reflect my commitment in Committee to introduce a specific power to enable a local authority to provide financial assistance to those who have left its care and are seeking or are engaged in employment, or are receiving education or training.

The Child Care Act 1980 contains such a power, but we have taken the oportunity to extend its scope and application. The new power will apply to all young people qualifying for advice and assistance, as defined in subsection (2).

Paragraph (a) of the proposed new subsection will enable local authorities to provide young people with financial assistance to help them to meet the cost of accommodation when it is associated with employment or the seeking of employment, or with receiving education or training. Paragraph (b) enables grants to be made to meet expenses associated with education and training—for example, to purchase books and other educational materials, or tools, in the case of those learning a trade. As from July this year, that form of financial assistance will no longer affect the level of income support that a young person may receive.

This is another of the issues on which the Opposition will inevitably feel that we have not gone far enough. I feel, however, that it is a significant step forward, and I hope that—even if they do not agree with every material particular in this highly contentious sphere—Opposition Members will at least feel that it is worth endorsing.

Mr. Rowe: The Government have moved a considerable distance from their original position, and I am grateful for that. What I had in mind was to challenge slightly the definition of "exceptional circumstances". I believe that, in a number of ways, many young people leaving local authority care lag behind their contemporaries from a more stable and settled background. They will be less mature, and often less confident in their ability to establish personal relationships. Failure to retain a place on a youth training scheme or in a job, for instance, may well have much more to do with that than with any malice aforethought or deliberate incompetence. If we are to stick to the idea that the local authority is really acting as a parent, we must be sure that ability to provide financial assistance is not interpreted too narrowly.

I fully understand that it is much easier for a hard-pressed social worker to hand out money than to go through the difficult and time-consuming business of ensuring that a young person is not merely regarding him as a soft touch, but is busily engaged in trying to grow up. Nevertheless, I hope that the Government will consider carefully what is meant by "exceptional circumstances".

Amendment agreed to.

Amendments made: No. 59, in page 18, line 17, at end insert—

'(7A) A local authority may give assistance to any person who qualifies for advice and assistance by virtue of subsection (2)(a) by—

(a) contributing to expenses incurred by him in living near the place where he is, or will be—

(i) employed or seeking employment; or

(ii) receiving education or training; or

(b) making a grant to enable him to meet expenses connected with his education or training.'.

No. 375, in page 18, line 17, at end insert—

'(7B) Where a local authority are assisting the person under subsection (7A) by making a contribution or grant with respect to a course of education or training, they may—

(a) continue to do so even though he reaches the age of twenty-one before completing the course; and

(b) disregard any interruption in his attendance on the course if he resumes it as soon as is reasonably practicable.'.

No 60, in page 18, line 19, after 'section', insert '(otherwise than under subsection (7A))'.

No. 61, in page 18, line 22, after 'section', insert ', as a person qualifying for advice and assistance,'.—*[Mr. Mellor.]*

Clause 22

USE OF ACCOMMODATION FOR RESTRICTING LIBERTY

Amendments made: No. 62, in page 18, line 45, after 'suffer', insert 'significant'.

No. 63, in page 19, line 21, leave out subsection (6).

No. 64, in page 19, line 25, leave out from beginning to 'having' in line 29.—*[Mr. Mellor.]*

Clause 23

REVIEW OF CASES AND INQUIRIES INTO REPRESENTATIONS

Mr. Mellor: I beg to move amendment No. 65, in page 21, line 22, leave out 'this subsection' and insert 'regulating the procedure to be followed'.

Mr. Deputy Speaker: With this we may take the following amendments:

No. 485, in page 21, line 43, at end insert—

'(9) Every local authority shall designate a named officer responsible for informing and advising any child in its care about his or her rights to make any representations (including any complaint), about the local authority's procedures for considering any representations (including any complaint)

[Mr. Deputy Speaker]

and to provide assistance and support to any child (entitled to do so) who makes any representations (including any complaint) to the local authority.'.

No. 486, in page 21, line 43, at end insert—

'(10) The designated officer, as provided for by subsection (9) above, shall also advise and inform any person who can show reasonable cause to be acting on behalf of any child mentioned in that subsection about the local authority's procedures for considering any representations (including any complaint) and shall facilitate their participation within those procedures.'.

Mr. Mellor: This is a clarifying amendment prompted by a speech in the other place by Lord Simon of Glaisdale. We are grateful to him for picking up a point that we are happy to correct in the amendment.

Amendment agreed to.

Clause 25

CONSULTATION WITH LOCAL EDUCATION AUTHORITIES

Amendment made: No. 66, in page 22, line 31, leave out from first 'falls' to '; or' in line 33.—*[Mr. Mellor.]*

Clause 26

RECOUPMENT OF COST OF PROVIDING SERVICES ETC.

Amendment made: No. 67, in page 23, line 15, leave out 'when' and insert 'immediately before'.

No. 68, in page 23, line 17, after 'authority', insert 'any reasonable'.

No. 69, in page 23, line 18, at end insert 'and maintaining him'.

No. 70, in page 23, line 18, at end insert—

'(7A) Where a local authority provide accommodation under section (*Provision of accommodation for children in police protection or detention or on remand, etc.*)(1) or (2)(a) or (b) for a child who is ordinarily resident within the area of another local authority and they are not maintaining him in—

(a) a community home provided by them;

(b) a controlled community home; or

(c) a hospital vested in the Secretary of State,

they may recover from that other authority any reasonable expenses incurred by them in providing the accommodation and maintaining him.'.—*[Mr. Mellor.]*

Schedule 2

LOCAL AUTHORITY SUPPORT FOR CHILDREN AND FAMILIES

Amendments made: No. 171, in page 90, line 5, at end insert—

'*Provision of accommodation in order to protect child*

4A.—(1) Where—

(a) it appears to a local authority that a child who is living on particular premises is suffering, or is likely to suffer, ill treatment at the hands of another person who is living on those premises; and

(b) that other person proposes to move from the premises,

the authority may assist that other person to obtain alternative accommodation.

(2) Assistance given under this paragraph may be in cash.

(3) Subsections (7) to (9) of section 15 shall apply in relation to assistance given under this paragraph as they apply in relation to assistance given under that section.'.

No. 172, in page 91, line 8, leave out from 'take' to end of line 10 and insert

'such steps as are reasonably practicable, where any child within their area who is in need and whom they are not looking after is living apart from his family—'.

No. 407, in page 91, line 14, at end insert—

'*Duty to consider racial groups to which children in need belong*

9A. Every local authority shall, in making any arrangements—

(a) for the provision of day care within their area; or

(b) designed to encourage persons to act as local authority foster parents,

have regard to the different racial groups to which children within their area who are in need belong.'.

No. 173, in page 93, line 22, after 'person' insert 'who is not a parent of his but'.

No. 174, in page 93, line 35, leave out from 'been' to end of line and insert 'infrequent'.

No. 175, in page 93, line 39, leave out from beginning to end of line 40 and insert

'and that it would be in the child's best interests for an independent person to be appointed to be his visitor for the purposes of this paragraph, they shall appoint such a visitor.'.

No. 408, in page 93, line 44, leave out 'expenses reasonably incurred' and insert 'reasonable expenses incurred'.

No. 176, in page 94, line 7, at end insert—

'(4A) Where a local authority propose to appoint a visitor for a child under this paragraph, the appointment shall not be made if—

(a) the child objects to it; and

(b) the authority are satisfied that he has sufficient understanding to make an informed decision.

(4B) Where a visitor has been appointed for a child under this paragraph, the local authority shall determine the appointment if—

(a) the child objects to its continuing; and

(b) the authority are satisfied that he has sufficient understanding to make an informed decision.'.

No. 177, in page 94, line 21, leave out 'with the approval of the court' and insert 'only'.

No. 178, in page 94, line 22, leave out 'abroad' and insert

'outside England and Wales with the approval of the court'.

No. 179, in page 94, line 23, leave out from 'who' to end of line 26 and insert

'has parental responsibility for the child.'.

No. 180, in page 94, line 28, leave out 'abroad' and insert 'outside England and Wales'.

No. 181, in page 94, line 31, leave out 'abroad' and insert 'outside England and Wales'.

No. 182, in page 94, line 35, leave out from 'who' to end of line 38 and insert

'has parental responsibility for the child'.

No. 183, in page 95, line 9, leave out 'abroad' and insert 'outside England and Wales'

No. 320, in page 95, line 10, at end insert—

'(7) Where a court decides to give its approval under this paragraph it may order that its decision is not to have effect during the appeal period.

(8) In sub-paragraph (7) "the appeal period" means—

(a) where an appeal is made against the decision, the period between the making of the decision and the determination of the appeal; and

(b) otherwise, the period during which an appeal may be made against the decision.'.

No. 409, in page 96, leave out lines 15 to 18 and insert—

'(a) section (*provision of accommodation for children in police protection or detention or on remand, etc.*);

(b) an interim case order;'.—*[Mr. Mellor.]*

Clause 27

MISCELLANEOUS

Amendments made: No. 490, in page 23, line 26, after '18(2)' insert

', (Provision of accommodation for children in police protection or detention or on remand, etc.)(3)'.

No. 71, in page 23, line 26, leave out '26(7) or (8)' and insert '26(7) to (8)'.—*[Mr. Mellor.]*

Clause 28

CARE AND SUPERVISION ORDERS

Amendment made: No. 299, in page 24, line 6, leave out from 'the' to first 'to' in line 9, and insert

'care given to the child, or likely to be given to him if the order were not made, not being it would be reasonable to expect a parent.

Mr. Mellor: I beg to move amendment No. 72, in page 24, line 29, at end insert 'or'.

Mr. Deputy Speaker: With this we shall discuss Government amendment No. 73.

Mr. Mellor: This is another instance of the powers of persuasion of my hon. Friend the Member for Chislehurst (Mr. Sims) in Committee. I have made this change to meet his point.

Amendment agreed to.

Amendment made: No. 73, in page 24, line 35, leave out from '1968' to end of line 37.—*[Mr. Mellor.]*

Clause 29

PERIOD WITHIN WHICH APPLICATION FOR CARE, SUPERVISION OR SECTION 31 ORDER MUST BE DISPOSED OF

Amendment made: No. 74, in page 25, line 25, leave out from 'for' to 'shall' in line 29 and insert

'an order under this Part'.—*[Mr. Mellor.]*

Clause 30

EFFECT OF CARE ORDER

Amendments made: No. 75, in page 26, line 23, leave out 'creed' and insert 'persuasion'.

No. 76, in page 26, line 29, leave out

'or section 18 of the Adoption (Scotland) Act 1978'.

No. 77, in page 26, line 32, leave out

'or section 49 of the Act of 1978'.

No. 78, in page 26, line 44, leave out 'abroad' and insert 'outside England and Wales'—*[Mr. Mellor.]*

Clause 31

PARENTAL CONTACT ETC. WITH CHILDREN IN CARE

Amendments made: No. 79, in page 27, line 9, leave out 'and'.

No. 80, in page 27, line 12, at end insert

'and

(d) where, immediately before the care order was made, a person had care of the child by virtue of an order made in the exercise of the High Court's inherent jurisdiction with respect to children, that person.'.

No. 81, in page 27, line 17, leave out '(c)' and insert '(d)'.

No. 82, in page 27, line 26, leave out '(c)' and insert '(d)'.—*[Mr. Mellor.]*

Clause 33

EDUCATION SUPERVISION ORDERS

Mr. Fearn: I beg to move amendment No. 473, in page 28, line 38, at end insert

'either by regular attendance at a school or otherwise'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 474, in page 29, line 26, at end insert—

'(9A) Where a local education authority proposes to make an application for an education supervision order they shall—

(a) advise parents of their rights and options under the law with specific reference to section 36 of the Education Act 1944; and

(b) where applicable allow a reasonable time limit for the provision of "otherwise education".'.

No. 475, in page 103, line 23, at end insert—

'(aa) to inform the child and his parents of their rights and options under the law relating to education;'.

Mr. Fearn: I am glad that you have seen these amendments, Mr. Deputy Speaker, as you missed my other amendment, No. 481. They have been tabled on behalf of the Children's Home-based Education Association.

The purpose of the amendment is to ensure that any action taken by education officers is in keeping with section 36(5) of the Education Act 1944, which gives parents the duty and the right to ensure that their child is educated by attendance at school or otherwise. It is the "otherwise" element of the clause that is relevant here because it means that parents have a right by law to educate their children in the home or by some other means than regular attendance at school.

Problems with education arise in various ways. A parent may be unhappy with the lack of basic education in a particular school. The child's potential may be unfulfilled, or it may have special needs, or suffer from school phobia—a real condition which causes sheer panic. Sometimes there is a situation in the home or elsewhere that affects the child's attendance at school.

A parent's first course of action when a problem arises is usually to approach the school. That is not always successful, whereupon the local education authority is called in, either at the parents' or the school's request. It is here that there is often a lack of communication which ends up with the child, or the parents, becoming the subject of a court case, with the threat of a care order.

An article that first appeared in an "Education Otherwise" newsletter explains what could happen when matters get to that stage:

"To encourage children to attend school, our LEA has been experimenting with the procedure of repeated adjournments in the Juvenile Court. Each time the child appears, and it may be at intervals of a week, a fortnight, or more, depending on progress, the child's attendance is reviewed. If attendance has not improved, an interim care order is made as an 'encouragement' to attend school. If this does not work, a full care order is made. The chairman of the magistrates tells the child in no uncertain way of the consequences of poor school attendance, stating, 'Next time bring a bag with your night things. You'll be going away'."

To me that extraordinary system is unnecessary and a great waste of Government and court resources. Much heartache caused by children being taken into care for non-attendance at school could be avoided if parents were informed of their rights and given a reasonable amount of time to set in motion plans for alternative means of educating their child.

[Mr. Fearn]

Under the law, parents are perfectly within their rights to educate their children at home even for short periods and, if they were advised of the help and support groups that can assist them, many of the problems could be wiped out and the child could return to school. That is a more sensible approach. We need to get away from the idea that if children are not educated in school then they must be up to no good. The Government go some way to recognising that by introducing an amendment referring to the place of education rather than just to the school. The main purpose must be to inform parents of their rights before it becomes necessary to take out a supervision order. Earlier and better communication, information and advice will result in fewer problems and is the better way to protect the interests of our children.

Mr. Mellor: I am grateful to the hon. Member for Southport (Mr. Fearn) for moving his amendment and recognising that in part we have already tabled our own amendments to try to meet his points. Amendment No. 473 is unnecessary because the existing wording in clause 33 does not specify where proper education should take place and does not exclude education outside the school setting. Therefore there is no conflict with the provisions of the Education Act 1944, which provides for some children being educated outside school, subject to the overriding necessity that the child receives a suitable education.

On amendment No. 476, we accept that the Bill as presently drafted could imply that education wholly equates with schooling. That was not the Government's intention, so I am grateful to the hon. Gentleman for pointing it out. His amendment No. 191 clarifies that point.

Amendment No. 474 would require local education authorities, before applying for an education supervision order, to advise parents of their rights under education law. That amendment is not necessary, because a court cannot make an education supervision order if the parents are fulfilling their duty under the Education Act to ensure that their child is being properly educated. In making the decision, the court would consider representations by the parents and the local education authorities.

Amendment No. 475 would require supervisors—where an education supervision order is in force—to give the child and the parents details of their statutory rights and options. However, it would not be practicable in statute to impose a blanket requirement to give information about the range of educational rights and options. In suitable cases, where parents have expressed a wish to educate their child outside a school setting, the supervisor would—as a matter of good professional practice—make relevant information available to them.

I hope that I have given the hon. Gentleman information that enables him to further advise the groups with whom he has been discussing the matter. Obviously, if they feel that there are continuing problems, I should be glad to hear from him. I hope that amendment No. 191 has cleared up the one loophole revealed by the hon. Gentleman, and that he will not seek to press his amendment.

Mr. Fearn: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Mellor: On a point of order, Mr. Deputy Speaker. In order that we might have time for a Third Reading debate, an indication has been given that the remaining Government amendments could be moved en bloc. Also, hon. Members who have tabled their own amendments have agreed not to move them. I hope that that will meet with your approval.

Mr. Tom Clarke: Given the circumstances, I willingly agree to that suggestion, as it would be helpful in terms of procedure. I know that the Minister and the House will not take that as a sign that the Opposition endorse every dot and comma.

Mr. Deputy Speaker: If no hon. Members objects to proceeding in that way, I will put the remaining Government amendments en bloc.

Amendment made: No. 83, in page 29, line 17, leave out from 'shall' to 'before' in line 19.—*[Mr. Mellor.]*

1.45 pm

Schedule 3

SUPERVISION ORDERS

Amendments made: No. 184, in page 99, line 38, leave out sub-paragraphs (4) and (5).

No. 410, in page 102, line 6, at end insert—

'(1A) A supervision order shall also cease to have effect if an event mentioned in section 25(1)(a) or (b) of the Child Abduction and Custody Act 1985 (termination of existing orders) occurs with respect to the child.'.

No. 321, in page 102, line 33, leave out 'agrees' and insert 'agree'.

No. 322, in page 102 line 34, leave out 'it appears to the court that'.

No. 323, in page 102 line 35, leave out 'its' and insert 'their'.

No. 324, in page 102, line 38, leave out 'requests' and insert 'request'.

No. 185, in page 103, line 9, leave out '(under this or any other enactment)'

No. 186, in page 103, line 25, at end insert 'and'.

No. 187, in page 103, line 26, leave out from 'parents' to end of line 27.

No. 188, in page 103, line 31, leave out sub-paragraphs (i) and (ii) and insert—

'(i) the supervised child; or
(ii) a parent of his,'.

No. 189, in page 103, line 38, at end insert 'and'.

No. 190, in page 103, line 39, leave out from 'parents' to end of line 41.

No. 191, in page 103, line 42, leave out 'school which the child should attend'
and insert
'place at which the child should be educated'.

No. 192, in page 104, line 1, leave out 'other wishes and feelings mentioned in sub-paragraph (2)'
and insert
'wishes and feelings of the child's parents'.

No. 193, in page 104, line 2, at end insert—

'(4) Directions may be given under this paragraph at any time while the education supervision order is in force.'.

No. 194, in page 104, line 25, leave out '12A' and insert '12C'.

No. 195, in page 105, line 2, at end insert—

'Information to be given to supervisor etc.

15A.—(1) An education supervision order may require the child—

(a) to keep the supervisor informed of any change in his address; and

(b) to allow the supervisor to visit him at the place where he is living.

(2) A person who is the parent of a child with respect to whom an education supervision order has been made shall —

(a) if asked by the supervisor, inform him of the child's addres (if it is known to him); and

(b) if he is living with the child, allow the supervisor reasonable contact with the child.'.

No. 47k, in page 105, line 8, leave out from beginning to 'or' in line 9.

No. 197, in page 105, leave out lines 14 to 19 and insert

'Offences

16A.—(1) If a parent of a child with respect to whom an education supervision order is in force persistently fails to comply with a direction given under the order he shall be guilty of an offence.

(21) It shall be a defence for any person charged with such an offence to prove that—

(a) he took all reasonable steps to ensure that the direction was complied with;

(b) the direction was unreasonable; or

(c) he had complied with—

(i) a requirement included in a supervision order made with respect to the child; or

(ii) directions given under such a requirement,

and that it was not reasonably practicable to comply both with the direction and with the requirement or directions mentioned in paragraph (c).

(3) A person guilty of an offence under this paragraph shall be liable on summary conviction to a fine not exceeding level three on the standard scale.

Persistent failure of child to comply with directions

16B.—(1) Where a child with repect to whom an education supervision order is in force persistently fails to comply with any direction given under the order, the local education authority concerned shall notify the appropriate local authority.

(2) Where a local authority have been notified under sub-paragraph (1) they shall investigate the circumstances of the child.

(3) In this paragraph "the appropriate local authority" has the same meaning as in section 33.'.

No. 198, in page 105, line 25, at end insert—

'Interpretation

19. In this Part of this Schedule "parent" has the same meaning as in the Education Act 1944 (as amended by Schedule 11).'.—*[Mr. Mellor.]*

Clause 35

INTERIM ORDERS

Amendments made: No. 84, in page 31, line 4, after second 'which', insert '-(i)'.

No. 85, in page 31, line 5, after '34(4)', insert 'but

(ii) no application for a care order or supervision order has been made with respect to the child,'.

No. 86, in page 31, line 10, leave out 'if later'.

No. 87, in page 31, line 11, at end insert

'if that period ends later than the period mentioned in paragraph (a)'.

No. 88, in page 31, line 14, after 'examination', insert 'or other assessment'.

No. 89, in page 31, line 15, at end insert

'; but if the child is of sufficient understanding to make an informed decision he may refuse to submit to the examination or other assessment'.

No. 90, in page 31, line 18, after 'examination', insert 'or assessment'.

No. 91, in page 31, line 19, after 'examination', insert 'or assessment'.

No. 92, in page 31, line 26, leave out subsection (9) and insert

'(9) Paragraphs 4 and 5 of Schedule 3 shall not apply in relation to an interim supervision order.'. *[Mr. Mellor.]*

Clause 36

DISCHARGE AND VARIATION ETC. OF CARE ORDERS AND SUPERVISION ORDERS

Amendments made: No. 94, in page 32, line 8, leave out subsection (5).

No. 95, in page 32, line 12, leave out from '(4)' to 'any' in line 15.—*[Mr. Mellor.]*

Clause 37

REPRESENTATION OF CHILD AND OF HIS INTERESTS IN CERTAIN PROCEEDINGS

Amendments made: No. 96, in page 32, line 44, at end insert—

'(cc) on an application under section 36(4);'.

No. 97, in page 33, line 4, at end insert—

'(ee) under Part V;'.

No. 98, in page 33, line 12, after '(ii)', insert—

'(iv) the refusal of an application under section 36(4);

(v) the making, or refusal to make, an order under Part V'.

No. 99, in page 33, line 42, at end insert—

'(11) Regardless of any enactment or rule of law which would otherwise prevent it from doing so, the court may take account of—

(a) any statement contained in a report made by a guardian ad litem who is appointed under this section for the purpose of the proceedings in question; and

(b) any evidence given in respect of the matters referred to in the report,

in so far as the statement or evidence is, in the opinion of the court, relevant to the question which the court is considering.'.—*[Mr. Mellor.]*

Clause 38

ORDERS FOR EMERGENCY PROTECTION OF CHILDREN

Amendments made: No. 100, in page 34, line 5, leave out from second 'if' to end of line 10 and insert—

'it is satisfied that—

(a) there is reasonable cause to believe that the child is likely to suffer significant harm if—

(i) he is not removed to accommodation provided by or on behalf of the applicant; or

(ii) he does not remain in the place in which he is then being accommodated;

(b) in the case of an application made by a local authority—

(i) enquiries are being made with respect to the child under section 41(1)(b); and

(ii) those enquiries are being frustrated by access to the child being unreasonably refused to a person authorised to seek access and that the applicant has reasonable cause to believe that access to the child is required as a matter of urgency; or

(c) in the case of an application made by an authorised person—

(i) the applicant has reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm;

(ii) the applicant is making enquiries with respect to the child's welfare; and

(iii) those enquiries are being frustrated by access to the child being unreasonably refused to a person authorised to seek access and that the applicant has reasonable cause to believe that access to the child is required as a matter of urgency.

(1A) In this section—

(a) "authorised person" means a person who is an authorised person for the purposes of section 28; and

(b) "a person authorised to seek access" means—

(i) in the case of an application by a local authority, an officer of the local authority or a person authorised by the authority to act on their behalf in connection with the enquiries; or

(ii) in the case of an application by an authorised person, that person.

(1B) Any person—

(a) seeking access to a child in connection with enquiries of a kind mentioned in subsection (1); and

(b) purporting to be a person authorised to do so,

shall, on being asked to do so, produce some duly authenticated document as evidence that he is such a person.'.

No. 101, in page 34, line 25, leave out from beginning to 'as' in line 28, and insert—

'(3) Where an emergency protection order is in force with respect to a child, the applicant—

(a) shall only exercise the power given by virtue of subsection (2)(b) in order to safeguard the welfare of the child.

(b) shall take and shall only take such action in meeting his parental responsibility for the child.'.

No. 102, in page 34, line 37, after 'examination', insert 'or other assessment'.

No. 103, in page 34, line 37, at end insert—

'(4A) Where any direction is given under subsection (4)(b), the child may, if he is of sufficient understanding to make an informed decision, refuse to submit to the examination or other assessment.'.

No. 104 in page 34, line 40, after 'examination', insert 'or assessment'.

No. 105, in page 34, line 41, after 'examination', insert 'or assessment'.

No. 106, in page 35, line 2, leave out from 'child' to end of line 4 and insert—

'and—

(a) the applicant has exercised the power given by subsection (2)(b)(i) but it appears to him that it is safe for the child to be returned; or

(b) the application has exercised the power given by subsection (2)(b)(ii) but it appears to him that it is safe for the child to be allowed to be removed from the place in question.'.

No. 107 in page 35, line 30, after 'him', insert—

(dd) any person who is allowed to have contact with the child by virtue of an order under section 31;'.—*[Mr. Mellor.]*

Clause 39

Duration of emergency protection orders and other supplemental provisions

Amendments made: No. 108, in page 36, line 15, leave out from 'may' to end of line 24 and insert

'extend the period during which the order is to have effect by such period, not exceeding seven days, as it thinks fit, but may do so only if it has reasonable cause to believe that the child concerned is likely to suffer significant harm if the order is not extended.'.

No. 109, in page 36, line 33, leave out from '(8)' to 'any' in line 34.

No. 110, in page 36, line 42, leave out

'made by virtue of rules under subsection (8)'

and insert

'for the discharge of an emergency protection order'.

No. 300, in page 36, line 44, at end insert—

'(9A) No appeal may be made against the making of, or refusal to make, an emergency protection order or against any direction given by the court in connection with such an order.'.

No. 111, in page 36, line 45, after 'apply', insert—

(a) where the person who would otherwise be entitled to apply for the emergency protection order to be discharged—

(i) was given notice (in accordance with rules of court) of the hearing at which the order was made; and

(ii) was present at that hearing; or

(b)'.

No. 112, in page 37, line 5, leave out subsection (12).—*[Mr. Mellor.]*

Clause 40

Removal and accommodation of children by police in cases of emergency

Amendments made: No. 113, in page 37, line 33, at end insert—

'(cc) take such steps as are reasonably practicable to discover the wishes and feelings of the child;'.

No. 114, in page 37, line 38, leave out 'by or on behalf of a local authority'

and insert

'—

(i) by or on behalf of a local authority; or

(ii) as a refuge, in compliance with the requirements of section *(Refuges for children at risk)*,'.

No. 115, in page 38, line 31, after 'child', insert—

'(dd) any person who is allowed to have contact with the child by virtue of an order under section 31;'.—*[Mr. Mellor.]*

Clause 41

Local authority's duty to investigate

Amendments made: No. 116, in page 39, line 46, after first 'order', insert 'a child assessment order'.

No. 376, in page 40, line 3, after first 'order', insert 'a child assessment order'.—*[Mr. Mellor.]*

Clause 42

Powers to assist in discovery of children who may be in need of emergency protection

Amendments made: No. 377, in page 41, line 14, at end insert 'or (4)'.

No. 378, in page 41, line 26, at end insert

'using reasonable force if necessary'—*[Mr. Mellor.]*

Clause 43

Abduction of children in care etc.

Amendment made: No. 117, in page 42, line 14, leave out subsection (4).—*[Mr. Mellor.]*

Clause 44

Recovery of abducted children etc.

Amendments made: No. 118, in page 42, line 34, after 'constable', insert

'or an officer of the court'.

No. 379, in page 42, line 36, at end insert

'using reasonable force if necessary'.

No. 119, in page 42, line 37, after 'order' insert 'only'.

No. 120, in page 43, line 34, at end insert—

'(13) A recovery order shall have effect in Scotland as if it had been made by the Court of Session and as if that court had had jurisdiction to make it.

(14) In this section "the court", in relation to Northern Ireland, means a magistrates' court within the meaning of the Magistrates' Courts (Northern Ireland) Order 1981.'.—*[Mr. Mellor.]*

Clause 45

LOCAL AUTHORITY RESPONSIBILITY

Amendment made: No. 121, in page 43, line 35 leave out Clause 45.—*[Mr. Mellor.]*

Clause 46

RULES AND REGULATIONS

Amendment made: No. 380, in page 44, line 9, after '(1)' insert

'Without prejudice to section *(Rules of Court)* or any other power to make such rules'.—*[Mr. Mellor.]*

Clause 64

REGISTRATION

Amendments made: No. 302, in page 61, line 4, at end insert—

'(13A) For the purposes of this section, a person fosters a child if—

(a) he is a local authority foster parent in relation to the child;

(b) he is a foster parent with whom the child has been placed by a voluntary organisation; or

(c) he fosters the child privately.'.

No. 258, in page 61, line 12, leave out 'from registration'.—*[Mr. Mellor.]*

Clause 65

REQUIREMENTS TO BE COMPLIED WITH BY CHILD MINDERS

Amendment made: No. 388, in page 61, line 31, at end insert—

'(3) The Secretary of State may by regulations make provision as to—

(a) requirements which must be imposed by local authorities under this section in prescribed circumstances;

(b) requirements of such descriptions as may be prescribed which must not be imposed by local authorities under this section.'.—*[Mr. Mellor.]*

Clause 66

REQUIREMENTS TO BE COMPLIED WITH BY PERSONS PROVIDING DAY CARE FOR YOUNG CHILDREN

Amendment made: No. 484, in page 62, line 19, at end insert—

'(3A) The Secretary of State may by regulations make provision as to—

(a) requirements which must be imposed by local authorities under this section in prescribed circumstances;

(b) requirements of such descriptions as may be prescribed which must not be imposed by local authorities under this section.'.

Clause 67

CANCELLATION OF REGISTRATION

Amendments made: No. 130, in page 63, line 12, leave out 'registration'.

No. 131, in page 63, line 30, after 'cultural', insert 'and linguistic'.—*[Mr. Mellor.]*

Clause 68

PROTECTION OF CHILDREN IN AN EMERGENCY

Amendments made: No. 389, page 63, leave out line 41 and insert

'is suffering, or is likely to suffer, significant harm'.

No. 390, in page 64, line 6, at end insert—

'(5) Where the court imposes or varies any requirement under subsection (1), the requirement, or the requirement as varied, shall be treated for all purposes, other than those of section 70, as if it had been imposed under section 65 or (as the case may be) 66 by the authority concerned.'.—*[Mr. Mellor.]*

Clause 70

APPEALS

Amendments made: No. 259, in page 64, line 43, at end insert—

'(bb) refusing consent under paragraph 2 of Schedule 8;'.

No. 303, in page 65, line 20, leave out 'in accordance with rules of' and insert 'to the'.

No. 304, in page 65, line 20, at end insert—

'(6A) In Scotland, an appeal under subsection (6) shall be by summary application to the sheriff and shall be brought within 21 days from the date of the step to which the appeal relates.'.

No. 391, in page 65, line 20, at end insert—

'(6A) Where the court allows an appeal against the refusal or cancellation of any registration under section 64 it may impose requirements under section 65 or (as the case may be) 66.

(6B) Where the court allows an appeal against such a requirement it may, instead of cancelling the requirement, vary it.

(6C) Where the court imposes or varies any requirement under subsection (6A) or (6B) the requirement, or the requirement as varied, shall be treated for all purposes (other than this section) as if it had been imposed by the authority concerned.'.—*[Mr. Mellor.]*

Clause 71

OFFENCES

Amendments made: No. 463, in page 65, line 29, after '(1)', insert 'without reasonable excuse'.

No. 464, in page 65, line 39, after '(3)', insert 'without reasonable excuse'.

No. 260, in page 65, line 45, at end insert—

'(8A) if any person—

(a) acts as a child minder on domestic premises at any time when he is disqualified by regulations made under paragraph 2 of Schedule 8; or

(b) contravenes any of sub-paragraphs (3) to (5) of paragraph 2, he shall be guilty of an offence.

(8B) Where a person contravenes sub-paragraph (3) of paragraph 2 he shall not be guilty of an offence under this section if he proves that he did not know, and had no reasonable ground for believing, that the person in question was living or employed in the household.

(8C) Where a person contravenes sub-paragraph (5) of paragraph 2 he shall not be guilty of an offence under this section if he proves that he did not know, and had no reasonable grounds for believing, that the person whom he was employing was disqualified.'.

No. 261, in page 66, line 2, after 'conviction' insert'

—

(a) in the case of an offence under subsection (8), to a fine not exceeding level 4 on the standard scale;

(b) in the case of an offence under subsection (8A), to imprisonment for a term not exceeding six months, or to a fine not exceeding level 5 on the standard scale, or to both; and

(c) in the case of any other offence,'.—*[Mr. Mellor.]*

Schedule 8

CHILD MINDING AND DAY CARE FOR YOUNG CHILDREN

Amendments made: No. 328, in page 121, line 23, leave out

'in the case of an application under section 64(1)(b)'.

No. 264, in page 121, line 40, leave out 'so'.

No. 265, in page 121, line 43, at end insert—

'( ) an order of a prescribed kind has been made at any time with respect to any child who has been in his care;

( ) a requirement of a prescribed kind has been imposed at any time with respect to such a child, under or by virtue of any enactment;

( ) he has at any time been refused registration under Part X or any other prescribed enactment or had any such registration cancelled.'.

No. 266, in page 121, line 44, leave out 'kind so specified' and insert 'prescribed kind'.

No. 267, in page 121, line 5, at end insert—

'(3) A person who lives—

(a) in the same household as a person who is himself disqualified by the regulations; or

(b) in a household at which any such person is employed,

shall be disqualified unless he has disclosed the fact to the appropriate local authority and obtained their written consent.

(4) A person who is disqualified shall not provide day care, or be concerned in the management of, or have any financial interest in, any provision of day care unless he has—

(a) disclosed the fact to the appropriate local authority; and

(b) obtained their written consent.

(5) No person shall employ, in connection with the provision of day care a person who is disqualified, unless he has—

(a) disclosed to the appropriate local authority the fact that that person is so disqualified; and

(b) obtained their written consent.

(6) In this paragraph "enactment" means any enactment having effect, at any time, in any part of the United Kingdom.'.

No. 329, in page 122, line 13, leave out 'residential special school in Scotland' and insert 'school'.

No. 330, in page 122, line 14, at end insert—

'(ff) self-governing school'.

No. 220, in page 122, leave out lines 15 to 21.

No. 414, in page 122, line 24, leave out 'Act of 1980' and insert 'Education (Scotland) Act 1980'.

No. 331, in page 122, line 28, after 'question', insert 'as part of the establishment's activities'.

No. 332, in page 122, line 36, leave out '"grant aided", "special school"' and insert "grant aided school", "self-governing school".'.

No. 467, in page 122, line 42, after 'a', insert 'registered'.

No. 468, in page 123, line 1, leave out from 'home' to '; or' in line 2 and insert

'provided, equipped and maintained by the Secretary of State;'.

No. 333, in page 123, line 9, after 'question', insert 'as part of the establishment's activities'.

No. 334, in page 123, line 11, at end insert—

'(3) In this paragraph "a health service hospital" includes a health service hospital within the meaning of the National Health Service (Scotland) Act 1978.'.

No. 221, in page 123, line 43, at end insert—

'Co-operation between authorities

7A.—(1) Where it appears to a local authority that any local education authority or, in Scotland, education authority could, by taking any specified action, help in the exercise of any of their functions under Part X, they may request the help of that local education authority, or education authority specifying the action in question.

(2) An authority whose help is so requested shall comply with the request if it is compatible with their own statutory or other duties and obligations and does not unduly prejudice the discharge of any of their functions.'.—*[Mr. Mellor.]*

Clause 72

INSPECTION OF CHILDREN'S HOMES ETC. BY PERSONS AUTHORISED BY SECRETARY OF STATE

Amendments made: No. 262, in page 66, line 8, leave out 'registered'.

No. 132, in page 66, line 13, at end insert—

'(cc) premises in which a child who is being accommodated by or on behalf of a health authority is living;'.

No. 133, in page 66, line 20, at end insert—

'(ff) premises on which any person is acting as a child minder;'.

No. 134, in page 66, line 21, after 'premises', insert 'with respect to which a person is'.

No. 392, in page 66, line 22, at end insert 'required to be'.

No. 135, in page 66, line 24, at end insert—

'(j) premises which are provided by a local authority and in which any service is provided by that authority under Part III.'.

No. 305, in page 66, line 24, at end insert—

'(hh) independent school providing accommodation for any child.'.

No. 306, in page 66, line 32, after '(1)', insert 'or, in relation to Scotland, subsection (1)(ff) or (g)'.

No. 136, in page 66, line 33, leave out 'or'.

No. 137, in page 66, line 35, at end insert

'or

(d) the discharge by any local authority of any of their functions under this Act.'.

No. 263, in page 66, line 40, leave out 'voluntary home or registered'.

No. 393, in page 66, line 41, at end insert—

'(cc) proprietor of an independent school;'

No. 138, in page 66, line 44, after 'authority', insert 'health authority'.

No. 139, in page 67, line 7, leave out 'persons', and insert 'children'.—*[Mr. Mellor.]*

Clause 74

FINANCIAL SUPPORT BY SECRETARY OF STATE

Amendments made: No. 140, in page 69, line 1, leave out 'provide, equip and maintain' and insert 'arrange for the provision, equipment and maintenance of'.

No. 141, in page 69, line 4, after 'are', insert 'or will be'.—*[Mr. Mellor.]*

Clause 75

RESEARCH AND RETURNS OF INFORMATION

Amemdments made: No. 142, in page 70, line 7, after 'each', insert 'magistrates'.

No. 143, in page 70, line 8, leave out 'transmit to him' and insert 'transmit—

(a) to such person as may be specified in the direction; and

(b) '.—*[Mr. Mellor.]*

Clause 76

LOCAL AUTHORITY FAILURE TO COMPLY WITH STATUTORY DUTY: DEAFULT POWER OF SECRETARY OF STATE

Amendment made: No. 144, in page 70, line 37 at end insert—

'(1A) An order under subsection (1) shall give the Secretary of State's reasons for making it.'.—*[Mr. Mellor.]*

Clause 80

CARE AND SUPERVISION ORDERS IN CRIMINAL PROCEEDINGS. 1969 C. 54

Amendments made: No. 394, in page 72, line 26, leave out subsection (2) and insert—

'(2) The powers of the court to make care orders—

(a) under section 7(7)(a) of the Children and Young Persons Act 1969 (alteration in treatment of young offenders etc.); and

(b) under section 15(1) of that Act, on discharging a supervision order made under section 7(i)(b) of that Act,

are hereby abolished.'.

No. 145, in page 72, line 28, leave out subsection (3) and insert—

'(3) The powers given by that Act to include requirements in supervision orders shall have effect subject to amendments made by Schedule 10.'.—*[Mr. Mellor.]*

Clause 81

EFFECT AND DURATION OF ORDERS ETC—

No. 146, in page 72, line 34, at end insert—

'(2A) The making of a care order with respect to a child who is a ward of court brings that wardship to an end.

(2B) The making of a care order with respect to a child who is the subject of a school attendance order made under section 37 of the Education Act 1944 discharges the school attendance order.

(2C) Where an emergency protection order is made with respect to a child who is in care, the care order shall have effect subject to the emergency protection order.'.

No. 395, in page 72, line 34, at end insert—

'(2A) The making of a care order with respect to a child who is the subject of a supervision order discharges that other order.'.

No. 147, in page 73, line 3, leave out '8(5)' and insert '8(5A)'.

No. 148, in page 73, line 21, at end insert—

'(bb) the discharge of an education supervision order;

No. 396, in page 73, line 23, leave out paragraph (d) and insert—

'(d) a child assessment order'.

No. 149, in page 73, line 28, leave out '(10)' and insert '(11)'.

No. 242, in page 73, line 37, leave out clause 82.—*[Mr. Mellor.]*

Clause 83

PROCEDURE

Amendment made: No. 307, in page 74, line 5, leave out clause 83.—*[Mr. Mellor.]*

Clause 84

RESTRICTIONS ON USE OF WARDSHIP JURISDICTION

Amendments made: No. 150, in page 74, line 17 after 'authority', insert—

'(bb) so as to make a child who is the subject of a care order a ward of court;'.

No. 151, in page 74, line 19 leave out 'issue' and insert 'question'.—*[Mr. Mellor.]*

Clause 85

TRANSFERS BETWEEN ENGLAND AND WALES AND NORTHERN IRELAND, THE CHANNEL ISLANDS OR THE ISLE OF MAN

Amendments made: No. 152, in page 74, line 43, after 'effect', insert 'in prescribed circumstances'.

No. 153, in page 75, line 4, after 'effect', insert 'in prescribed circumstances'.

No. 397, in page 75, line 6, at end insert—

'(1A) Regulations under subsection (1) may provide for the order concerned to cease to have effect for the purposes of the law of Northern Ireland, or (as the case may be) the law of England and Wales, if prescribed conditions are satisfied.'.

No. 154, in page 75, line 13, after 'effect', insert 'in prescribed circumstances'.

No. 398, in page 75, line 14, at end insert—

'(2A) Where a child who is in the care of a local authority is lawfully taken to live in Northern Ireland, the Isle of Man or any of the Channel Islands, the care order in question shall cease to have effect if the conditions prescribed in regulations made by the Secretary of State are satisfied.'.—*[Mr. Mellor.]*

Clause 86

POWER OF CONSTABLE TO ASSIST IN EXERCISE OF CERTAIN POWERS TO SEARCH FOR CHILDREN OR INSPECT PREMISES

Amendments made: No. 399, in page 75, line 36, at end insert 'using reasonable force if necessary'.

No. 156, in page 76, line 11, leave out '64' and insert '69'.

No. 308, in page 76, line 11, leave out 'and 78' and insert

'78 and *(Welfare of children accommodated in independent schools)*'.—*[Mr. Mellor.]*

Clause 88

REGULATIONS AND ORDERS

Amendments made: No. 157, in page 76, line 24, leave out 'conferred by' and insert

'of the Lord Chancellor or the Secretary of State under'.

No. 309, in page 76, line 25, after 'regulations', insert 'or rules'.

No. 310, in page 76, line 25, leave out 'or 76' and insert '76 or *(Privacy for children involved in certain proceedings)*(4)'.

No. 311, in page 76, line 29, after '15(4)', insert

', *(Application to Channel Islands)* or 91(2)'.—*[Mr. Mellor.]*

Clause 89

INTERPRETATION

Amendments made: No. 158, in page 77, line 7, after 'means', insert

'subject to paragraph 16 of Schedule 1'.

No. 159, in page 77, line 7, at end insert—

'"child assessment order" has the meaning given by section *(Child assessment orders)*(2);'

No. 160, in page 77, line 7, at end insert—

'"child minder" has the meaning given by section 64;'.

No. 312, in page 77, line 12, after 'parties', insert 'as foster parents'.

No. 313, in page 77, line 14, at end insert—

'"children's home" has the same meaning as in section 56.'.

No. 400, in page 77, line 16, at end insert—

'"day care" has the same meaning as in section 16;'.

No. 161, in page 77, line 20, at end insert—

'"domestic premises" has the meaning given by section 64(12);'.

No. 162, in page 77, line 25, at end insert—

'"guardian of a child" means a guardian (other than a guardian of the estate of a child) appointed in accordance with the provisions of section 5'.

No. 314, in page 77, line 40, after 'means,' insert 'in relation to England and Wales'.

No. 315, in page 77, line 42, at end insert 'and, in relation to Scotland, a local authority within the meaning of section 1(2) of the Social Work (Scotland) Act 1968'.

No. 465, in page 78, line 22, leave out 'supervised child' and insert 'child who is the subject of a supervision order'.

No. 163, in page 78, line 23, at end insert—

'"school" has the same meaning as it has in the Education Act 1944 or, in relation to Scotland, in the Education (Scotland) Act 1980;'.

No. 164, in page 79, line 10, leave out subsection (5).

No. 165, in page 79, line 12, at end insert—

'(5A) References in this Act to accommodation provided by or on behalf of a local authority are references to accommodation so provided in the exercise of functions which stand referred to the social services committee of that or any other local authority under the Local Authority Social Services Act 1970.'.

No. 166, in page 79, line 21, at end insert—

'(6A) References in this Act to children who are in need shall be construed in accordance with section 15.'—*[Mr. Mellor.]*

Clause 91

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendments made: No. 368, in page 80, line 1, after '(2)' insert

'Sections *(Tests to establish paternity)* and *(Evidence given by, or with respect to, children)* (3) to (7), and paragraph 26AA of Schedule 10 shall come into force on the passing of this Act and paragraph 26A of Schedule 10 shall come into force at the end of the period of two months beginning with the day on which this Act is passed but otherwise'.

No. 316, in page 80, line 2, leave out 'Secretary of State' and insert 'Lord Chancellor or the Secretary of State, or both acting jointly'.

No. 167, in page 80, line 8, after 'provisions', insert 'and savings'.

No. 401, in page 80, line 9, at end insert—

'(7A) An order under subsection (2) may make such transitional provisions or savings as appear to the person making the order to be necessary or expedient in connection with the provisions brought into force by the order, including—

(a) provisions adding to or modifying the provisions of Schedule 12; and

(b) such adaptations—

(i) of the provisions brought into force by the order; and

(ii) of any provisions of this Act then in force,

as appear to him necessary or expedient in consequence of the partial operation of this Act.

(7B) The Lord Chancellor may by order make such amendments or repeals, in such enactments as may be specified in the order, as appear to him to be necessary or expedient in consequence of any provision of this Act.'.

No. 402, in page 80, line 13, leave out subsection (9) and insert—

'(9) The following provisions of this Act extend to Scotland—

section 17;
section 22(9);
section 44(13);
Part X;
section 72(1)(ff) and (g), (2) to (4), (5)(a), (b) and (g) and (6) to (12;
section 79;
section 88 (so far as necessary);
section 89 (so far as necessary);
subsections (1) to (3), (7A) and (7B) and this subsection;
in Schedule 2, paragraph 22;
in Schedule 10, paragraphs 1, 4 to 7, 15, 22B, 23B(a) and 26F to 27;
in Schedule 11, paragraphs 13 to 16, 24A, 27A, 27B, 28A, 31A, 35A, 35B, 35G(a) and (b) and 35J;
in Schedule 12, paragraphs 1, 33 and 34;
in Schedule 13, the entries relating to—

(a) the Custody of Children Act 1891;
(b) the Nurseries and Child Minders Regulation Act 1948;
(c) section 53(3) of the Children and Young Persons Act 1963;
(d) section 60 of the Health Services and Public Health Act 1968;
(e) the Social Work (Scotland) Act 1968;
(f) the Adoption (Scotland) Act 1978;
(g) the Child Care Act 1980;
(h) the Foster Children (Scotland) Act 1984;
(i) the Child Abduction and Custody Act 1985; and
(j) the Family Law Act 1986.'.

No. 403, in page 80, line 19, leave out subsection (10) and insert—

'(10) The following provisions of this Act extend to Northern Ireland—

section 44;
section 85(1)(b), (1A) and (3)(a)(i);
subsections (1) to (3), (7A) and (7B) and this subsection;
in Schedule 2, paragraph 22;
in Schedule 10, paragraphs 4 to 7, 15 and 22B;
in Schedule 11, paragraphs 14, 15, 27A, 27B, 31A, 35A, 35B, 35G(c) to (e), and 35H to 35J;
in Schedule 12, paragraphs 18, 28 to 30 and 38(a); and
in Schedule 13, the entries relating to the Guardianship of Minors Act 1971, the Children Act 1975, the Child Care Act 1980, the Child Abduction and Custody Act 1985 and the Family Law Act 1986.'.
—*[Mr. Mellor.]*

Title

No. 359, in title, page 1, line 5 after 'fostering', insert 'child minding and day care for young children'.—*[Mr. Mellor.]*

Order for Third Reading read.

1.54 pm

Mr. Mellor: I beg to move, That the Bill be now read the Third time.

I hope that my colleagues do not mind me going in to bat first in this Third Reading debate, but I want the opportunity to say how grateful I am to all hon. Members who have worked with me on the Bill, preparing it and advising us on it for all that they have done.

As I have said throughout the Bill, and it bears repeating one last time, it is not every day that one gets the chance to have a comprehensive reform of private and public law on children. It has been a major undertaking

which has required the codification of a significant body of statute law and major reforms to that law to produce very substantial advances. For example, the law relating to the protection of abused children has been changed, as have the rights of other family members including grandparents and others that we discussed earlier today. Quite fundamental changes have been made to court procedure and other issues of law.

Therefore, I say with sincerity to those of my officials who have worked so hard on the Bill that they have carried out a herculean task with great patience, as have those outside the House who have helped and advised us. While I know that one or two of them feel a little dissatisfied with certain points, I believe that the overwhelming feeling will be that Parliament has done a good job. I hope that that does not sound complacent, but I believe it to be the case. I am grateful to them for helping us to do a good job.

I should also like to thank my hon. and learned Friend the Solicitor-General for his stalwart assistance in all stages of the Bill, and I should very much like to thank the Opposition for the manner in which the Bill has been conducted.

It has been a real pleasure and a privilege to work with the hon. Member for Monklands, West (Mr. Clarke) on the Bill, because narrow partisan motives have never intruded in his consideration of the matter. It struck a blow for the ability of Members of Parliament to work together in that, notwithstanding our differences on other political issues, we were able to sit down together and have joint meetings with some of the interest groups. That shows Parliament at its best. While it is very important for people in politics to know when they disagree, and not to be afraid to say so, it is equally important that people know that there are issues which can bring us together. The leadership of the hon. Member for Monklands, West, assisted by the hon. Member for Durham, North-West (Ms. Armstrong) has been exemplary. I should like to thank all the Opposition Members for their help, including the hon. Member for Southport (Mr. Fearn) and the hon. Member for Ynys Môn (Mr. Jones). I do not think that anyone could feel that their views had been shut out or who will not feel some pride in our collective achievement.

Obviously, what we have done goes for the other place. We have sent back a whole raft of amendments, but that reflects the seriousness with which we have considered the Bill, and the seriousness with which the other place started consideration of the Bill. I believe that the Bill returns to the other place the better for its Commons consideration, and I hope that those in the other place will forgive us for the volume of amendments and recognise that, with any luck, not only have we managed to make the policy lines in the Bill better, although in every particular we have not gone as far as the hon. Member for Ogmore (Mr. Powell) would like. However, thanks to the stalwart work of the parliamentary draftsmen, to whom great thanks are due, we have gone through the Bill ironing out little verbal infelicities and problems that can sometimes make lawyers a great deal of money if they slip into the finished product.

I conclude with a personal word. It has been my privilege during my time as a Minister to participate in a great deal of legislation. I remember with particular affection those on which the House was able to work together on a shared endeavour. I think particularly of working on the Drug Trafficking Offences Act 1986 with certain Opposition Members, including the hon. Member for Middlesbrough (Mr. Bell). That was an important Bill which is standing the test of time. The same was true of the work on the Animals (Scientific) Procedures Act 1986 which has managed to give us the most modern system of animal law on the vexed, difficult and emotionally troubling subject of animal experiments. If those Bills are good, it is not because of anything that I did, but because hon. Members, with a few exceptions, joined to work sensibly on them. The Children Bill will join that little Pantheon as a happy experience for me.

Mr. Tom Clarke: I thank the Minister for his kind and generous remarks. I associate myself and my hon. Friends with the thanks that he offered to his officials and to the voluntary organisations. The voluntary organisations did much work and showed much commitment throughout our proceedings. Some of them may be disappointed, but none should feel that any hon. Members believe that they gave less than their best. I was delighted by the Minister's comments about the other place. It is not often that hon. Members can truthfully say that we are sending back a better Bill for the other place to consider.

I shall not rehearse the arguments about the guillotine, although I regret that I was not present for that debate. It is fair to say that the skill of the Minister for Health—the hon. and learned Gentleman was extremely skilful, as was the Solicitor-General, whatever disagreements I may have had with him—was not reciprocated by his ministerial colleagues. The Minister for Health will not complain, but I think that I am entitled to do so on his behalf. Given the time that the Minister spent on the Bill, whatever arguments we may have had about the guillotine it is overwhelmingly clear that the Government's legislative machinery was overloaded this Session. The noble Lord Whitelaw was certainly right about that.

It is remarkable that the Bill has reached its present stage. In all candour, given that there is such a gulf of philosophy between the Government and the Opposition, and given the constraints of time, it is remarkable that we are endorsing a Bill which represents such consensus. Future historians may find that a remarkable achievement.

It is appropriate to repeat hon. Members' comments when they acknowledge the input of the Select Committee on Social Services, which used to be chaired by one of our former colleagues, Renée Short. It is a tribute to her and to her colleagues that they campaigned for many of the measures now in the Bill. The Minister will agree that her plea from the heart that future legislation should not be implemented in dribs and drabs should be acknowledged by the House. I am sure that the Minister will not mind if I pay tribute to my hon. Friends. In presenting the Labour party's views and policy, they did a service to Parliament and to the nation. They will agree that when the Bill is enacted, it will represent a framework for future legislation.

The Minister rightly said that the Bill does not go as far as we should wish in many respects. That was self-evident from our debate on family courts. As to children's rights, there is a case for the appointment of independent persons and for complaints procedures. My hon. Friends look forward to the time when we have a children's ombudsman, and I believe that the case for that has been made.

My hon. Friend the Member for Wakefield (Mr. Hinchliffe), who unfortunately has had to leave our proceedings having once again made an excellent

[Mr. Tom Clarke]

contribution, raised the issue of training. Training is essential to reach all the objectives which hon. Members have set and which are included in the legislation.

Despite the Minister's clear co-operation, the House is bound to want to monitor how well the assessment orders work. That is important, especially in view of our complex discussions. In time we will want to look again at the ouster orders which were debated, albeit briefly, this morning and the important issue of termination of voluntary care.

It is appropriate that I should ask the Minister to give a commitment—if not this afternoon, then fairly soon—about the implementation dates that the Government have in mind. We understood earlier that they were thinking of April 1991, but more recently we have heard about autumn 1991. *[Interruption.]* I am grateful for the correction. Perhaps what was said the other night was a slip of the tongue as well.

On the issue of inspection of recreation and play areas, the amount of £10 was mentioned. If the Minister finds time, we should like to know whether that covers inspection as well as costs.

Some elements of the Bill have not yet taken into account some of the strong representations made to us. The representations that we received, especially from young runaways, made me feel that their plight was the most moving of any of the issues that were put to us during the Bill's passage. I hope that it will be seriously considered.

I know that there may be a struggle between the various Departments represented in the House and the Treasury, but resources are essential if the Bill is to have meaning. There is an acute shortage of social workers in many parts of the country. It is vital that those resources are made available for other aspects of social services and education.

On Second Reading I endeavoured to outline the simple fact that family life as we once understood it did not necessarily exist today. There are a huge number of single-parent families. There have been changes which suggest that society is changing. I hope that the Bill will reflect those changes and respond to the challenges.

My hon. Friends the Members for Durham, North-West (Ms. Armstrong), for Newcastle-under-Lyme (Mrs. Golding), for Middlesbrough (Mr. Bell), for Eccles (Miss Lestor), for Wakefield and for Leicester, East (Mr. Vaz) have made a major contribution to our discussions, and I thank them. I hope that in time, after we have listened to those responsible for the Bill's implementation, to children, families, parents and carers, legislation even more progressive than the Bill will be produced.

I am pleased that the hon. Member for Cambridge (Mr. Rhodes James) is present because he provided distinguished chairmanship of the Committee. Both sides of the House have been conscious of the sensitivities of children who, in many cases, are the most vulnerable in our society. We have tried to reflect that concern.

I know that my hon. Friends will approve if I say that it is, perhaps, appropriate to end my speech with a quotation from my hon. Friend the Member for Leicester, East. Although he is not present, he has shown a great interest in the Bill. On Second Reading he quoted Charles Dickens:

> "In the little world in which children have their existence, whomsoever brings them up, there is nothing so finely perceived or so finely felt as injustice."

If, through this Bill, we have managed to remove some of those injustices, the whole exercise has been more than worthwhile.

2.11 pm

Mr. Roger Sims (Chislehurst): My hon. and learned Friend the Minister was kind enough to refer to some of the outside organisations which have been interested in this measure. As a member of the central executive committee of the National Society for the Prevention of Cruelty to Children, it might be appropriate if, on its behalf and that of all the other organisations involved, I reciprocated and told my hon. and learned Friend how grateful they are to him and his officials for the way in which they have co-operated in producing the Bill. As an hon. Member who has served in Committee on this Bill, in turn I should like to thank all those organisations for keeping us acquainted with their views, which has assisted us in improving the Bill. I am sure that the House will understand if I make particular mention of Avril Wilson, who has quite literally been here day and night briefing Members of both Houses and of all parties.

We have sought, through the Bill, to achieve a balance between the rights of children, the rights of parents and, of course, the duties of the state. Perhaps it is the latter that is the most difficult to define and the most sensitive to administer. In what circumstances should the state intervene in family matters in the shape of a local authority social worker or an NSPCC officer? I hasten to add that an NSPCC officer is not an agent of central or local government; but, uniquely, the Bill gives such an officer similar powers to those of a local authority social worker. I hope and pray that we have the balance right. I hope that we have made it clear when and how such intervention should take place.

Our task will soon be completed, but that of the practitioners in the field has barely begun. They have to translate our words into actions—both those who administer social work and the social workers in the field. Let us be under no illusions; changes will cost money. It is essential that the resources are made available for the implementation of the Act. The figures quoted in the preamble to the Bill are, I am pretty sure, not a maximum estimate, so at least that amount will be needed.

We must remember that social workers are human beings and, like all of us, occasionally make mistakes and misjudgments. That is especially true as they are dealing with people who, perhaps, have more than the average quota of weaknesses and are sometimes unpredictable and unstable. Mistakes are bound to happen. I fear that the Bill cannot entirely remove the possibility of further cases of the kind that have featured in our discussions, but I hope that there will be far fewer of them.

The Bill will soon be an Act and our job will be done. Others will have the task of learning the changes and additions that have been written into the law and will have to put them into practice in their everyday work. As they do so, they can be certain that our thoughts, prayers and good wishes will be with them.

2.14 pm

Mr. Fearn: There is no doubt that the Bill is to be welcomed. It brings together many different areas of both public and private law relating to children. Its central theme is the interests and welfare of children. That is what we have all had at heart. The objective is to achieve that through a balance between a child's right to be protected and the rights, responsibilities and duties of parents and the state.

During our proceedings, there has been a consensus and a willingness to co-operate from all sides. A tremendous number of amendments have been tabled at all stages. Some were accepted by the Government and many were withdrawn on promises of consideration by Ministers. In many instances, the Government have honoured their promises and have tabled amendments to cover such points. I believe that that is what has happened in relation to grandparents' rights. However, not all the Government's amendments have been completely satisfactory and a few have upset the balance in favour of intervention. Nevertheless, on the whole the result is welcome.

One of our main complaints relates to the speed with which the Bill has passed through the House. Some crucial Government amendments were tabled at a very late stage, making it difficult for us to assess their full implications. I know that the people responsible for the children's lobby are exhausted. The number of amendments tabled and selected on Report highlights the amount of work and effort that has gone into the Bill.

The Bill is obviously a vast improvement on the present legislation, but it is a great shame that such legislation, which is so important to the welfare of our children, did not include that all-embracing item for which hon. Members of all parties have been crying out. I refer to a family court system. That is to be regretted. Nevertheless, the Bill has almost got it right and I am pleased to see its historic passage today.

2.16 pm

Mr. Rowe: Although I welcome the Bill hugely, one is bound to feel some disappointment that one intractable problem has still not been dealt with satisfactorily. I refer to what are usually known as fathers' rights. It is still too easy for children to slip away from one parent and it is often extremely difficult for that parent to have access to those children. Although the Bill has done its best to address that difficult problem, I am sure that the House will have to return to it.

I pay warm tribute to the voluntary organisations that have done so much work. The way in which they have worked together is a model which I very much hope that the voluntary sector will take on board for our discussions on the White Paper on community care. The same collaboration throughout the voluntary sector will improve the debate enormously.

Finally, we have all been concerned with the casualties of society and the Bill is an attempt to provide a more just way of dealing with those casualties and to strengthen some of the bulwarks against them ever happening. One of the great issues of the next decade will be how we are to create the kind of society that will make it easier for parents to discharge their responsibilities in such a way that there will be no need for state intervention. We shall have to consider how we, as a society, are responsible for all our children.

2.18 pm

Mr. Stuart Bell (Middlesbrough): I am pleased to follow the hon. Member for Mid-Kent (Mr. Rowe) who was right to say that the Bill is a consequence of the many tragedies to which we have referred throughout our proceedings. Those of us who followed the Cleveland child abuse crisis, such as the hon. Member for Stockton, South (Mr. Devlin), were always struck by the way in which it brought about new events and new circumstances beyond anyone's imagination. Indeed, who would have imagined that this week, when dealing with the Children Bill, we would have learnt so much about the Associated British Ports Bill? Who would have imagined that in the middle of a debate on a guillotine motion my hon. Friend the Member for Bolsover (Mr. Skinner), whom I am pleased to see in his place, would announce the resignation of the Chancellor of the Exchequer? It was kind of him to do so. Even the new Foreign Secretary, who writes thriller novels, could not have written a script more perfect and more full of whodunnits than the events that occurred last night.

The Minister of State was kind enough to refer to the variety of Bills on which it has been a pleasure to work with me, but he did not mention the Police and Criminal Evidence Act 1984, which was one of the earlier Bills on which we worked together. There were 69 sittings of that Committee, but I will not go into the connotations of 69 as my hon. Friend the Member for Monklands, West (Mr. Clark) is sitting on the Front Bench. We changed the law in such a way, however, that cases such as the Guildford Four might not happen again.

Clause 1 talks about the interests of the children being paramount. That is absolutey right and essential. Lord Justice Butler-Sloss said in her report:

"A child is a person and not an object of concern".

We must all agree with that.

Clause 2 deals with parental responsibility. I agree with the hon. Member for Chislehurst (Mr. Sims) that we must get the balance right between the rights of children and of their parents. The Bill goes some way to achieving that end. My hon. Friend the Member for Ogmore (Mr. Powell) will be happy that clause 9 enables grandparents to apply for a section 7 order at any time, provided that they first get the court's permission by showing that they have good reason. Grandparents will almost certainly expect to be allowed to make representation under the new complaints procedure in clause 23 relating to access to children. My hon. Friend must feel a great sense of satisfaction at some of the changes contained in the Bill.

The hon. Member for Chislehurst also referred to social workers and the great responsibility that they bear. I refer again to the Butler-Sloss report which stated:

"no single agency—Health, Social Services, Police or voluntary organisation—has the pre-eminent responsibility in the assessment of child abuse generally and child sexual abuse specifically. Each agency has a prime responsibility for a particular aspect of the problem. Neither children's nor parents' needs and rights can be adequately met or protected unless agencies agree a framework for their inter-action. The statutory duties of the Social Service Departments must be recognised".

[Mr. Stuart Bell]

Social workers therefore, will not be obliged to take full responsibility. The hon. Member for Chislehurst also mentioned the family court and on that the Butler-Sloss report noted:

"We recognise the considerable procedural advantages of the ability to move cases at any time from one tier of the Court to another, which would be achieved by the setting up of a Family Court."

We have not got a family court from the Bill, but as the Solicitor-General knows, we have unified jurisdiction under new clause 1. We also welcome the child assessment orders contained in new clause 13. They will be a new tool for social workers and we are pleased to note that clause 38 and the emergency protection orders get rid of the dreaded place of safety order which was used to such ill effect in Cleveland. We also welcome the rights of access contained in the Bill.

The final debate on the final day of our deliberations on the Children Bill takes place during the mid-term holiday and children are able to follow our proceedings. Recently I reviewed a book about children who had been abandoned throughout the ages. The message of the Bill is that we are not abandoning children's or parents' rights. We are seeking, with foresight rather than with hindsight, to look to the future. I am glad to have been part of the parliamentary team that considered the Bill, which now goes back to the other place before appearing on the statute book.

2.23 pm

Mr. Devlin: I commend this excellent Bill to the House and to the country. We nearly lost it earlier in the week and it is with a sigh of relief that I note that it is now moving safely out of the House into the other place before proceeding to the statute book. The Bill is long overdue and its effects are much awaited.

As I come from Cleveland it was an especial honour to serve on the Committee. During my first year in Parliament I was witness to much suffering, which will now be alleviated by the measures we have introduced. It is of particular pleasure to me that the place of safety order has been abolished and the emergency protection order has been introduced along with a number of new measures, not least those pertaining to grandparents. The most beautiful part of the Bill, however, is that the interests of the child are paramount. That is stated unequivocally at the beginning of the Bill.

I pay tribute to the officials who served the Committee so well and to all the voluntary organisations—particularly Peter Smith of the family courts campaign—which have been of great assistance to members of the Committee and of the all-party children's group headed by Baroness Faithfull. I also pay tribute to the one unsung hero who has not been mentioned today—the Chairman of the Standing Committee——

Ms. Armstrong: He has been mentioned.

Mr. Devlin: I refer to my hon. Friend the Member for Cambridge (Mr. Rhodes James), who may have been mentioned when I stepped out to answer the phone. This is a subject close to his heart.

It has been of great interest to me go serve on a Bill which until recently was approached in a non-partisan way. I have a high regard for many Opposition Members who served on the Standing Committee, so it was with some regret that I learnt from the *Middlesbrough Evening Gazette* yesterday that I had been criticised by the hon. Member for Middlesbrough (Mr. Bell) for failing to support an amendment on family courts, since I gave clear and good reasons for doing so.

The Bill goes from here to another place with a large number of amendments. I know that their Lordships will welcome it even though they are going bananas about the amount of work that they will have to do.

2.27 pm

The Solicitor-General (Sir Nicholas Lyell): I am glad to wind up a debate on what has been a happy Bill and to which, I am the first to acknowledge, all sides of the House have greatly contributed. I pay tribute to the hon. Member for Monklands, West (Mr. Clarke) for the major contribution that he and the hon. Member for Durham, North-West (Ms. Armstrong) made to our common objective.

The hon. Member for Monklands, West was kind enough to say that if we had had our differences we had made them up, and I concur with that. It is curious that our differences were due to a common over-enthusiasm to reach our goal and the speed at which we could properly reach it.

I join other members of the Committee and my hon. and learned Friend the Minister of State in thanking the officials who gave us so much help throughout the Bill and the outside organisations which played such a constructive role in its creation. My part has been to deal with the early clauses, which cover crucial aspects such as the fact that the welfare of the child should be paramount, as the hon. Member for Middlesbrough (Mr. Bell) said, and important concepts to do with parental responsibility, which should never be forgotten. All too often we deal with problems because parental control and responsibility have broken down.

The one great area of debate on Report was the family court. On that we are divided not as to objectives but merely as to the speed and means at which we should reach them. We can congratulate ourselves, however, on having created a unified body of child law which will apply at every level—to the High Court, to the family division in the county courts and in the magistrates courts. That paves the way for a unified jurisdiction, with the possibility of cases moving from the magistrates courts up to the county or high courts and commencing at, or rapidly moving to start at, the appropriate level for their decision.

By creating this model and sending it back to the other place, we can say that we have created what may prove to be a model for a wider form of family court of the future, once the important reports from the Law Commission and from other bodies—and the important report from Newcastle university on conciliation—have had time to be properly digested.

As for how long all this will take, I confirm what I said the other day—the Bill should be up and running in the next two years, so by the autumn of 1991 we should be well down the road. I hope that that is of assistance—

Mr. Devlin *rose*——

The Solicitor-General: No, I shall not give way to my hon. Friend, who is looking at the clock with all the intelligence that he usually brings to these occasions.

I am glad to commend the Bill on Third Reading to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 1st November, notwithstanding the provisions of Standing Order No. 15 (Prayers against Statutory Instruments, &c. (negative procedure)), if proceedings on the Motion in the name of Mr. Neil Kinnock relating to the National Health Service have not been previously disposed of, Mr. Speaker shall at Seven o'clock put the Question thereon.—*[Mr. Sackville.]*

Opencast Mining (Derbyshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Sackville.]*

2.29 pm

Mr. Dennis Skinner (Bolsover): This debate is the story of two opencast sites, one of which was proposed before the last general election and which was to be near the villages of Clowne and Barlborough in my constituency, known hereafter as the Slayley site. The second one is the subject of another application by the Opencast Executive of British Coal for further opencast mining in part of Barlborough but in the main in the constituency of my hon. Friend the Member for Derbyshire, North-East (Mr. Barnes).

We all know that in the past few years there have been many pit closures. We also know that the nation has enough deep-mine coal for 300 years and that it can be used by the nation to offset balance of payment deficits and to support the economy. As a result of pit closures in the past few years, much of that coal has been sterilised because when pits are shut and people are thrown on the dole, the opencast mining that is allowed strips off only about 25 per cent. of the total amount of coal available. The remainder of that coal could be made available by deep mining.

That is not the only problem with opencast mining. It affects the environment as well. We hear much talk in the House about the environment, but my constituents are fed up to the back teeth with the Opencast Executive being granted permission by the Government, even after appeals, to opencast in and around rural villages causing dust and noise and massive movements of lorries. There is also a loss of jobs.

In December 1986 Derbyshire county council turned down an application for the Slayley site. It was supported by Bolsover district council, Clowne parish council, Barlborough parish council and parish councils in the constituency of my hon. Friend the Member for Derbyshire, North-East. All the communities in north Derbyshire and Bolsover opposed that application. Local democracy got to work and meetings of several hundred people took place in the villages. They talked about what would happen if the opencast mining application was granted. It would have meant the extraction of 300,000 tons over 200 acres and 100 lorry movements every day. The Monnies ancient burial site would have been ripped apart and it would have destroyed the wildlife and fauna in the vast areas around Barlborough, Clowne and Renishaw. The noise would have been horrific throughout the five years of extraction and over the period of the second five years when they started to take the clay.

Opencast mining makes a great big hole and creates vast profits, principally for the contractors. Many people within and outside the country, some of them with great big tankers, are only too anxious to fill those holes with toxic waste. That is why Derbyshire county council was careful to say in its objections that not only would opencast mining be detrimental to the amenity and the environment, but that the exposed clays which underlie the coal might be considered as a possible site for the dumping of nuclear waste. Therefore, we had a multitude of reasons for opposing the application. I opposed it and so did all the

[Mr. Dennis Skinner]

people in the community. Not only would it cause much environmental change but it would also create a possible site for toxic waste or become a nuclear dump.

We had an inquiry because British Coal decided to appeal against the decision of Derbyshire county council and the other local authorities. We went to the inquiry with a great deal of confidence. People from the villages turned out in their hundreds and put the case before the inspector who was sent from the Department of the Environment. After several days the report went back. The inspector's report said that because this was a relatively built-up area, the noise levels would have to be such that British Coal could carry out opencast mining for only 11 seconds per day. Naturally, British Coal said that it could not mine coal on that basis because it was uneconomic, so the villagers and local democracy in the area of Bolsover and north-east Derbyshire triumphed. That was in July 1987 and the report was issued shortly afterwards, to the villagers' jubilation. Then the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), now Secretary of State for Trade and Industry, was replaced as Secretary of State for the Environment in the Cabinet reshuffle—not the one yesterday but the one in July this year—by the so-called green and friendly Environment Minister, the right hon. Member for Bath (Mr. Patten). Meantime British Coal asked for the conditions to be varied so that it could opencast the site and get ahead with this massive operation. The previous Secretary of State accepted his inspectors' report about allowing mining for only 11 seconds per day. What did the new Secretary of State do in his first week in his job? Contrary to all the talk on the television and articles that have been written about him, the new, green Secretary of State overturned the decision and allowed British Coal to opencast despite the conditions that had been put on it. That was a savage decision. In view of his reputation, it would have been decent for the Secretary of State to have said, "No, I shall send this back for a further appeal. I intend to have this examined so that local democracy can play a part in the new decision before I agree to British Coal's variation of the conditions." Instead, he trampled all over the civic rights of people in Barlborough and Clowne. No inquiry was allowed and the so-called green and friendly Secretary of State, despite all the talk that we have heard about him, allowed British Coal to go ahead.

It is time that we spoke the truth in this place. We hear a lot about the environment and about the new society of the 1990s. We hear how the Government intend to look after the interests of those who live in the green belt, but this is part of the green belt. It is one thing for the new Secretary of State for the Environment to overturn decisions about the green belt in Tory-held constituencies and get praise from Tory Members. Yet in Labour-held constituencies such as mine and that of my hon. Friend the Member for Derbyshire, North-East (Mr. Barnes), it is a different story altogether. He is not worried about the green belt in Bolsover, Barlborough, Clowne, Renishaw, Killamarsh, Slayley and in my hon. Friend's constituency. He is happy to let British Coal take its massive machines into those areas and create all the noise and dust possible.

British Coal, not content with asking for the conditions to be varied and agreed by the Government, decided to use a further application called the Pinnock application. Pinnock is mainly in my hon. Friend's constituency. He, like me, opposes opencast mining. He had a discussion with me and one or two others and we brought a massive petition to the House some time ago objecting to the application. Nearly everybody in the area objected and both my hon. Friend and I objected as Members of Parliament.

We want this deputy Subbuteo who has been sent to look after the Secretary of State's interests to go back to the Secretary of State and tell him, "You did wrong to allow the conditions to be varied. You have not played the game by the people living in Barlborough and Clowne. You ought to do the decent thing and turn down the Pinnock application when it comes to the Department, as it will after it has been to the appeal and the inspectors." He should say that despite the decision made in July in respect of Slayley, the job has not been done properly. The Government should allow the people in the villages to take part in the Slayley decision rather than proceeding in such a heavy-handed and bureaucratic manner.

We have the Pinnock site, to which my hon. Friend the Member for Derbyshire, North-East will refer if he catches your eye, Mr. Deputy Speaker. It is a massive site. There are about 40 million tonnes of coal stocked in Britain, so there cannot be such a great need for more coal. However, the Government want to line the pockets of their friends and so they are engaged in opencast mining.

We are seeing the prelude to privatisation. If the Conservative party is successful at the next general election, which is unlikely after yesterday's debacle, what better can it do than to say to its friends that the Government will privatise the coal industry where it matters—not all of it—and give them the juicy bits? They will be able to say that their green and friendly Environment Minister has allowed applications for opencast mining in all the coalfields of Britain in the past few months, including north Derbyshire.

Mr. Frank Haynes (Ashfield): And my area.

Mr. Skinner: Yes, Nottinghamshire too.

British Coal is in league with the Government and is piling up a list of applications for opencast mining so that their friends can make money hand over fist. I am talking about the large combines that make money out of opencast operations. When that part of the industry is privatised, it will be a much juicier operation.

We have a new application for Pinnock. What does it mean? It means another 15,000 tonnes of coal. With a 66-hour week, a 32-tonne load will be leaving the site every eight minutes of the 12-hour working day. There will be a further 200 lorry movements on the Worksop road, which runs through my constituency and that of my hon. Friend the Member for Derbyshire, North-East.

The game is all about making money without taking any notice of the environmental concerns of those who live in the areas affected. The game also includes privatisation. Despite all the unco-ordination between the Prime Minister and the Treasury, the Departments of Energy and of the Environment are working hand in glove.

We know that a short while ago the conditions were varied for applications for opencast mining. My hon. Friend the Member for Derbyshire, North-East will remember that the rules were changed and district and county councils told that when they received planning applications for opencast mining they should take into

account market requirements as well as lorry movements and normal planning conditions. That was part and parcel of a plan to shut more deep mines and to introduce opencast mining on a fairly massive scale. This means short termism. It is easy to exploit opencast coal, but that means that 75 per cent. of the coal, which would otherwise be mined by deep-mine methods, will be sterile for ever so that instead of 300 years of coal we shall be talking about 50 or 60 years.

The Minister has been sent here to do the dirty work on behalf of his gaffer. We say that he should refuse the Pinnock application when it arrives on his desk, assuming that an appeal takes place. We have harnessed local opinion at parish, district and county level. My hon. Friends and I have canvassed all the local authorities. We are asking them to understand that there is plenty of coal in Britain and that they should respect the civic rights of those who live in the area of Barlborough and Clowne. The Minister should remember that there is a green belt in north Derbyshire and other coalfield areas, just as there is in Surrey and other posh areas of suburbia. The Minister must recall the Slayley application, despite the decision taken in July, and reject it. The issue should be referred back to the people who live in the area and who will be affected.

The Minister will have his say shortly, and I know that my hon. Friend the Member for Derbyshire, North-East wants to say something, too. I have no doubt that my argument could be repeated by almost every hon. Member who lives in a coalfield area. We are fed up to the back teeth with opencast mining. In my constituency alone, there are about half a dozen rubbish dumps and potential toxic waste and nuclear dumps as a result of opencast mining developments. When they extracted the coal at Morton, they dumped dioxins. In other areas they use opencast sites for all kinds of other toxic waste. A firm in the constituency of my hon. Friend the Member for Derbyshire, North-East which deals in toxic waste is all too ready to dump it in opencast holes. People will make money out of opencast mining and even more money by filling the holes with toxic or nuclear waste.

The Minister has a duty to the nation, not just to the plush parts of Surrey and Sussex where the Tory constituencies lie. I know that Tories in those areas are trying to save the necks of their Members of Parliament but Ministers are supposed to be national Ministers and look after interests throughout the land. The Minister should begin by accepting the conditions and proposals that I have advanced today.

2.46 pm

Mr. Harry Barnes (Derbyshire, North-East): It is a pleasure to have the opportunity to speak in at least one debate to be answered by the Parliamentary Under-Secretary of State. I hoped to speak on the ways and means resolution on the Football Spectators Bill earlier today but before I got a chance to say anything someone went and moved the closure on us.

I congratulate my hon. Friend the Member for Bolsover (Mr. Skinner) on introducing this debate on a topic that is important to my constituents in north-east Derbyshire. As my hon. Friend said, a large part of the Pinnock development would fall within north-east Derbyshire—to the north of Mastin moor and over to Renishaw, where Renishaw Park pit has just been closed. Mines are being closed and opencast is taking over from deep-mined coal. That is an addition to the danger of coal imports under the Associated British Ports (No. 2) Bill —the Humber ports Bill—against whose advance a vigorous battle is being conducted in the House.

On 13 June 1988 I presented to the House a petition from the people of Mastin moor, who stressed many of the points raised by my hon. Friend the Member for Bolsover. Those points were not fully answered in the supplement to the Votes and Proceedings, in which responses to petitions are given. On 13 July the Department gave a brief reply to the effect that because the proposal was going through the usual procedures the Secretary of State could not comment as this might prejudice the outcome. We now have the opportunity to hear a response to the points made in the petition.

The petition stressed the danger of subsidence in the area, which has been mined in the past. Opencast developments often upset the land, and that is likely to affect people's homes. Because of the disruption that opencast mining causes, it may make the area unacceptable as an area in which to live, and the value of people's homes will then be seriously affected. The problems of noise, dust and pollution stressed by my hon. Friend the Member for Bolsover were also of concern to my constituents and they were worried about the effects of the development on wildlife in the area. We are talking about people who live in industrial areas but who at present have access to the green belt which allows them to get away from the collieries and industries in the area. That green belt area would be affected by the development.

In addition to the problems arising from heavy traffic, serious problems may arise from dust. Evidence from Wales shows that people living in areas affected by dust may suffer from lung problems. I have a map from the Opencast Executive showing all the areas in north-east Derbyshire that it finds of interest in terms of development. It shows not only Pinnock but massive other areas, including those which have coal seams but are not the site of former pits. Many rural and middle-class areas would be hammered by the future development that Pinnock would open up.

My hon. Friend the Member for Bolsover mentioned that some sites could be used for the dumping of toxic waste and he described the dangers that could arise. We are particularly aware of that danger in north-east Derbyshire. Leigh Environmental, which operates a plant at Killamarsh, was at the forefront of the attempts to permit the Karen B to dock in Britain and to allow the dangerous materials it was carrying to be dumped in this country—some of which might have been deposited in a built-up area in my constituency while they were in transit. Such matters are of concern not only to my constituents in the Mastin moor area but to other people living in north-east Derbyshire.

2.50 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): I reject the argument made by the hon. Member for Bolsover (Mr. Skinner) that Ministers are unaware of the impact of opencast mining on the green belt and of the problems outside the Surrey countryside. As I represent an inner-city seat—Lewisham,

[Mr. Colin Moynihan]

East—suffering from serious socio-economic deprivation, the hon. Gentleman knows only too well that that is not the case.

The hon. Member for Bolsover explained his concern with characteristic vigour, and I congratulate him on bringing the subject before the House—not least because I had the opportunity yesterday to study the matter in detail in Wakefield, where a Labour city council has responded effectively to the environmental problems that are posed by many opencast and derelict sites, and to the need to be environmentally sensitive, in terms of investment and of working effectively with British Coal.

The Government recognise that although mineral working is a temporary use of land, it can have a serious impact on the environment. At the same time, minerals are essential to society and to the national economy, and it is a geological fact of life that such mines can be worked only where they occur.

It is the job of the planning system to strike a balance between the need for the mineral, and the environmental and other considerations involved. The Government's planning policy on opencast coal is explained in more detail in "Minerals Planning Guidance Note 3", published in May of last year. The guidance note sets out the national policy framework within which each application must be considered and it provides advice to mineral planning authorities on the balance that should be struck between the social and economic benefits of that low-cost energy source and the protection of the environment.

As opencast coal is one of the cheapest forms of energy available to the country, it is in the national interest to maximise production, when that can be done in an environmentally aceptable way.

There is no Government target for coal production or opencast output. That is properly a matter for the market place to determine. It is for the industry to decide the level of opencast output that it needs to achieve in any set period, but it is for the appropriate mineral planning authority initially to determine the acceptability of specific projects—having regard both to the benefits to be gained from opencasting and to the environmental and other material considerations relative to a specific site. Ultimately, if the case comes before my right hon. Friend the Secretary of State for the Environment on appeal or call-in, he will decide it on its relative merits—as he did in respect of one of the examples quoted in the debate.

The Government aim at encouraging a positive and constructive approach by the mining industry and mineral planning authorities, to ensure that that important energy resource is extracted in an environmentally acceptable way. The guidelines give clear advice on how that should be achieved.

The hon. Gentleman mentioned the environmental impact of opencasting. We are concerned that questions of noise, dust, traffic and other effects are fully considered. "Minerals Planning Guidance Note 3" provides advice on how those impacts should be handled by mineral planning authorities. The environmental effects of opencasting can be considerable, and developers need to demonstrate that those effects can be kept down to an acceptable level. The effects of noise, dust, vibrations from blasting and the movement of traffic can be minimised by careful planning of the site layout—for example, by the arrangement of physical baffles and by moving work away from residential areas quickly.

Planning conditions are also important—for example, to control noise aspects. The guidance recognises, however, that in some cases those factors will produce such a severe effect on the environment and the quality of life locally that planning permission should not be given. All those aspects need to be carefully considered by the authority concerned. The acceptability of opencasting will depend in part on the likely environmental impact, and on the extent to which the effects can be minimised.

I am sure that the hon. Gentleman will appreciate that sites can be restored to a high standard and, in some cases, can provide positive improvement in the landscape through the clearance of dereliction. The Government take the question of restoration very seriously. Planning permissions for mineral extraction should contain stringent conditions, many of them imposed to ensure a high standard of restoration and aftercare of the site. We recently published guidance for mineral planning authorities on the best practice regarding the reclamation of mineral workings, and the important role that good reclamation can play in securing the environmental acceptability of mineral working.

I hope that the House will forgive me for not having addressed the issue of the green belt in sufficient detail during this brief speech: time presses.

I know that discussions are currently taking place between Derbyshire county council and the British Coal Corporation about an application to opencast coal in an area known as the Pinnock site, and that statutory consultations have been carried out. It is, of course, open to the hon. Gentleman and his constituents to make their views on the application known to the mineral planning authority at the appropriate time, and I urge them to do so.

Mr. Skinner: We have done so.

Mr. Moynihan: I am glad of that, because I am sure that the authority will give careful consideration to all aspects of the application, including the representations made by the hon. Gentleman and his constituents. That is essential.

The hon. Gentleman has urged me to intervene in this case. Perhaps it would be helpful if I explained the Government's policy on call-in. It has long been established policy for my right hon. Friend the Secretary of State not to intervene in the jurisdiction of planning authorities unless it is absolutely necessary for him to do so. That is an important principle: Parliament has given clear responsibilities to local planning authorities, and it would be entirely wrong for my right hon. Friend to interfere unnecessarily in the development control process.

My right hon. Friend will therefore continue to be very selective about calling in cases for his decision, and applications will be called in only if issues of more than local importance are involved. Such cases may include those which, in my right hon. Friend's opinion, have wide effects beyond their immediate locality that give rise to substantial regional or national controversy, and contict with national policy on important matters. In this case it seems from the information available to us that the issues involved—while undoubtedly of considerable concern locally, as the hon. Gentleman has pointed out—do not

raise issues of regional or national importance. Derbyshire county council is therefore the appropriate authority to deal with the application.

I am sure that the hon. Gentleman will understand that I am unable to comment on the relative merits of an individual planning application. There is always the possibility that Derbyshire county council will refuse planning permission, in which event it would be the prerogative of the applicant—the British Coal Corporation—to lodge an appeal, which would come before my right hon. Friend the Secretary of State for a decision. I can, however, assure the hon. Gentleman that in that eventuality all aspects of the case would be fully considered.

The hon. Gentleman has also raised the important issue of the Slayley site, and has written to my right hon. Friend on a number of occasions about a redetermined noise condition. Planning permission for opencast operations and ancillary works on the Slayley site was granted on appeal by my right hon. Friend on 14 December 1987, in accordance with the recommendation of the appointed inspector who had previously held a public local inquiry. Subsequently, an appeal was lodged with my right hon. Friend for the alteration of the noise condition. In accordance with the normal practice, an inspector was appointed to carry out a site visit, consider representations and prepare a report with recommendations. The inspector recommended that the appeal be upheld subject to altered conditions on noise, and my right hon. Friend issued his decision allowing the appeal on 10 August this year.

Parties are consulted again only if my right hon. Friend wishes to take into account any new evidence. That was not the case with the Slayley noise condition; the noise issue was discussed fully at the public local inquiry. Consultation in such circumstances would have been inappropriate and irrelevant, as there was no appeal by way of a High Court challenge during the six-week statutory period.

I fully understand and appreciate the concern of the hon. Gentleman and his constituents about noise levels from the workings, and I will be happy to respond in writing to the points with which I have not had time to deal today. I am sorry that time has prevented me from doing so.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

Written Answers to Questions

Tuesday 17 October 1989

PRIME MINISTER

European Social Charter

Q25. **Mr. Teddy Taylor:** To ask the Prime Minister if she will raise at the next meeting of the European Council the progress made in implementing the social charter directives.

Sir Geoffrey Howe: I have been asked to reply.

The European Commission's proposal for a charter of social rights has not been agreed by the Council of Ministers. There have so far been no proposals for directives.

Cenotaph (Illumination)

Q99. **Mr. Hanley:** To ask the Prime Minister if she has made arrangements for the Cenotaph to be illuminated in time for Remembrance Sunday.

Sir Geoffrey Howe: I have been asked to reply.

The experimental lighting we have seen recently will become permanent well in time for Remembrance Sunday. I am sure that the House will join me in congratulating my hon. Friend on his suggestion last year which prompted such a pleasing enhancement of this very special monument.

Cathedrals

Sir Charles Morrison: To ask the Prime Minister what consideration she has given to the possibility of Government assistance towards the maintenance and repair of British cathedrals.

Sir Geoffrey Howe: I have been asked to reply.

Government expenditure on the maintenance of historic buildings in England is channelled through English Heritage. Its policy is to focus financial support on parish churches rather than cathedrals and is based on the Church of England's own view that cathedrals are better placed to raise funds from public and private sector appeals. Should English Heritage or the Church of England consider changing this policy, and should the changes have implications for English Heritage's overall grant-in-aid, the Government would carefully consider any case put forward. A similar policy is adopted by the Welsh Office and regularly reviewed.

A different approach, however, is adopted by the Historic Buildings Council for Scotland since, of the 25 'churches' with cathedral status, only four are considered to be cathedrals in scale. It is considered unlikely that, were the cathedral status churches to be threatened, they could be assisted wholly by funds raised through public appeals and private donations. Consequently, cathedrals are considered for historic buildings repair if all the normal eligibility criteria are met. Since 1978, when a scheme of historic building repair grants for churches in ecclesiastical use was set up, repairs to nine Scottish churches with cathedral status have attracted grant.

Nuclear Weapons, Middle East

Dr. Thomas: To ask the Prime Minister if, during her meeting with King Hussein of Jordan on his visit to London, she discussed *(a)* the dangers of nuclear weapons based in the Middle East, *(b)* Israel's possession of nuclear weapons capability and *(c)* initiatives that could be taken before and at the fourth review conference of the nuclear non-proliferation treaty, to reduce nuclear weapons proliferation problems in the Middle East.

Sir Geoffrey Howe: I have been asked to reply.

No.

Engagements (Japan)

Mr. Spearing: To ask the Prime Minister if she will list in the *Official Report* all her engagements for each day of her visit to Japan.

Sir Geoffrey Howe: I have been asked to reply.

During the Prime Minister's visit to Japan from 19 to 22 September, her engagements were as follows:

19 September

Meeting at Tokyo University with Professor Arima, President of the University, and three colleagues conducting environmental research.

Call on Mitsui Bank, Hibiya, to see use of British Telecom and Reuter equipment in the foreign exchange dealing room.

Reception with the British associations in Tokyo.

Dinner at the Ambassador's Residence for senior Japanese politicians and businessmen.

20 September

Visit to Fujitsu computer factory, Numazu.

Lunch hosted by Japan's economic organisations, speech on "the Open World Economy".

Official talks with Japanese Foreign Minister, Mr. Nakayama.

Visit to Tokyu Department Store, to see Laura Ashley shop and tea room.

Official talks with the Japanese Prime Minister, Mr. Kaifu.

Joint television broadcast with Mr. Kaifu, on the environment, education and democratic values.

Working dinner with Mr. Kaifu.

21 September

Meeting with former Japanese Prime Minister, Mr. Takeshita.

Visit to Jaguar Japan at Shimbashi.

Opening of British School Tokyo, and visit to adjacent Shibuya Girls High School and kindergarten.

Visit to British Council.

Luncheon with His Majesty The Emperor and other members of the Imperial Family at Akasaka Palace.

Press conference.

Meeting with Japanese Minister for International Trade and Industry, Mr. Matsunaga.

Reception at the International Democratic Union Conference.

Meeting with United States Vice President, Mr. Quayle.

International Democratic Union Conference dinner hosted by Mr. Kaifu.

22 September

Wreath laying at the Commonwealth War Graves Cemetery, Hodogaya.

International Democratic Union Conference.

Ministerial Statements

Mr. Spearing: To ask the Prime Minister what standing instructions she has given to Ministers of the Crown concerning attributable statements of Government policy, or announcement of specific ministerial decisions, by civil servants; what changes have been made in this respect from the practice of previous administrations; and if she will make a statement.

Sir Geoffrey Howe: I have been asked to reply.

When civil servants make such statements or announcements they do so on behalf of Ministers, and Ministers are accountable for them. This arrangement has also applied during previous Administrations.

Visit (Japan)

Mr. Spearing: To ask the Prime Minister which Ministers from *(a)* the Foreign and Commonwealth Office and *(b)* the Department of Trade and Industry accompanied her on her visit to Japan.

Sir Geoffrey Howe: I have been asked to reply.

No Ministers accompanied my right hon. Friend the Prime Minister on her visit to Japan.

Rain Forests

Mr. Dalyell: To ask the Prime Minister what action she proposes to take to protect indigenous rain-forest peoples.

Sir Geoffrey Howe: I have been asked to reply.

We believe it important that all people, including the indigenous inhabitants of rain-forests, should participate in national development as equal partners.

The Government bring their influence to bear in this respect especially in the World Bank and OECD. We also use our influence when we finance projects which protect rain-forests. We are planning an increased programme of aid for conservation and management of forests.

Ombudsman (Appointment)

Sir Antony Buck: To ask the Prime Minister if she will make a statement concerning the appointment of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, Scotland and Wales.

Sir Geoffrey Howe: I have been asked to reply.

In accordance with section 1(3) of the Parliamentary Commissioner Act 1967, section 106(3) of the National Health Service Act 1977 and section 90(3) of the National Health Service (Scotland) Act 1978, Sir Anthony Barrowclough will be retiring from these offices on 2 January 1990.

I am sure that all Members of the House would wish me to express their gratitude and admiration for the very able and thorough manner in which he has fulfilled these duties over the last five years.

Her Majesty has been pleased to approve the appointment of Mr. William Kennedy Reid, CB as Parliamentary Commissioner for Administration and Health Service Commissioner for England, for Scotland and for Wales with effect from 3 January 1990.

Engagements

Mr. McCartney: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Ms. Mowlam: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Vaz: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Andrew F. Bennett: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Martlew: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Dunnachie: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Lofthouse: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Mr. Allen McKay: To ask the Prime Minister if she will list her official engagements for Tuesday 17 October.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister is attending the Commonwealth Heads of Government meeting in Kuala Lumpur.

OVERSEAS DEVELOPMENT

Overseas Development Administration

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom consultants the Overseas Development Administration has commissioned in each of the past five years; what was the number of Scottish-based consultants; what was the total value of the commissions in each year; and what proportion of that value in each year was won by Scottish-based companies.

Mrs. Chalker: The total expenditure on consultants commissioned by the Overseas Development Administration in the last five years was:

	£ million
1984	29·7
1985	30·0
1986	33·0
1987	34·8
1988	48·5

We do not have statistics for numbers of consultants commissioned in this period, nor are records kept of the geographical base of consultants. I regret, therefore, that this information could be provided only at disproportionate cost.

Amazon Region, Colombia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he has given the Colombian ambassador about his request to provide some professional expertise for the large research projects on the Amazon region of Colombia.

Mrs. Chalker: I have told the ambassador that we understand from the National Planning Department in Bogota (the agency with which our aid programme in Colombia is agreed), that it did not intend to ask for our help in this project at this stage. But I have asked our embassy to discuss the ambassador's proposals further with the National Planning Department, to see whether it would wish to give them higher priority in future years.

ENERGY

Sizewell C Power Station

Mr. David Porter: To ask the Secretary of State for Energy what representations he has received during the recess about the Central Electricity Generating Board's application to build Sizewell C power station in Suffolk; and if he will make a statement about a public inquiry.

Mr. Michael Spicer: My right hon. Friend has received approximately 50,000 objections to this application. My right hon. Friend has still to receive the views of the relevant local planning authorities. If either objects, my right hon. Friend will be obliged to hold a public inquiry. Even if they do not, he may still decide to do so in the light of the other objections received.

TRANSPORT

East London River Crossing

Mr. Spearing: To ask the Secretary of State for Transport if he will place in the Library copies of correspondence between his Department and Messrs Halcrow concerning the East London river crossing.

Mr. Atkins: It is not our practice to publish correspondence between the Department and its agents. If the hon. Member has any particular matter in mind, perhaps he would write to me.

Mr. Spearing: To ask the Secretary of State for Transport what investigations have been made concerning the effects on the river regime, silt depositions, and scouring, and the consequences for dredging costs arising from construction of the new design of bridge for the East London river crossing.

Mr. Portillo: On our behalf, Hydraulics Research Ltd. completed a desk study of the likely effects of alternative bridge designs on the river regime as part of the review of the Thames bridge design. The results of the desk study are contained in annex F of the July 1989 report by Sir William Halcrow and Partners into the alternative forms of bridge design, a copy of which is in the Library of the House. Hydraulics Research is now carrying out model studies into the location and effect of scour, change in siltation and in flow distribution to confirm the findings of its desk study.

London Underground

Mr. Spearing: To ask the Secretary of State for Transport (1) if he will make a statement concerning the implications for passenger safety of the extension of one-person operation on the deep level tube sections of the London Underground;

(2) if he will place in the Library copies of the correspondence concerning consultations between London Underground Ltd and the railway inspectorate on proposals for extending one-person operation on the tube railways of London.

Mr. Portillo: Extension of one-person operation is primarily a matter for London Underground Ltd,, which has a statutory obligation to operate its services safely. There is, nevertheless, full consultation between London Underground Ltd and the railway inspectorate about the safety aspects of one-person operation proposals. The inspectorate would keep me informed about any proposal with which it was not satisfied. I am content with this arrangement and see no need for copies of correspondence to be placed in the Library.

Mr. Spearing: To ask the Secretary of State for Transport what action has been taken by the railway inspectorate to implement recommendation No. 131 of the Fennell report on the King's Cross line, requiring it to enlist outside advice in respect of one-person operation of trains in deep tube tunnels.

Mr. Portillo: The railway inspectorate, with the assistance of the Health and Safety Executive and the London Fire Brigade, undertook an investigation into the management of safety on the London Underground earlier in the year. Since the Fennell report was concerned with safety at stations, the investigation concentrated on the safety of passengers and staff in stations. It did not address the question of one-person operated trains. My right hon. Friend the member for Southend, West (Mr. Channon) the then Secretary of State for Transport, announced on 24 May that he was that day publishing the inspectorate's report of the investigation, a copy of which is in the Library.

Mr. Spearing: To ask the Secretary of State for Transport what information he has as to when and how London Underground Ltd, in accordance with recommendation 148 of the Fennell report, informed the travelling public of its intention to extend one-person operation of tube trains.

Mr. Portillo: London Underground Limited made it clear, when accepting recommendation 148 of the Fennell report, that information on safety performance would be transmitted to the London Regional Passengers' Committee from time to time; and that it would also mount publicity campaigns about specific safety issues as appropriate. It is for London Underground to consider the extent and timing of any publicity which it considers to be appropriate in relation to one-person operation of tube trains.

Mr. Spearing: To ask the Secretary of State for Transport whether the safety audit committee of London Regional Transport, established consequent to recommendation 79 of the Fennell report, has within its responsibilities or terms of reference the level of platform staffing on stations and the planned extension of one-person operation of tube trains in London.

Mr. Portillo: The terms of reference of the safety audit committee are contained within the London Regional Transport document "Management of Safety", a copy of which was placed in the Library on 6 February 1989. They cover wide aspects of safety throughout LRT.

Marine Office, Belfast

Mr. John D. Taylor: To ask the Secretary of State for Transport what proposals he has for the future of the Department of Transport marine office in Belfast; what is the rate per hour which people in Northern Ireland pay to this office for surveys; and if he will make a statement about future charges for these surveys.

Mr. McLoughlin: I have no proposals to change the status of the Department's marine office in Belfast. The complement of the office is kept under review in the light of the workload. The various fees currently payable for surveys in the United Kingdom and abroad are set out in the Merchant Shipping (Fees) Regulations 1989 (SI 1989 No. 323). The regulations are reviewed annually.

Vessels (Defence)

Mr. Sillars: To ask the Secretary of State for Transport how many British-owned vessels are registered under flag-of-convenience terms in the Bahamas; and what are the terms of his agreement with the Government of the Bahamas for use of these vessels for defence purposes.

Mr. McLoughlin: One hundred and fourteen British-owned trading ships (excluding Hong Kong-owned ships) are registered in the Bahamas. A copy of the agreement with the Commonwealth of the Bahamas concerning the availability of British-owned ships to HMG in the event of hostilities is being sent to the hon. Member. A further copy has been deposited in the House of Commons Library.

Mr. Sillars: To ask the Secretary of State for Transport if he will publish a table showing merchant vessels available for defence purposes in each year from 1985 to the nearest available date; and if the table will distinguish between vessels registered in the United Kingdom and those registered in dependent territories.

Mr. McLoughlin: This information is contained in "Defence Statistics" table 1.3 in the "Statement on Defence Estimates 1989" (Cm. 675-II) a copy of which is in the House of Commons Library. Separate figures are given for the vessels registered in the United Kingdom and those registered in Crown dependencies and dependent territories, except for 1985 for which only United Kingdom-registered figures are available.

Merchant Fleet

Mr. Sillars: To ask the Secretary of State for Transport if he will publish a table showing United Kingdom merchant fleet manpower in each grade in each year from 1975 to the nearest available date.

Mr. McLoughlin: The information requested is as follows:

	Officers	*Ratings*	*Cadets*	*Total*
1975	35,815	33,524	7,094	76,433
1976	35,123	31,644	6,970	73,737
1977	34,144	29,856	6,708	70,708
1978	33,147	29,219	6,704	69,070
1979	31,434	28,942	6,318	66,694
1980	29,513	28,167	5,919	63,599
1981	27,867	27,422	5,197	60,486
1982	25,104	25,224	[1]4,022	54,350
1983	20,635	22,624	2,732	45,991
1984	17,646	20,251	1,625	39,522
1985	15,523	19,095	1,016	35,634
1986	13,036	17,612	727	31,375
1987	10,978	15,835	554	27,367
1988	9,568	13,638	428	23,634
[1]1989	9,097	12,651	431	22,179

[1] Provisional.

Note:

These numbers are based upon the General Council of British Shipping register for the years indicated as available for employment in National Maritime Board agreements with GCBS members or associates. They include foreign seafarers on NMB agreements. About 5,000 foreign seafarers serve on GCBS-registered vessels but probably fewer than 1,000 are under NMB conditions. The figures exclude seafarers employed by United Kingdom companies which do not use GCBS manning services; the latest estimate for these is 6,000.

Merchant Shipping

Mr. Sillars: To ask the Secretary of State for Transport what are the results of NATO's study of supply and demand for merchant shipping in crisis and war.

Mr. McLoughlin: The study is due to be completed early in 1990. Publication of the results will be a matter for decision by NATO.

Diesel Fumes

Mr. Warren: To ask the Secretary of State for Transport if he will review the effectiveness of the law governing the emission of diesel fumes from vehicles; and if he will make a statement.

Mr. Atkins: The Government keep diesel emissions under constant review. Regulations have recently been made that apply for the first time limits on the emission of carbon monoxide, oxides of nitrogen and hydrocarbons from new heavy diesel vehicles. The Commission is expected to make proposals shortly to introduce a second stage of limits on these emissions from heavy diesels and to set particulate limits for these vehicles for the first time. The United Kingdom has taken a leading role in helping the Commission to prepare a draft directive.

The annual tests for buses and heavy goods vehicles include a visual check on smoke density. Over the past two years the Department has increased substantially its programme of roadside checks on the condition of goods vehicles. This also includes a check on smoke emissions. We are considering how future emission standards might most effectively be enforced.

Marchioness Inquiry

Mr. Spearing: To ask the Secretary of State for Transport if the official inquiry into the Marchioness tragedy will be able to take into consideration any proposal for permanent restriction of navigation through any existing, or proposed, Thames bridge, including proposals for uni-directional movement through any one span.

Mr. McLoughlin: The inquiry into the loss of the Marchioness is still under way. The possibility of restricting navigation under River Thames bridges is one of the matters which is being considered.

Docklands Light Railway

Mr. Spearing: To ask the Secretary of State for Transport what consideration he has given to the possible extension of the Docklands light railway from Becton to Thamesmead via a planned Thames crossing, including provision in such a crossing of a single, dual directional, line of rail.

Mr. Portillo: There are no plans for an extension of the Docklands light railway from Beckton to Thamesmead via the proposed east London river crossing. London Regional Transport do however plan a bus station at Gallions reach on the DLR Beckton extension which will provide a good interchange with buses serving Thamesmead via the river crossing.

North Devon Coast

Mr. Speller: To ask the Secretary of State for Transport what representations has he received over reduced levels of safety off the north Devon coast during 1989; and what remedial action he intends to take.

Mr. McLoughlin: My right hon. Friend the Secretary of State has received 17 such representations. The points raised have been answered and he is satisfied that the current facilities for co-ordinating maritime search and rescue operations off the north Devon coast are adequate to meet the rescue needs of the area.

Mr. Speller: To ask the Secretary of State for Transport what assessment has he made of the adequacy of the actual level of manning at coastguard headquarters, Swansea, and of the cover over the North Devon coastline by day and by night.

Mr. McLoughlin: All assurances given at the time of the announcement of the Swansea/Hartland merger have been met. The staffing level at Swansea has been increased and since the merger the number of persons on watch has not fallen below four. This is adequate, as are all the current facilities for co-ordinating maritime search and rescue operations off the north Devon coast whether by day or night.

Mr. Speller: To ask the Secretary of State for Transport what steps he has taken to ensure the adequacy of the actual level of manning at coastguard headquarters, Swansea, and over the north Devon coastline by day and by night.

Mr. McLoughlin: Following the Swansea/Hartland merger on 6 December 1988, staffing levels were increased to reflect the area now covered by the Swansea centre. At no time since has the number of persons on watch fallen below four persons.

An additional coastguard sector officer has been stationed in the Hartland area and the auxiliary coastguard rescue companies in the area remain unaffected by the merger. My right hon. Friend the Secretary of State is satisfied with these arrangements and that the current facilities for co-ordinating maritime search and rescue operations off the north Devon coast are adequate to meet the rescue needs of the area.

Street Lighting

Ms. Walley: To ask the Secretary of State for Transport if he will give, for the last five years for which figures are available, the amount of money spent by each county highways authority and highways authority on street lighting; and if he will state the percentage that money is of the total amount spent on roads, authority by authority.

Mr. Robert Atkins *[pursuant to the reply, 18 July 1989, c. 88]:* The following table was omitted.

Authorities	*1983-84*		*1984-85*		*1985-86*		*1986-87*		*1987-88*	
	Street lighting £'000	*Per cent. of road spend that is street lighting*	*Street lighting £'000*	*Per cent. of road spend that is street lighting*	*Street lighting £'000*	*Per cent. of road spend that is street lighting*	*Street lighting £'000*	*Per cent. of road spend that is street lighting*	*Street lighting £'000*	*Per cent. of road spend that is street lighting*
Metropolitan districts										
Knowsley	—	—	—	—	—	—	961	28	1,016	28
Liverpool	—	—	—	—	—	—	2,578	34	2,728	35
St Helens	—	—	—	—	—	—	685	25	725	26
Sefton	—	—	—	—	—	—	1,629	27	1,544	23
Wirral	—	—	—	—	—	—	1,080	20	1,384	21
Merseyside total	—	—	—	—	—	—	6,933	28	7,336	27
Barnsley	—	—	—	—	—	—	867	23	960	24
Doncaster	—	—	—	—	—	—	1,249	20	1,321	21
Rotherham	—	—	—	—	—	—	1,281	22	1,282	19
Sheffield	—	—	—	—	—	—	1,983	18	2,098	19
South Yorkshire total	—	—	—	—	—	—	5,379	20	5,661	20
Gateshead	—	—	—	—	—	—	1,085	20	1040	19
Newcastle	—	—	—	—	—	—	1,462	22	1,474	21
North Tyneside	—	—	—	—	—	—	864	19	1,018	22
South Tyneside	—	—	—	—	—	—	946	22	899	21
Sunderland	—	—	—	—	—	—	1,560	25	1,601	25
Tyne & Wear total	—	—	—	—	—	—	5,917	22	6,032	21
Birmingham	—	—	—	—	—	—	4,327	23	4,199	20
Coventry	—	—	—	—	—	—	988	18	1,102	20

Authorities	1983-84		1984-85		1985-86		1986-87		1987-88	
	Street lighting £'000	Per cent. of road spend that is street lighting	Street lighting £'000	Per cent. of road spend that is street lighting	Street lighting £'000	Per cent. of road spend that is street lighting	Street lighting £'000	Per cent. of road spend that is street lighting	Street lighting £'000	Per cent. of road spend that is street lighting
Dudley	—	—	—	—	—	—	901	19	918	16
Sandwell	—	—	—	—	—	—	890	14	1,060	14
Solihull	—	—	—	—	—	—	833	19	881	19
Walsall	—	—	—	—	—	—	1,061	15	945	19
Wolverhampton	—	—	—	—	—	—	785	22	81	16
West Midlands total	—	—	—	—	—	—	9,785	19	9,916	18
Bradford	—	—	—	—	—	—	1,408	18	1,355	16
Calderdale	—	—	—	—	—	—	776	13	862	15
Kirklees	—	—	—	—	—	—	1,312	15	[illegible]	15
Leeds	—	—	—	—	—	—	2,673	21	2,713	18
Wakefield	—	—	—	—	—	—	1,116	22	1,306	22
West Yorkshire total	—	—	—	—	—	—	7,335	18	7,610	17
Bolton	—	—	—	—	—	—	1,044	25	1,159	24
Bury	—	—	—	—	—	—	691	26	731	27
Manchester	—	—	—	—	—	—	2,251	19	2,382	19
Oldham	—	—	—	—	—	—	842	20	846	16
Rochdale	—	—	—	—	—	—	951	32	898	22
Salford	—	—	—	—	—	—	900	31	919	28
Stockport	—	—	—	—	—	—	975	26	1,146	25
Tameside	—	—	—	—	—	—	773	16	818	16
Trafford	—	—	—	—	—	—	867	20	964	22
Wigan	—	—	—	—	—	—	932	18	986	17
Greater Manchester total	—	—	—	—	—	—	10,225	22	10,848	21

Notes:

1. The figures shown for Greater London for the years 1983-84 to 1985-86 refer to spending on principal roads for which the Greater London Council were responsible. At that time London Boroughs were only responsible for non-principal roads. Following abolition of the GLC the London Boroughs took over the responsibility for principal roads.

2. Up to and including 1985-86 the Metropolitan Counties were responsible for local roads. From 1986-87 this responsibility passed to the Metropolitan Districts upon abolition of the Metropolitan Counties. This is reflected in the table above.

ATTORNEY-GENERAL

Retired Judges

Mr. Chris Smith: To ask the Attorney-General what is the official retirement age for Court of Appeal judges, High Court judges, and circuit judges; how many retired judges in each category returned to sit in *(a)* 1987 and *(b)* 1988, as deputy judges or ad hoc deputy judges; on how many occasions these judges, on average, have sat as deputies or ad hoc deputies; and what is the rate of pay for such service.

The Attorney-General: Court of Appeal and High Court judges retire on the date of their 75th birthdays. Circuit judges retire at the end of the completed year of service in which they attain the age of 72 though their period of full-time service can be extended, with the Lord Chancellor's approval, until they reach 75. In 1987, 43 retired judges sat as deputy circuit judges for a total of 1,868·5 days, five sat as deputy High Court judges for a total of 197 days, and eight sat as deputy Court of Appeal judges for a total of 285 days. In 1988, 32 judges sat as deputy circuit judges for a total of 1,764·5 days, eight sat as deputy High Court judges for a total of 273 days, and seven sat as deputy Court of Appeal judges for a total of 285 days. Deputy Court of Appeal judges are paid £361 per day. Deputy High Court judges are paid £328 per day. Deputy circuit judges are paid £179 per day.

TRADE AND INDUSTRY

Recycling

Mr. Dalyell: To ask the Secretary of State for Trade and Industry, pursuant to the answer of 27 July to the hon. Member for Hornchurch (Mr. Squire), *Official Report*, column *815*, if he will specify the initiatives taken by his Department's business and environment unit to give more focus to recycling.

Mr. Forth: My Department's business and the environment unit, formed in June of this year, is developing a number of initiatives to encourage increasing recycling of industrial residues and household waste. These include presentations to and sponsorship of a series of conferences, seminars and workshops; collaborating in the preparation of primary and secondary school education packs; participating in the "Recycling City" experiment; commissioning a range of recycling research and advisory work; and providing advice on recycling matters to trade associations, individual companies, local authorities, voluntary groups, and the general public. An advisory group, consisting of representatives of a wide range of interests in recycling, has also been established under the unit's chairmanship. It has met once so far.

Dr. Thomas: To ask the Secretary of State for Trade and Industry what initiatives he has taken towards the recovery of small-scale batteries for materials recycling;

and what communications he has with the European Commission on the matter of battery recovery and recycling.

Mr. Forth: Battery recycling is an established industry in the United Kingdom, but is almost entirely concentrated upon the larger lead acid and nickel cadmium cells, and the smaller silver oxide and mercury button cells. As part of a collaborative project, Waren Spring laboratory is carrying out research into methods of recovering small consumer batteries from the domestic waste stream. In December 1988, the European Commission presented a proposal for a directive covering batteries and accumulators containing dangerous substances. Negotiations on the proposal have yet to begin but, if adopted, the directive would have implications for battery recovery and recycling in member states.

EC Conference

Dr. Thomas: To ask the Secretary of State for Trade and Industry if his Department is participating in the international conference on cost, planning and strategic issues for industry, environmental regulation in the European Community, on 19 and 20 October.

Mr. Forth: My Department was not invited to participate in this conference. But DTI representatives will be participating in a number of similar conferences in the next few weeks aimed at raising the level of environmental awareness in business.

CFCs

Dr. Thomas: To ask the Secretary of State for Trade and Industry if during the meeting of the Council of EEC Industry Ministers in Brussels on 26 September, he raised the issue of environmental protection and implications of European industrial policy for the environment; and if any initiatives were taken on the industrial dismantlement of chlorofluorocarbons from refrigerators.

Mr. Forth: No. However, there is close liaison between my Department and the Department of the Environment to ensure that the implications for the environment of measures affecting business and enterprise are fully taken into account in discussions between EC Ministers on all appropriate occasions. My Department has also commissioned a major study into the options for recovering, recycling and destroying chlorofluorocarbons (CFCs) in the United Kingdom. The study, which will consider, among other things, the recovery of CFCs from industrial and domestic refrigerators, is due to be completed early next year.

WALES

Nature Conservancy Council

Mr. Ron Davies: To ask the Secretary of State for Wales if he will list for each year since 1981 the applications received by his Department from the Nature Conservancy Council for orders under section 29 of the Wildlife and Countryside Act 1981, showing those which resulted in such an order.

Mr. Wyn Roberts: The information is as follows:

Year	*Site*	*Result of Application*
1984	Tan-y-Gadair, Cadair Idris, Gwynedd	Order made
1984	Llyn Mawr, Powys	Order made
1985	Coedydd a Chorsydd, Aberteifi, Dyfed	Order made
1986	Rallt, Cors Erddreiniog, Gwynedd	Order made
1986	Clegir Mawr, Y Werthyr, Gwynedd	Application refused
1987	Llandegla Moor, Clwyd	Application refused

CIVIL SERVICE

Civil Servants (Promotion)

Mr. Sillars: To ask the Minister for the Civil Service if he will make it his policy that promotion to senior grades in the civil service will be contingent upon working outwith the south-east area of England for a reasonable period during the course of the officers' careers.

Mr. Luce: No. Promotion to all grades in the Civil Service is on merit. This takes account of experience and other relevant factors. Senior staff are mobile grades and can be obliged to work in any location.

THE ARTS

Funding (Glasgow)

Mr. Maclennan: To ask the Minister for the Arts whether he is allocating any additional funds to the city of Glasgow to use during its year as European city of culture.

Mr. Luce: I announced in Glasgow on 18 October last year that I had decided to show my appreciation of that city's efforts in preparing for its year as European city of culture 1990 by a special Government contribution of £0·5 million, spread over two years.

Museums Year

Mr. Cran: To ask the Minister for the Arts what steps his Department has taken to ensure the effective promotion of 1989 as Museums Year.

Mr. Luce: Museums Year is the initiative of the Museums Association in its centenary year. I strongly support this celebration of our museums and was pleased to join the Museums Association at its centenary conference held in York in September. I am delighted that, in the course of this year, my Department, the Museums and Galleries Commission, and the Museums Association, are working together on a number of initiatives including the creation and development of the Museums Training Institute.

Museums and Galleries (Maintenance)

Mr. Knapman: To ask the Minister for the Arts how much money is being provided in the current year for the repair and maintenance of museums and galleries; and how much was provided five and 10 years ago.

Mr. Luce: This year's provision for building and maintenance at the 11 national museums and galleries which I sponsor is £48 million. In 1979-80 the provision was £14 million and in 1984-85 it was £28 million.

North West Arts

Mr. Pike: To ask the Minister for the Arts when he last met the chairman of North West Arts to discuss the level of arts funding in the north-west.

Mr. Luce: I have not met the chairman of North West Arts to discuss funding.

Arts Council

Mr. Banks: To ask the Minister for the Arts when he last met the chairman of the Arts Council to discuss the funding of the council.

Mr. Luce: I meet the chairman of the Arts Council on a regular basis to discuss matters of mutual interest. The last meeting was on 10 October.

HOME DEPARTMENT

Carl Bridgewater (Murder Inquiry)

Ms. Short: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands asking him to name the two officers who were involved in the Carl Bridgewater murder inquiry who have been disciplined in the last five years.

Mr. Peter Lloyd: No.

Lorrain Osman

Mr. Chris Smith: To ask the Secretary of State for the Home Department on the basis of whichwarrant issued in Hong Kong in 1985 the request for the extradition of Lorrain Osman under the Fugitive Offenders Act proceeded; and whether that warrant was exhibited to him or to Bow Street magistrates in pursuance of the authority to proceed or the issue of the provisional arrest warrant; and if he will make a statement.

Mr. John Patten: The matters referred to are the subject of judicial review proceedings which opened in the divisional court on 4 October 1989.

Genocide

Mr. Amess: To ask the Secretary of State for the Home Department how may *(a)* males and *(b)* females have been (i) charged and (ii) found guilty of an offence under section 1 of the Genocide Act 1969 in each year since 1969.

Mr. John Patten: No persons have been prosecuted under the Genocide Act 1969.

Mr. Amess: To ask the Secretary of State for the Home Department if he has any plans to review the Genocide Act 1969; and if he will make a statement.

Mr. John Patten: We have no plans to do so.

Cruelty to Animals

Mr. Amess: To ask the Secretary of State for the Home Department how many *(a)* males and *(b)* females were (i) charged and (ii) convicted of cruelty to animals in 1987 and 1988 and to date in 1989.

Mr. John Patten: For information relating to 1987, I would refer my hon. Friend to the reply I gave to his question on 26 October 1988 at columns *266-68*. Information for 1988 and 1989 is not yet available.

Mr. Amess: To ask the Secretary of State for the Home Department (1) if he has any plans to review the Protection Against Cruel Tethering Act 1988; and if he will make a statement;

(2) what representations he has received concerning the implementation of the Protection Against Cruel Tethering Act 1988; and if he will make a statement.

Mr. Peter Lloyd: We have received no representations about the implementation of the Act since it came into force, and my right hon. Friend has at present no plans to review it.

Armed Robbery

Mr. Amess: To ask the Secretary of State for the Home Department how many persons were *(a)* charged and *(b)* convicted of armed robbery in 1987 and 1988.

Mr. John Patten: There is no specific category of armed robbery. However on the information available centrally, it is estimated that in 1987 there were 470 persons found guilty of robbery where a firearms offence was involved. Similar estimates for prosecutions are not possible. Information for 1988 is not yet available.

Parental Responsibility

Mr. Amess: To ask the Secretary of State for the Home Department what recent representations he has received *(a)* supporting and *(b)* opposing legislation to require parents to be responsible for the actions of their children; and if he will make a statement.

Mr. John Patten: Since March this year we have received 111 letters in favour of strengthening the legal responsibilities of parents for their children's behaviour and 13 against. In the light of the comments we have received, we are considering what changes to propose.

Devon Emergency Volunteers

Mr. Gerald Bowden: To ask the Secretary of State for the Home Department if he will visit the Devon emergency volunteers to convey his congratulations on their contribution to civil defence during the past 21 years.

Mr. John Patten: My right hon. Friend has no present plans to visit the Devon emergency volunteers, but we recognise and welcome most warmly the valuable contribution which they, and other volunteers, make to their local communities.

Criminal Injuries Compensation

Mr. Shersby: To ask the Secretary of State for the Home Department what is the average time taken by the Criminal Injuries Compensation Board to resolve cases

submitted to it; if there are any plans to reduce the period between the submission of a claim and payment of compensation; and if he will make a statement.

Mr. John Patten: Information in this form is not available, but the percentage of cases resolved by the board within certain periods of registration is shown in paragraph 6 of its latest annual report (Cm 536), a copy of which is in the Library.

To speed up the processing of claims, the board's staff complement has been increased from 220 in 1987 to 320 now. A new office opened in Glasgow, which houses two thirds of the board's staff, and is now fully operational.

The board is reviewing its administrative procedures with the aim of reducing the time taken to resolve applications.

Police Manpower

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department what requests he has received for increases in the manpower of the Dyfed-Powys police in each year since 1974.

Mr. Peter Lloyd: The information is as follows:

Years in which applications made	*Posts applied for*
1975-76	50
1979-80	18
1986-87	1

Each of these applications was approved in full.

Condoms (Prisons)

Mr. Fearn: To ask the Secretary of State for the Home Department if he now has any plans to introduce a scheme whereby condoms would be made available to inmates in prison; and if he will make a statement.

Mr. Peter Lloyd: We have no such plan.

Soliciting

Mr. Fearn: To ask the Secretary of State for the Home Department if he will introduce legislation to provide that the possession of condoms cannot be used as evidence in the prosecution of women for soliciting; and if he will make a statement.

Mr. John Patten: It is for the courts to decide what constitutes relevant and admissible evidence in any particular case.

Life Prisoners

Ms. Harman: To ask the Secretary of State for the Home Department how many discretionary life sentence prisoners have been given knockbacks by the parole board beyond their judicial tariff.

Mr. Peter Lloyd: The information is not maintained in the form requested, and could be obtained only at disproportionate cost.

Ms. Harman: To ask the Secretary of State for the Home Department how many discretionary life sentence prisoners have been released by the tariff date set by the judiciary.

Mr. Peter Lloyd: None of the discretionary life sentence prisoners whose tariffs have been set on the advice of the judiciary following the Handscomb judgment in March 1987 has yet been released.

Ms. Harman: To ask the Secretary of State for the Home Department how many discretionary life sentence prisoners have been considered by parole boards since the Handscomb judgment.

Mr. Peter Lloyd: Since the divisional court judgment in the Handscomb case on 2 March 1987, the Parole Board has considered 368 cases of discretionary life sentence prisoners.

Re-unite

Sir George Young: To ask the Secretary of State for the Home Department when he will respond to the application for funding from Re-unite made on 9 March.

Mr. John Patten: A response to their funding application has now been sent to Re-unite, making a formal grant offer. I have written to my hon. Friend.

"Let's Crack Crime"

Mr. Colvin: To ask the Secretary of State for the Home Department how many copies of his Department's booklet "Let's Crack Crime" have been distributed.

Mr. John Patten: Nearly 2·5 million copies of the first and second editions of the Home Office crime prevention handbook "Practical Ways to Crack Crime" have been distributed in England and Wales. The third edition will be published shortly.

Gloucestershire (Burglaries)

Mr. Knapman: To ask the Secretary of State for the Home Department if he will report on the most recent figures for burglary in Gloucestershire; and if he will make a statement.

Mr. John Patten: In the 12-month period ended 30 June 1989, notifiable offences of burglary in Gloucestershire decreased by almost 15 per cent. compared with the previous 12 months. This information is published in table 7 of Home Office statistical bulletin 7/89 and in a subsequent table; copies of both are in the Library.

Concessionary Television Licences

Mr. Winnick: To ask the Secretary of State for the Home Department if he will make a statement on the representations he has received regarding the further restrictions on the availability of the concessionary television licence fee for pensioners.

Mr. Renton: Since the changes in the regulations in May 1988, we have received visits from four hon. Members[1], and 311 letters, 168 of them from hon. Members, about aspects of the concessionary TV licensing system. The nature of each is not separately recorded, but the main points raised were whether the scheme should be extended to ordinary housing, the treatment of new residents of schemes which no longer qualified and whether the circumstances of individual housing schemes fitted the new regulations.

[1]The figure of five hon. Members given in the answer of 3 July 1989 at column *19* to the question from the hon. Member for Oldham, West (Mr. Meacher) was unfortunately incorrect, and I am writing to the hon. Member.

Turkish Kurds

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department how many Turkish Kurds have been granted asylum in 1989.

Mr. Renton: We do not keep separate statistics of the ethnic origins of asylum seekers but the great majority of the Turkish nationals who have sought asylum here are of Kurdish origin. Seventy-one Turkish nationals have been granted refugee status so far in 1989, and a further 243 have been granted exceptional leave to enter or remain in the United Kingdom. Decisions have yet to be reached on the majority of the 3,500 applications for asylum made by Turkish nationals who arrived in May and June.

Prison Population

Mr. Speller: To ask the Secretary of State for the Home Department what proposals he has to reduce the number of convicted persons held in prison where the crime for which they were sentenced did not involve violence or illegal entry.

Mr. John Patten: We are developing further the ideas for encouraging greater use of community penalties in the Green Paper "Punishment Custody and the Community" (Cm 424). We have already taken steps to reduce the number of young adults in custody. We have issued national standards for community service orders. By ensuring that community service is rigorous and demanding, we hope to encourage its use for offenders who might otherwise receive a custodial sentence.

Broadcasting

Miss Emma Nicholson: To ask the Secretary of State for the Home Department if he will place in the Library the summary of the 3,000 responses he received to the White paper, "Broadcasting in the '90s Competition, Choice and Quality", with particular reference to responses to paragraph 6.17, the allocation of television franchises through the highest tender method.

Mr. Renton: My right hon. Friend placed in the Library on 21 April a list of the main organisations which submitted comments on the broadcasting White Paper which he announced in reply to a question from my hon. Friend the Member for Westminster, North (Mr. Wheeler) at column *342*. I regret that the further information sought would involve a fresh analysis of more than 3,000 submissions and could therefore be provided only at disproportionate cost.

Conservative Conference

Mr. Pike: To ask the Secretary of State for the Home Department what additional resources were made available for policing and security at the 1989 Conservative conference at Blackpool.

Mr. Peter Lloyd: The additional costs of policing the Conservative party conference at Blackpool will be met by the Lancashire police authority. Under the normal police funding arrangements, the Government contribute both directly through police grant—which is at 51 per cent.—and indirectly through block grant.

I understand from the chief constable of Lancashire that the additional costs including related security measures, are estimated to be £1·08 million.

The Conservative party, like other political parties, also incurs costs on specific security measures at its conference.

Immigration Enforcement

Mr. David Evans: To ask the Secretary of State for the Home Department how many persons were removed from the United Kingdom in 1988 as a result of immigration enforcement powers; and what was the figure five years ago.

Mr. Renton: In 1988, a total of 3,046 persons were removed from the United Kingdom under the enforcement powers in the Immigration Act 1971, either as illegal entrants or under the deportation process. The corresponding figure for 1983 was 1,196. More detailed information is published in tables 23 and 24 of the Home Office Command Paper "Control of Immigration: Statistics United Kingdom 1988" (Cm. 726), a copy of which is in the Library.

Police National Computer

Mr. Cohen: To ask the Secretary of State for the Home Department if there are plans to link the vehicle and name indices of the police national computer so that the name extracted from the vehicle index could automatically search the names index; and if he will make a statement.

Mr. Peter Lloyd: There are no present plans for such a project.

Mr. Cohen: To ask the Secretary of State for the Home Department what has been the trend in the use of the names indices of the police national computer; what are the reasons for the changes in frequency of use; and what steps his Department takes to ensure that each access to the names index is for a bona fide police purpose.

Mr. Peter Lloyd: The number of accesses to the names indices of the police national computer increased by 13·87 per cent. between 1986 and 1987 and by 12·23 per cent. between 1987 and 1988.

The reasons for individual inquiries are not monitored centrally. This is a matter for chief officers of police, who are also responsible for ensuring that inquiries are made only for appropriate police purposes.

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will describe the purpose of the extremists crime index of the police national computer; if he will define the circumstances when information is added to the index; and if he will list the items of data held within the index.

Mr. Peter Lloyd: The purpose of the index is to assist the police in the detection of crimes which might have a political, religious, social or environmental motive. It can be updated only by the Metropolitan police and accessed by a limited number of terminals in regional crime intelligence offices. The index contains the following data items:

Crime description
Date and time of crime

Modus operandi
Property value and description (if applicable)
Suspect details (if applicable)
Vehicle registration mark, value and description (if applicable)
Forensic and pathology data (if applicable)

Asylum Seekers (Turkey)

Mr. Corbyn: To ask the Secretary of State for the Home Department what are the latest available figures for asylum seekers from Turkey who have arrived since 18 January who have *(a)* been returned to Turkey, *(b)* interviewed but held in detention, *(c)* given temporary asylum for up to one year, *(d)* given leave to remain for more than one year and *(e)* granted refugee status.

Mr. Renton: The information is not available in the form requested. From the beginning of January up until the introduction of a visa requirement for Turkish nationals on 23 June some 3,900 Turkish nationals claimed asylum on arrival in the United Kingdom. As at 11 October, 34 have been refused asylum and returned to Turkey. On 11 October, nine remained in detention, all of whom had been interviewed. There is no status of temporary asylum, but temporary admission pending consideration of their claims was granted to all those who were not detained. Exceptional leave to remain, initially for 12 months, has been granted in 243 cases. A total of 71 have been recognised as refugees under the terms of the 1951 United Nations convention on refugees and granted four years leave to remain initially. A total of 229 have returned voluntarily to Turkey before examination of their cases was completed.

Mr. Corbyn: To ask the Secretary of State for the Home Department what representations he has received from non-statutory organisations concerning their call for resources to assist Kurdish asylum seekers; what response he has given; and if he will make a statement.

Mr. Renton: Representations have been received from a number of Church, community and voluntary organisations seeking among other things financial assistance for emergency reception arrangements for Turkish asylum seekers who arrived in the United Kingdom in May and June. Exceptional payments to reimburse some of the expenses incurred have been made to most non-statutory organisations which assisted; a few others remain under consideration and will be settled shortly.

Parking Enforcement

Mr. Shersby: To ask the Secretary of State for the Home Department if he has yet considered the conclusions of the parking enforcement working party; and if he will make a statement.

Mr. Peter Lloyd: I refer my hon. Friend to the reply given to my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope) on 27 July 1989 at column 799.

Edinburgh International Television Festival

Mr. Sillars: To ask the Secretary of State for the Home Department how many representatives of his Department attended sessions of the Edinburgh international television festival.

Mr. Renton: One.

Acid House Party, Rickmansworth

Mr. Shersby: To ask the Secretary of State for the Home Department if he will call for a report from the Chief Constable of Hertfordshire on the policing of an acid house party at Stochers Farm, Rickmansworth on 2 September and of the number of persons arrested and charged with an offence and the number of police officers deployed; and what policy guidance he is giving on the policing of such events with a view to maintaining the peace in the interests of local residents in the areas in which such parties take place.

Mr. Peter Lloyd: I understand from the chief constable of Hertfordshire that a total of 36 people were arrested in connection with the event, one of whom was subsequently charged. The number of police officers deployed was 120. We welcome the vigorous action which the police have taken to deal with events of this kind. My right hon. Friend will shortly be discussing with chief officers of police the policing of these parties and the problems to which they have given rise.

Roskill Inquiry

Mr. John Marshall: To ask the Secretary of State for the Home Department what plans there are to implement the recommendation of the Roskill inquiry that fraud cases should no longer be tried before a jury.

Mr. John Patten: We want to give the reforms introduced by the Criminal Justice Acts 1987 and 1988, which were designed to make the jury's task easier, a chance to prove their worth before we consider the recommendation further.

Immigration

Mr. Darling: To ask the Secretary of State for the Home Department how many persons were detained under Immigration Act powers for a period of more than two months on completion of a custodial sentence during 1988.

Mr. Renton *[holding answer 28 July 1989]:* Eleven.

Mr. Darling: To ask the Secretary of State for the Home Department how many applications for *(a)* single entry and *(b)* multiple entry visit visas were (1) received, (2) granted and (3) refused at each post in the Indian sub-continent, Ghana, Nigeria and Jamaica in each quarter of 1988 and the first quarter of 1989; and what was the delay between application and interview for those whose applications were felt to need a second or long interview at each of the above posts in (i) June 1988, (ii) January 1989 and (iii) June 1989 or the nearest available date.

Mr. Renton *[pursuant to his reply, 28 July 1989, c. 1054]:* Information on applications in Jamaica for a visit entry clearance, and separate information on applications in the other countries for single entry and multiple entry visas, are not available centrally. The other information requested is given in the tables.

TABLE 1

Persons applying for a visit visa to the United Kingdom

Number of persons

Post	Newly received[1]	Applications Granted[2]	Refuse initially
Dhaka			
1988			
1st quarter	2,020	1,410	380
2nd quarter	3,030	2,380	450
3rd quarter	2,830	2,100	540
4th quarter	2,450	1,690	560
Year	10,320	7,580	1,940
1989			
1st quarter	2,130	1,590	420
New Delhi			
1988			
1st quarter	7,120	5,740	800
2nd quarter	15,270	13,360	1,140
3rd quarter	11,360	9,380	1,400
4th quarter	7,160	5,720	1,110
Year	40,910	34,200	4,450
1989			
1st quarter	8,160	6,600	1,040
Bombay			
1988			
1st quarter	6,650	6,230	260
2nd quarter	17,050	16,330	320
3rd quarter	10,960	10,210	450
4th quarter	5,850	5,360	400
Year	40,500	38,130	1,430
1989			
1st quarter	7,290	6,850	460
Calcutta			
1988			
1st quarter	880	850	20
2nd quarter	2,810	2,790	40
3rd quarter	2,220	2,190	40
4th quarter	1,00	970	20
Year	6,910	6,800	110
1989			
1st quarter	1,110	1,090	20
Madras			
1988			
1st quarter	1,300	1,280	10
2nd quarter	3,120	3,080	20
3rd quarter	2,740	2,720	30
4th quarter	1,230	1,210	20
Year	8,390	8,290	80
1989			
1st quarter	1,830	1,780	30
Islamabad			
1988			
1st quarter	5,650	4,000	1,480
2nd quarter	10,190	8,320	1,910
3rd quarter	9,030	7,230	1,780
4th quarter	5,410	3,800	1,440
Year	30,270	23,350	6,620
1989			
1st quarter	6,130	4,700	1,240
Karachi			
1988			
1st quarter	4,000	3,310	450
2nd quarter	10,360	8,330	850
3rd quarter	6,820	5,940	710
4th quarter	4,330	3,640	590
Year	25,510	21,220	2,600
1989			
1st quarter	4,200	3,570	480
Accra			
1988			
1st quarter	1,430	1,180	160
2nd quarter	2,320	2,010	200
3rd quarter	4,100	3,530	280
4th quarter	2,110	1,720	180
Year	9,970	8,440	820
1989			
1st quarter	2,390	1,930	270
Lagos			
1988			
1st quarter	9,430	8,380	710
2nd quarter	11,750	10,590	700
3rd quarter	17,490	13,940	1,190
4th quarter	11,820	8,940	1,550
Year	50,490	41,860	4,160
1989			
1st quarter	9,190	6,240	1,410
Kaduna			
1988			
1st quarter	1,470	1,280	120
2nd quarter	1,730	1,550	110
3rd quarter	2,250	2,020	140
4th quarter	1,460	1,220	210
Year	6,910	6,060	580
1989			
1st quarter	1,070	880	140

[1] Including applications subsequently withdrawn.
[2] Granted initially or on appeal.

Table 2

Waiting time for persons applying for a visit visa who required a lengthy interview

Number of days

Post	Waiting time for person interviewed at end of period: June 1988	January 1989	June 1989
Dhaka	—	—	—
New Delhi	—	—	—
Bombay	14	—	—
Calcutta	—	—	—
Madras	— or 1	— or 1	— or 1
Islamabad	1	1	7
Karachi	7	—	—
Accra	10	16	..

Post	Waiting time for person interviewed at end of period		
	June 1988	January 1989	June 1989
Lagos	1	1	1
Kaduna	—	—	—

— = same day.
. . = not available centrally.

Mr. Darling: To ask the Secretary of State for the Home Department how many applications for entry clearance in order to seek asylum in the United Kingdom were *(a)* received and *(b)* granted by country during 1988 and the first quarter of 1989.

Mr. Renton *[pursuant to his reply, 28 July 1989, c. 1054]:* Information on applications for refugee status in the United Kingdom made abroad is given in the following table:

Applications for refugee status in the United Kingdom received by British posts abroad and referred to the Home Office for decision[1], and grants of refugee status, by nationality (provisional estimates[2])

Number of persons

Nationality	Applications received		Grants of refugee status[3]	
	1988	First quarter 1989	1988	First quarter 1989
Angola	—	•	—	—
Colombia	•	—	•	—
Czechoslovakia	•	—	—	—
Ethiopia	5	•	•	•
Ghana	•	—	5	—
India	•	•	—	—
Iran	25	—	15	•
Iraq	5	5	•	5
Libya	•	—	—	—
Pakistan	•	—	—	—
Poland	5	—	•	—
Romania	5	•	—	—
Seychelles	•	—	—	—
Somalia	—	•	—	—
Sri Lanka	•	—	—	—
Syria	•	—	•	—
Turkey	15	•	—	5
Uganda	10	5	—	—
Zaire	—	•	—	—
Nationality uncertain	•	—	—	—
TOTAL	80	15	25	5

[1] In addition some applications for refugee status in the United Kingdom, made in India by nationals of Afghanistan, were processed locally by the British High Commission in New Delhi. 1,725 such applications were received in 1988 and 5 in the first quarter of 1989. No grants of refugee status were made during this time; 1,200 applications were awaiting a decision at the end of March 1989.
[2] Figures rounded to the nearest 5, with '•' = 1 or 2.
[3] Grants in the time periods shown do not necessarily relate to applications made in those periods.

Mr. Darling: To ask the Secretary of State for the Home Department how many outstanding immigration applications there are at Lunar house; what time savings in dealing with applications from *(a)* students, *(b)* family members in the United Kingdom applying for variation of stay, *(c)* settlement entry clearance applications referred from overseas posts and *(d)* asylum-seekers have been achieved by recent changes in procedures and practice; and what are the average times applicants in each category might expect to wait before a decision.

Mr. Renton *[pursuant to his reply, 28 July 1989, c. 1055]:* At the end of June 1989, there were 34,800 cases outstanding in the immigration caseworking groups and 9,600 active cases in the refugee and special cases unit.

A number of changes in procedure and practice have been introduced recently with the aim of reducing the level of outstanding applications and reducing the time taken to process them. Information on the effects of these changes is not available in the form requested.

The estimated average length of time between the receipt of an application and the decision, for cases decided in caseworking groups and the public inquiry offices, in the second quarter of 1989 was 4·5 months for students and 13·5 months for applicants for refugee status. Information on average waiting times for family members in the United Kingdom for variation of leave and for settlement entry clearance applications referred from overseas posts is not available.

Mr. Darling: To ask the Secretary of State for the Home Department how many applications for entry clearance from *(a)* wives, *(b)* husbands, *(c)* fiancés, and *(d)* fiancées made at British posts in (1) New Delhi, (2) Bombay, (3) Calcutta, (4) Madras, (5) Dhaka, (6) Islamabad, (7) Karachi, and (8) Colombo for each quarter since January 1988 to the nearest available date were *(a)* received, *(b)* granted and *(c)* refused; how many refusals at each post were (i) wholly and (ii) partly because the visa officer was not satisfied that the primary purpose of the marriage was not immigration; how many refusals at each post were (i) wholly and (ii) partly because the visa officer was not satisfied that the couple could support and accommodate themselves without recourse to public funds; what was the refusal rate at each post and what percentage of those refusals were *(x)* wholly and *(y)* partly on primary purpose grounds.

Mr. Renton *[pursuant to his reply, 28 July 1989 c. 1059]:* Information for the Indian sub-continent for the whole of 1988 and, where available, for the fourth quarter of 1988 and first quarter of 1989 is given in the tables. For information for the first three quarters of 1988, I refer the hon. Member to my reply to him on 20 December 1988 at columns *179-82*. Where the numbers are small, the figures for individual posts have been combined. Information on refusals which takes account of successful appeals is not compiled for periods shorter than 12 months. Corresponding information for Colombo is not available centrally.

TABLE 1:

Spouses and fiance(e)s in the Indian sub-continent applying for entry clearance for settlement in the United Kingdom

Number of persons or percentage

	Husbands			Fiances			Wives			Fiancees		
	1988		1989	1988		1989	1988		1989	1988		1989
	4th qtr.	Year	1st qtr.	4th qtr.	Year	1st qtr.	4th qtr.	Year	1st qtr.	4th qtr.	Year	1st qtr.
New Delhi (including Calcutta)												
Applications received[1]	50	230	60	70	260	50	120	560	170	60	250	70
Applications granted[2]	30	140	40	40	120	40	160	560	120	40	200	60
Applications refused initially	40	120	20	50	200	40	10	20	10	20	90	20
Refusal rate (percentage)[3]	n/a	42	n/a	n/a	60	n/a	n/a	3	n/a	n/a	30	n/a
Bombay (including Madras)												
Applications received[1]	50	240	70	50	240	100	190	940	370	30	190	80
Applications granted[2]	40	220	50	50	170	40	230	1,080	190	50	180	40
Applications refused initially	40	140	50	70	220	50	[4]	20	10	10	40	10
Refusal rate (percentage)[3]	n/a	34	n/a	n/a	49	n/a	n/a	2	n/a	n/a	19	n/a
Dhaka												
Applications received[1]	60	280	90	[4]	20	[4]	270	1,300	250	[4]	20	20
Applications granted[2]	40	110	60	[4]	10	[4]	380	1,290	560	10	20	10
Applications refused initially	30	100	60	[4]	10	[4]	70	270	70	[4]	[4]	[4]
Refusal rate (percentage)[3]	n/a	44	n/a	n/a	63	n/a	n/a	11	n/a	n/a	12	n/a
Islamabad (including Karachi)												
Applications received[1]	300	1,390	460	100	670	110	580	2,770	920	40	230	40
Applications granted[2]	110	340	140	50	210	50	650	2,610	750	70	250	80
Applications refused initially	230	560	320	200	510	260	30	110	40	[4]	20	10
Refusal rate (percentage)[3]	n/a	60	n/a	n/a	68	n/a	n/a	3	n/a	n/a	5	n/a

[1] Including applications subsequently withdrawn or lapsed
[2] Granted initially or on appeal
[3] Applications refused, after taking account of successful appeals, as a percentage of applications decided
[4] = 5 or fewer
n/a = not available

TABLE 2

Spouses and fiance(e)s in the Indian sub-continent refused[1] entry clearance for settlement in the United Kingdom in 1988

Number of persons or percentage

	Number refused because couple could not accommodate and/or maintain themselves without recourse to public funds:		Number refused because primary purpose of the marriage was to obtain admission to the United Kingdom:		Primary purpose refusals as a percentage of all refusals:	
	Solely for these reasons	Partly for these reasons	Solely for this reason	Partly for this reason	Solely on primary purpose grounds	Partly on primary purpose grounds
New Delhi (including Calcutta)						
Husbands	10	10	90	10	85	9
Fiances	[5]	10	150	30	79	15
Wives	[5]	[5]	10	[5]	53	5
Fiancees	[5]	10	30	20	30	25
Bombay (including Madras)						
Husbands	[4]	[5]	100	[5]	90	3
Fiances	[5]	10	150	10	90	5
Wives	[5]	[4]	10	[4]	48	[4]
Fiancees	[5]	[5]	20	[5]	49	5
Dhaka						
Husbands	[5]	20	60	20	67	22
Fiances	[4]	[5]	10	[5]	[2]100	[2]10
Wives	10	10	10	10	6	4
Fiancees	[4]	[4]	[5]	[4]	[5]	[5]
Islamabad (including Karachi)						
Husbands	[4]	190	300	190	58	37
Fiances	[5]	130	300	130	67	29
Wives	[5]	[5]	[5]	[5]	6	1
Fiancees	[5]	[5]	[5]	[5]	[2]29	[2]7
Total Indian sub-continent						
Husbands	10	220	540	220	67	27
Fiancees	10	150	610	170	75	21

	Number refused because couple could not accommodate and/or maintain themselves without recourse to public funds:		Number refused because primary purpose of the marriage was to obtain admission to the United Kingdom:		Primary purpose refusals as a percentage of all refusals:	
	Solely for these reasons	Partly for these reasons	Solely for this reason	Partly for this reason	Solely on primary purpose grounds	Partly on primary purpose grounds
Wives	20	10	40	10	12	3
Fiancees	[5]	20	50	20	36	17

[1] After taking account of successful appeals.
[2] Percentage based on fewer than 15 applications refused.
[3] Percentage not calculated for 5 or fewer applications refused.
[4] Nil.
[5] 5 or fewer.

Mr. Darling: To ask the Secretary of State for the Home Department how many applications for settlement by wives and children in (i) Dhaka and (ii) Islamabad were *(a)* received, *(b)* granted, *(c)* refused, *(d)* deferred at first interview, *(e)* lapsed and *(f)* outstanding and awaiting first interview for each quarter since the beginning of 1988.

Mr. Renton [*pursuant to his reply, of 28 July 1989, c. 1060*]: Information for the fourth quarter of 1988 onwards is given in the table; for information for the first three quarters of 1988, I refer the hon. Member to my reply to him on 20 December 1988 at columns *179-80*.

Wives and children applying for entry clearance for settlement in the United Kingdom[1]

Post	Applications					
	Newly received	Granted[2]	Refused initially	Referred or deferred[3]	Withdrawn or lapsed	Awaiting first interview at end of period
Dhaka						
1988 4th quarter	1,490	1,780	420	490	400	3,500
1989 1st quarter	1,410	2,220	470	780	470	2,600
Islamabad						
1988 4th quarter	860	890	90	840	90	2,100
1989 1st quarter	1,200	1,110	90	840	170	2,100

[1] Including persons considered for a certificate of entitlement to the right of abode in the United Kingdom
[2] Granted initially or on appeal
[3] Referred to Home Office for decision or deferred for further inquiries.

Immigration

Mr. Darling: To ask the Secretary of State for the Home Department how many people were waiting for special quota vouchers in (i) India and (ii) East Africa in *(a)* May 1988 and *(b)* December 1988; when those issued with vouchers on those dates had applied; how many vouchers were issued in (i) India and (ii) East Africa in *(a)* 1988 and *(b)* the first quarter of 1989; when those applying can now expect to receive vouchers; and how many applicants there were for vouchers in (i) India and (ii) East Africa in *(a)* 1988 and *(b)* the first half of 1989.

Mr. Renton [*pursuant to his reply, 28 July 1989, c. 1063*]: The information which is currently available is given in the tables:

Table 1. Persons applying for a special voucher for entry to the United Kingdom

Number of persons

Country	Applications[1] newly received		Vouchers issued		Applications awaiting decision at end of month	
	1988	1989 1st Qtr	1988	1989 1st Qtr	May 1988	December 1988
India	400	80	600	140	1,800	1,700
Kenya	330	120	300	50	550	520
Tanzania	50	10	40	10	170	60
Malawi	40	10	80	10	40	20
Zambia	110	20	140	10	40	20
Elsewhere	50	10	10	+	+	10
Total	980	240	1,170	220	2,600	2,300

+ = 5 or fewer
[1] Including applications subsequently withdrawn or lapsed.

Table 2. Waiting times for persons applying for a special voucher

Months

Country	Waiting time to main interview for Persons interviewed at end of month		Persons applying at end of month[1]
	May 1988	December 1988	June 1989
India[2]	84	72	24
Kenya	2½	2	2
Tanzania	1	1	1½
Malawi	—	¾	½
Zambia	1	1	[3]1

[1] Data relate to expected waiting times.
[2] Data relate to non-priority applicants. Priority applicants (ie. widows with a child in the United Kingdom, heads of household aged 65 or over, and special compassionate cases) are interviewed within three months.
[3] Estimated.

HEALTH

Family Practitioner Committees

Mr. Michael Morris: To ask the Secretary of State for Health what funding was made available for the running of family practitioner committees in 1988-89; and what sum has been agreed for 1989-90.

Mr. Freeman: The funding made available for the running of family practitioner committees for these two financial years is as follows:

	Revenue £	Capital £
1988-89	55,735,000	3,278,000
1989-90	64,417,000	5,505,000

Prescribing Budgets

Mr. Robin Cook: To ask the Secretary of State for Health if he will place in the Library PACT data aggregated at family practitioner level.

Mr. Mellor: We have no plans to do so. We are, however, considering what statistical information to make available to the House routinely in connection with the indicative prescribing budget scheme.

Mr. Spearing: To ask the Secretary of State for Health what consultations he has held, and what action he proposes, relating to his implementation of section 8 of working paper No. 4 concerning budgets for prescribing by general practitioners.

Mr. Kenneth Clarke: I continue to invite discussions with all interested parties on the operation of indicative drug budgets for general practitioners and I issued working paper No. 4 in order to stimulate such discussions. I held a useful discussion with representatives of the British Medical Association on 27 September at which I repeated and they accepted by assurance that the arrangements for managing the indicative prescribing budget scheme will not infringe in any way the right of a general practitioner to prescribe all those medicines which individual patients might need.

As I announced in my reply to my hon. Friend the Member for Wyre Forest (Mr. Coombs) on 24 July at column 540, a new prescribing budgets information system to implement prescribing budgets is being developed at the Prescription Pricing Authority. The system will be piloted in November 1990.

Mr. Spearing: To ask the Secretary of State for Health what current instructions he has given to family practitioner committees in respect of abnormal volumes or cost of prescribing by any of its contractor general practitioners; and in how many cases in 1988 any such matter was drawn to the attention of the relevant local medical committee.

Mr. Mellor: No guidance has yet been issued to family practitioner committees on this issue, as they do not assume the responsibility of monitoring prescribing by individual general medical practitioners until April 1990. It is not current practice to refer cases of over-prescribing to local medical committees. A new procedure for handling such cases at FPC level will be introduced as part of the implementation of the NHS review.

Registered Nurses (Mental Health)

Mr. Campbell-Savours: To ask the Secretary of State for Health (1) what arrangements have been made to protect the pay, conditions, training opportunities, career prospects, continuity of service and pension rights in the short, medium and long term of those staff possessing the registered nurse mental health qualification who transfer from health authority to local authority employment as a result of implementation of Government proposals concerning care in the community; and if he will make a statement;

(2) what proposals he is considering concerning the standardisation of the registered nurse mental health qualifications held by employees of health authorities and the certificate of social services held by employees of local authorities; and if he will make a statement.

Mr. Mellor: Our detailed proposals for the future organisation and funding of community care will be published in the forthcoming White Paper. The issues we are considering include the implications for staff who transfer from health authority to local authority employment. A number of certificate in social services schemes now contain an element of joint training leading to the award of both the certificate in social services and entry to part V of the UKCC Register of nurses trained in the nursing of persons suffering from mental handicap. The proposed introduction of the diploma in social work, which will replace both the certificate in social services and the certificate of qualification in social work is expected to increase further the opportunities for joint training.

Self-Governing Unit

Mr. Robin Cook: To ask the Secretary of State for Health what will be his Department's expenditure on its self-governing unit in the present financial year.

Mr. Freeman: The self-governing hospitals unit is part of the Department of Health's regional liaison division. The budget for the unit for the financial year 1989-90 is about £210,000 for staff and travel and subsistence.

Convalescent Care

Mr. Andrew Bowden: To ask the Secretary of State for Health if he has any plans to introduce national guidelines on the provision of convalescent care.

Mr. Mellor: No.

Dental Auxiliaries

Mr. Robin Cook: To ask the Secretary of State for Health if he will make a statement on the current claim before committee H of the Whitley council on the pay of dental auxiliary staff.

Mr. Mellor: The staff side of committee H of the Professional and Technical Staffs B Whitley Council has accepted an increase of 6·5 per cent. for dental auxiliaries effective from 1 July 1989.

Mr. Robin Cook: To ask the Secretary of State for Health if he will publish in the *Official Report* a table showing the change in pay in real terms of a senior dental surgery assistant aged 21 in every year since 1980, expressing the pay level for 1980 as 100.

Mr. Mellor: Information is not available in precisely the form requested. The available information is given in the table which shows both the minimum and the maximum paypoints of the relevant basic pay scale for each year, deflated by the RPI, and expressed as an index with 1980 as 100. Information on total earnings is not available centrally.

Senior Dental Surgery Assistant

Year	*Minimum of basic pay scale (real terms)*	*Maximum of basic pay scale (real terms)*
1980	100	100
1981	96	96
1982	93	93
1983	93	93
1984	94	94
1985	92	92
1986	95	95
1987	96	95
1988	96	96
1989	95	94

Mr. Robin Cook: To ask the Secretary of State for Health what is his latest estimate of annual turnover of dental auxiliaries in the hospital service and the community dental service.

Mr. Mellor: We do not hold this information centrally.

Calibre Cassette Library

Mr. Robin Cook: To ask the Secretary of State for Health if he will restore the Government grant to the Calibre cassette library for the blind and handicapped.

Mr. Freeman: Calibre received funding under our section 64 scheme of grants from 1976 until 1984 when a three-year tapering grant ended. We have since received no further application for funding.

Any new application for funding from Calibre will receive careful consideration. However, as their activity relates to the provision of a library, rather than a health or social service, it is very unlikely that their application would meet our criteria for grants under the section 64 scheme.

Autistic Children (Avon)

Ms. Primarolo: To ask the Secretary of State for Health what is his estimate of the numbers of autistic children in Avon aged between two and 16 years.

Mr. Freeman: Information on which such an estimate could be based is not held centrally or routinely collected locally.

Regional and District Health Authorities

Mr. Spearing: To ask the Secretary of State for Health if he will state the numbers of members of regional and district health authorities in England and Wales who are currently *(a)* directly appointed by him, *(b)* appointed by his appointees and *(c)* appointed by elected statutory bodies; and what will be the comparable numbers for regional and district health authorities and new bodies after implementation of his current proposals.

Mr. Mellor: My right hon. and learned Friend is presently responsible for the appointment of 234 members of regional health authorities in England. The majority of members of English district health authorities, 2,348, are appointed by regional health authorities with a smaller number, 862, appointed by local authorities.

Subject to parliamentary approval of the necessary legislation, my right hon. and learned Friend will appoint the five non-executive members of each RHA and up to three non-executive directors of each NHS hospital trust. The relevant RHA will appoint the five non-executive members of each DHA and at least two non-executive directors of each NHS hospital trust.

Each RHA and DHA will have up to five executive members. Of these, the general manager will be appointed by the chairman and the non-executive members; and the remainder by the chairman and the non-executive members acting with the general manager. NHS hospital trusts will have up to five executive directors. Of these, the general manager will be appointed by the chairman and non-executive directors, and the remainder by the chairman and non-executive directors acting with the general manager.

The appointment of members of DHAs in Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Rats

Mr. Spearing: To ask the Secretary of State for Health what action does he expect to take to combat rat infestations within the system of public sewers; and what action he requires of district health authorities to monitor rodent control within their respective areas.

Mr. Freeman: Local authorities are responsible under the Prevention of Damage by Pests Act 1949 for ensuring that their areas, including sewers, are kept as free as practicable from rats and mice. District health authorities are not required to monitor rodent control within their areas.

Accounting Staff

Mr. Spearing: To ask the Secretary of State for Health what is his latest estimate of the total numbers of additional accounting staff which will be needed, and of

what numbers will need specific qualifications, to operate his proposals for cost comparison within the National Health Service.

Mr. Mellor: It is a matter for health authorities themselves to determine their staffing needs and additional needs in relation to finance activities, including costing and contracting, following the National Health Service White Paper "Working for Patients".

The National Health Service management executive has made available £9·87 million in this financial year to strengthen the finance function in health authorities, units and hospitals in support of the White Paper proposals which require strong financial management—for example, developing contracts, capital charges and self-governing hospitals. In addition, £1·66 million is being spent this year on a training programme for finance staff targeted at the new skills needed. The National Health Service management executive will be discussing future finance staff resource needs with regions at the end of the year.

Lowermoor

Mr. Dalyell: To ask the Secretary of State for Health if he will make a statement on his proposals to set up an independent panel of scientists to consider water pollution-related incidents in the light of Dame Barbara Clayton's report on the Lowermoor incident.

Mr. Freeman: As I wrote to the hon. Member on 21 August, I will make an announcement at the earliest possible moment.

Blood Supplies

Sir David Price: To ask the Secretary of State for Health what steps the National Blood Transfusion Service has taken to ensure that all blood supplied through the service is free of the HIV-2 virus, as well as the HIV-1 virus; and if he will make a statement.

Mr. Freeman: Since August 1983 potential donors have been given a leaflet which asks those at risk of HIV infection not to give blood.

In addition, since June 1988 samples from donors who have visited those countries where HIV-2 is more common have been tested for antibodies to HIV-2. The need for testing on a wider basis is kept under constant review in the light of the test results and any new developments.

All blood donations have been tested for antibodies to HIV 1 since October 1985.

Autistic Children

Ms. Primarolo: To ask the Secretary of State for Health what guidelines he provides for the diagnosis and statementing of autistic children for pre-nursery entry.

Mr. Freeman: Recent guidance on the procedures involved in the assessment and statementing of children with special educational needs has just been issued jointly by my Department and the Department of Education and Science. This guidance covers children under five, including autistic children. Copies of the guidance have been placed in the Library. [DH circular HN (89) 20 and DES circular 22/89].

Bed Closures

Mr. Spearing: To ask the Secretary of State for Health if he will tabulate the number of beds in hospitals of each regional health authority that have been closed in 1989 to a recent convenient date, and not yet reopened by virtue of shortage of funds; and what action he expects to take to ensure that they reopen in the remainder of 1989 or during 1990.

Mr. Mellor: We do not hold information on temporary closures and the reasons for them. It is for health authorities to decide when such measures are necessary. Temporary closures may be made for a number of reasons other than financial ones, for example, for building repairs or redecoration.

District Health Authorities (Expenditure)

Mr. Spearing: To ask the Secretary of State for Health what calculations he has made concerning the approximate overall percentage of increased costs between the financial years 1988-89 and 1989-90 borne by district health authorities in respect of the commodities, services, and other costs, adjusted by weight of expenditure; if he will publish such calculations; and what changes in grant calculations he expects to make in respect of their costs for the financial year 1990-91.

Mr. Freeman: Price increases experienced by health authorities are measured using the Health Service prices index. Our estimate is that the rise in the index this year over 1988-89 will be about 5·7 per cent.

Health authority allocations for 1990-91 will be announced later this year after decisions on public expenditure for next year have been made.

Patients' Records

Mr. Fearn: To ask the Secretary of State for Health what plans he has to guarantee the confidentiality of patients' records stored in computers, in the light of the British Medical Association's report stating that doctors cannot guarantee their confidentiality.

Mr. Mellor *[holding answer 20 July 1989]:* The British Medical Association has frequently pressed the view that the Data Protection Act 1984 whose provisions were implemented in November 1987 puts in jeopardy the confidentiality of patients' health information held on computers.

The Data Protection Act in fact underlines the need for confidentiality of personal information and reinforces the policy long followed in the NHS that patients' records are confidential and staff face disciplinary action in the event of such confidence being breached.

AIDS

Mr. Marlow: To ask the Secretary of State for Health (1) under what powers he can limit foreign AIDS patients from coming to the United Kingdom for free treatment; and under what circumstances he uses those powers;

(2) whether he will investigate the prevalence amongst foreign AIDS patients of coming to the United Kingdom for treatment for *(a)* medical and *(b)* personal reasons, setting out those personal reasons.

Mr. Mellor *[holding answer 27 July 1989]:* The National Health Service (Charges to Overseas Visitors)

Amendment (No. 2) Regulations 1987 provide that an overseas visitor is exempt from charges for NHS hospital treatment for HIV infection only in relation to initial diagnostic testing and associated counselling. Such a visitor would have to pay charges in the usual way for any subsequent hospital treatment whether as an inpatient or an outpatient. Health authorities are required to make such charges in every case. The question of limiting entry to the United Kingdom is one for my right hon. Friend the Secretary of State for Home Affairs.

We have no plans to investigate the reasons why AIDS patients come to this country for treatment and know of no reason to do so. We are satisfied that the present charging arrangements are a reasonable response to the situation.

Free Prescriptions

Mr. Pike: To ask the Secretary of State for Health what was the number of people entitled to free prescriptions at 31 March 1988, and what is the corresponding figure for the latest date for which figures are available.

Mr. Mellor *[holding answer 28 July 1989]:* It is estimated that the number of people entitled to free prescriptions at 31 March 1988 was 23·7 million. The corresponding figure for 31 March 1989, the latest date for which information is available, is estimated to have been 23·6 million.

These figures show that despite some far-reaching changes in the social security system and certain changes in the arrangements for exemption from prescription charges that took effect in April 1988, they had little significant impact upon the total number of people entitled to free prescriptions.

General Practitioners

Mr. Jack: To ask the Secretary of State for Health how many general practitioners were under contract to the National Health Service in 1979; how much this cost; and what were the comparable figures in 1988.

75. **Mr. Sumberg:** To ask the Secretary of State for Health what is the number of general practitioners now; and what it was in 1979.

Mr. Mellor *[pursuant to his reply, 25 July 1989, c. 669]:* In my reply to you on 25 July I quoted figures for 1987 for the cost of general medical services as being £125 million.

This figure that was quoted was incorrect and should have been £1,250 million.

Blood

Mr. John Evans: To ask the Secretary of State for Health what is the profit made by the Blood Transfusion Service on each 1,000 pints of donated blood bought by private sector health institutions; what method is used to determine the price at which blood will be sold to the private sector; how much blood was sold in total for each of the last 10 years to the private sector for all blood groups and the rarest blood groups; what was this as a percentage of total blood donations; and if he will make a statement.

Mr. Freeman *[pursuant to his reply, 10 July 1989, column 373]:* Figures for units of blood issued to non-NHS hospitals which read 84,361 should have read 80,002.

The percentage for 1987 which read 4·2 should have read 4·0.

NATIONAL FINANCE

Swindon 2 Tax Office

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer on what basis an Inland Revenue official at Swindon 2 tax office communicated information on Suzanne Allen and Yvonne Knight to Swindon police.

Mr. Lilley: I refer the hon. Member to my answer on 28 July at column *1146*.

Interest Rates

Mr. Sillars: To ask the Chancellor of the Exchequer what recent representations he has received against his present policy on interest rate levels from organisations representing the self-employed; and what replies he has sent.

Mr. Ryder: My right hon. Friend and I have received a number of letters from organisations representing the self-employed. The replies explain that everyone has far more to fear from inflation than from a period of higher interest rates.

Mr. Spearing: To ask the Chancellor of the Exchequer whether he has made any estimate of the additional savings available for investment by leading institutions made available by each 1 per cent. increase in base interest rate.

Mr. Ryder: No. Certainly, higher interest rates encourage saving and reduce lending. But it is by no means true that all United Kingdom savings go to lending institutions, nor that lending institutions obtain their funds solely from United Kingdom savers. More generally, mortgage and other credit rationing is not a feature of the present day financial system. Lenders are constrained by the demand for credit at prevailing interest rates. Interest rates represent the price of money and credit, and naturally their demand falls when the price is raised. The relationship is complex, but the direction and the significance of the effect are clear.

British-Irish Parliamentary Group

Mr. John D. Taylor: To ask the Chancellor of the Exchequer what public funding has been agreed for the proposed British-Irish parliamentary group under the auspices of the Inter-Parliamentary Union.

Mr. Lawson: The British group of the Inter-Parliamentary Union will receive in 1989-90 a grant in aid of £1,575,000. This is substantially higher than the normal annual grant, as the Estimate included provision for the costs of the recent centenary conference which was hosted by the British group in London.

It is hoped that the cost in 1989-90 of creating the proposed British-Irish inter-parliamentary body can be met from sums available within this grant. Funding in future years is presently being discussed in the context of the public expenditure survey.

Incomes

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer if he will give his latest estimates of net disposable income for each region of the United Kingdom after taking account of mortgage repayments.

Mr. Lilley: The only available regional information on average per capita disposable income after taking account of mortgage repayments is from family expenditure surveys. Data for 1986 and 1987 combined are:

	£ per person per week
North	64·28
Yorkshire and Humberside	66·72
East Midlands	67·84
East Anglia	69·42
Greater London	96·78
Rest of the South East	85·68
South West	77·48
West Midlands	66·27
North West	71·27
Wales	60·60
Scotland	66·30
Northern Ireland	56·98
United Kingdom	74·16

Data from the Family Expenditure Survey are subject to sampling variations and, therefore, the results for two years have been combined in order to increase the accuracy. It should be noted that in accordance with FES definitions of disposable income the figures include imputed income from owner occupancy. Furthermore, mortgage repayments, but not payments of rent, have been deducted from the disposable income figures.

Civil Servants

Mr. John D. Taylor: To ask the Chancellor of the Exchequer how many civil servants there are at present; and what was the equivalent figure 10 years ago.

Mr. Lawson: At 1 July 1989, there were 567,073 staff in post in central Government Departments. This information was published by Her Majesty's Treasury in a press release on 18 September 1989 (No. 72/89). The comparable figure for 1 July 1979 is 723,747.

Overseas Assets

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will bring up to date the information provided in the reply dated 16 March 1983, *Official Report*, column *164*, concerning the amount of tax collected on income earning and other assets held overseas; and if he will include in the table an estimate for each year of the total value of such assets, whether or not they have been assessed to tax.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1134]:* Income tax charged on investment income received from overseas in the year ending 5 April 1987 and taxed under cases IV and V of schedule D is estimated to be in the region of £80 million before allowing for double taxation relief. The amount of such relief could be obtained only at disproportionate cost.

Income tax deducted from foreign company and public revenue dividends paid by or through United Kingdom paying and collecting agents in the year ended 5 April 1989 amounted to £192 million.

These figures are, in each case, for the latest available year. Figures for earlier years are not covered by the reply of 16 March 1983 and could be provided only at a disproportionate cost. The value of the assets giving rise to these tax charges is not known.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will publish in the *Official Report* a table showing the estimated number and direct revenue cost of wife's earnings elections in a full year by range of incomes at 1989-90 income and tax levels, together with tables for (i) husband and (ii) wives showing *(a)* the numbers separately assessed by range of total income of the relevant spouse and *(b)* the aggregate total income of each spouse and the aggregate investment income of each spouse; and if he will add a table showing the additional direct revenue cost on the basis of the 1990-91 proposals for the separate taxation of husbands and wives;

(2) whether he will publish in the *Official Report* a table showing for wives with earned income on Inland Revenue records the estimated distribution of the number of such wives in 1989-90 by wife's total income and the couples' joint total income together with the estimated revenue loss from wife's earnings elections and the estimated further loss on the 1990-91 basis of separate taxation of husbands and wives.

Mr. Lilley *[pursuant to his replies, 28 July 1989, c. 1119-21]:* Available estimates at 1989-90 income levels are in the tables. They are based on a projection of the 1986-87 survey of personal incomes and are, therefore, provisional. The distribution of wives earned income for 1988-89 is also given, because previous estimates have been revised. Further estimates by range of investment income and under independent taxation in 1990-91 could be provided only at disproportionate cost.

Distribution of wives[1] Earned Income 1988-89

Income (lower limit) £ *per annum*	*Number of wives with earned income in range* ('000)	*Number of married couples (with wives earnings) with joint total income[2] in range* ('000)
1	1,760	110
2,000	1,770	230
4,000	1,140	360
6,000	890	270
8,000	370	330
10,000	250	540
12,000	270	970
15,000	130	1,610
20,000	50	1,520
30,000	30	720
All ranges	6,660	6,660

[1]Excluding some wives with earnings below the PAYE reporting limit and Self-employed wives making a net loss.
[2] Combined income of husband and wife.

Distribution of wives[1] Earned Income 1989-90

Income (lower limit) £ *per annum*	*Number of wives with earned income in range* ('000)	*Number of married couples (with wives earnings) with joint total income[2] in range* ('000)
1	1,660	110
2,000	1,710	210
4,000	1,060	340
6,000	910	250

Income (lower limit) £ per annum	Number of wives with earned income in range ('000)	Number of married couples (with wives earnings) with joint total income[2] in range ('000)
8,000	470	280
10,000	270	400
12,000	310	810
15,000	180	1,540
20,000	80	1,810
30,000	30	930
All ranges	6,680	6,680

[1] Excluding some wives with earnings below the PAYE reporting limit and Self-employed wives making a net loss.
[2] Combined income of husband and wife.

Wife's Earnings Election 1989-90

Income (lower limit) £ per annum	By range of joint total income of married couple Number '000	Cost £ million	By range of wife's earned income Number '000	Cost £ million	By range of husband's total income[1] Number '000	Cost £ million
1						
—	—	—	—	—	—	—
6,000	—	—	65	10	—[3]	—[3]
10,000	—	—	130	75	10	—[3]
15,000	—	—	105	90	55	30
20,000	—	—	65	110	175	135
30,000	395	355	30	70	155	190
All ranges	395	355	395	355	395	355

[1] Husband's earned income plus husband and wife's investment income.
[2] Less than £1 million or 1,000.
[3] Less than £5 million.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will publish in the *Official Report* a table showing for those above and those below age 65 years the estimated number of tax units and their tax liability in the current financial year in each range of total income up to a lower limit of £100,000 divided into single persons and one-earner and two-earner married couples together; and if he will include the number of females within each category and their tax liability;

(2) whether he will publish in the *Official Report* tables showing for those above and for those below pensionable age, the estimated number of tax units paying income tax and their income tax liability as a proportion of their total income in a full year at 1989-90 rates, by range of total income up to a lower limit of £100,000 distinguishing between single persons, one-earner and two-earner married couples, and if he will add figures showing what effect his proposals for the separate taxation of husbands and wives will have on the numbers of tax units and the proportion paid in tax by *(a)* one-earner and *(b)* two-earner married couples.

Mr. Lilley *[pursuant to his replies, 28 July 1989, c. 1119-22]:* Available estimates are given in the tables. All estimates are based on a projection of the 1986-87 survey of personal incomes and are provisional. Under the present system a married woman's income is treated as her husband's and taxed as if it belonged to him. Separate estimates for single women are provided in the tables.

Comparable estimates after the introduction of independent taxation of husbands and wives are not available. However, estimates of gains in 1990-91 were included in the Inland Revenue press release "Independent Taxation of Husbands and Wife", published on 15 March 1988.

Number of Tax Units Paying Income Tax and Tax Liability by Range of Total Income, 1989-90 Married Couples with Wife's Earned Income

Total Income (Lower Limit) £ per annum	Taxpayers Under 65 Number of Units Liable to Pay Tax (000s)	Tax Liability (£ million)	Tax Liability As a Proportion of Total Income (percentage)	Taxpayers Aged 65 and Over Number of Units Liable to Pay Tax (000s)	Tax Liability (£ million)	Tax Liability as a Proportion of Total Income (Percentage)
2,000	—	—	—	—	—	—
3,000	—	—	—	—	—	—
4,000	(1)	(2)	1·6	—	—	—
5,000	10	(2)	2·7	10	(2)	1·4
6,000	20	10	3·6	20	10	3·0
7,000	40	10	3·1	20	10	4·6
8,000	90	40	5·5	30	10	5·3
9,000	80	50	5·9	50	30	6·3
10,000	290	240	7·5	90	90	8·4
12,000	730	970	9·7	90	160	13·1
15,000	1,460	3,130	12·3	100	260	15·1
20,000	1,690	6,170	15·2	130	570	17·8
30,000	690	4,970	19·6	60	520	23·9
50,000	180	3,850	28·0	20	490	30·9

(1) Less than 5,000
(2) Less than £5 million

Number of tax units paying income tax and tax liability by range of total income, 1989-90
Married couples without wife's earned income

Total income (lower limit)	Taxpayers under 65			Taxpayers aged 65 and over		
	Number of units liable to pay tax	Tax liability	Tax liability as a proportion of total income	Number of units liable to pay tax	Tax liability	Tax liability as a proportion of total income
£ per annum	(000s)	(£ million	(percentage)	(000s)	(£ million)	(percentage)
2,000	—	—	—	—	—	—
3,000	—	—	—	—	—	—
4,000	60	10	1·8	—	—	—
5,000	150	40	4·6	40	(1)	1·0
6,000	240	100	6·1	90	20	3·9
7,000	230	140	8·0	120	60	6·9
8,000	210	130	7·2	100	70	8·2
9,000	270	220	8·5	80	80	10·3
10,000	600	710	10·7	90	120	12·3
12,000	870	1,530	13·0	90	190	16·0
15,000	860	2,220	15·2	80	240	18·1
20,000	560	2,300	17·5	50	250	20·5
30,000	230	2,020	23·3	30	300	26·6
50,000	100	2,610	31·4	20	510	32·9

(1) Less than £5 million

Number of tax units paying income tax and tax liability by range of total income, 1989-90
Single females

Total income (lower limit)	Taxpayers under 65			Taxpayers aged 65 and over		
	Number of units liable to pay tax	Tax liability	Tax liability as a proportion of total income	Number of units liable to pay tax	Tax liability	Tax liability as a proportion of total income
£ per annum	'000s	£ million	Percentage	'000s	£ million	Percentage
2,000	70	—[2]	0·9	—	—	—
3,000	370	70	5·3	90	10	2·0
4,000	380	150	8·7	170	40	5·4
5,000	440	270	11·1	160	80	8·7
6,000	510	430	13·0	120	90	11·2
7,000	470	450	12·9	70	60	13·0
8,000	370	430	13·7	60	70	14·3
9,000	210	280	14·1	30	50	15·5
10,000	340	610	16·2	50	90	16·7
12,000	360	830	17·2	50	130	19·5
15,000	260	760	17·4	50	170	20·8
20,000	110	490	19·0	30	150	23·3
30,000	20	220	24·6	10	140	27·8
50,000	—[1]	110	33·2	10	210	33·7

[1] Less than 5,000.
[2] Less than £5 million.

Number of Tax Units Paying Income Tax and Tax Liability by Range of Total Income, 1989-90 Single Males

Total Income (Lower Limit)	Taxpayers Under 65			Taxpayers Aged 65 and Over		
	Number of Units Liable to Pay Tax	Tax Liability	Tax Liability As a Proportion of Total Income	Number of Units Liable to Pay Tax	Tax Liability	Tax Liability as a Proportion of Total Income
£ per annum	(000s)	(£ million)	(percentage)	(000s)	(£ million)	(Percentage)
2,000	70	(1)	0·8	—	—	—
3,000	410	80	5·2	30	(1)	2·4
4,000	360	140	8·8	50	10	5·2
5,000	360	240	11·8	50	20	9·0
6,000	380	320	12·9	50	40	11·3
7,000	440	430	13·0	40	40	13·6
8,000	430	520	13·9	30	40	14·7
9,000	370	520	14·7	10	20	15·3
10,000	750	1,320	16·1	40	70	17·1
12,000	680	1,560	17·1	20	70	19·6
15,000	430	1,270	17·1	20	70	20·5
20,000	230	1,000	18·3	20	110	22·0
30,000	70	550	23·1	10	70	27·8
50,000	20	700	31·7	10	220	34·6

(1) Less than £5 million.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* his estimate of the yield from an increase of one pence in the standard rate of tax and in the employees' and employers' national insurance contribution, respectively, in 1989-90; and if he will divide the tax figure to show the yield from earned and unearned incomes.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1122]:* An increase of 1p in the basic rate of income tax is

estimated to yield about £1·5 billion in a full year at 1989-90 income levels; 90 per cent. of the yield is estimated to be from tax on earned income.

An increase of 1 percentage point in standard class 1 national insurance contribution rates is estimated to yield employee contributions of £2 billion and employer contributions of £2·25 billion in a full year at 1989-90 income levels.

Mortgage Interest Relief

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will publish in the *Official Report* a table showing his estimate of the number of cases in which higher rate relief will be given on mortgage interest payments in the current financial year together with *(a)* the gross amount of interest qualifying for relief, *(b)* the amount of higher relief and *(c)* the number of recipients of working age and their distribution by personal tax category and by range of total income together with the average amount of relief given at the standard and higher rate of tax; and if he will add his forecast of the additional cost to the Revenue on the basis of this year's figures and rates of tax of mortgage relief as a result of the separate taxation of married couples;

(2) whether he will publish in the *Official Report* a table showing by range of income and tax status an estimate of the saving to the Exchequer in a full year from abolishing, respectively, the upper earnings limit for national insurance contributions and higher rate relief on mortgage interest.

Mr. Lilley *[pursuant to his replies, 28 July 1989 c. 1122-36]:* Provisional estimates of excess over basic rate relief on mortgage interest in 1989-90, based on a projection of the 1986-87 survey of personal incomes, are given in the table. Estimates for independent taxation are not available.

It is estimated that the full year yield, at 1989-90 levels, of the abolition of the upper earnings limit for employees' national insurance contributions would be £1·8 billion. Of the £1·8 billion, it is estimated that £0·3 billion would be from single persons, £0·8 billion from one-earner married couples and £0·7 billion from two-earner married couples. A more detailed breakdown of the yield is not available.

Estimates are consistent with those made at the time of the Budget and they exclude any behavioural effects of the proposed changes.

Beneficiaries[1] of higher rate relief on mortgage interest by range of total income: 1989-90

Range of total income (£)	*Number of tax units* (thousand)	*Gross amount of interest qualifying for relief* (£ million)	*Cost of excess over basic rate relief* (£ million)	*Average basic rate relief* (£)	*Average excess over basic rate relief* (£)	*Number of non-aged tax units* (thousand)
Singles						
20,001-25,000	20	75	+	870	60	20
25,001-30,000	65	205	20	770	300	65
30,001-40,000	55	185	25	830	490	55
40,001-50,000	20	80	10	890	530	20
Over 50,000	20	80	10	900	540	20
Total	180	625	65	830	380	180
One-earner couples						
20,001-25,000	0	0	0	0	0	0
25,001-30,000	80	250	15	750	200	80
30,001-40,000	115	360	55	770	460	115
40,001-50,000	55	175	25	770	460	55
Over 50,000	75	235	35	780	470	75
Total	325	1,020	130	770	400	325
Two-earner couples						
20,001-25,000	0	0	0	0	0	0
25,001-30,000	95	255	15	680	140	90
30,001-40,000	310	940	110	760	350	310
40,001-50,000	110	305	45	710	400	105
Over 50,000	135	430	65	810	480	130
Total	650	1,930	235	750	350	635
All						
20,001-25,000	20	75	+	870	60	20
25,001-30,000	240	710	50	730	200	235
30,001-40,000	480	1,485	190	770	390	480
40,001-50,000	185	560	80	750	430	180
Over 50,000	230	745	110	810	480	225
Total	1,155	3,575	430	770	370	1,140

+ = less than £2·5 million

[1]includes about 250,000 tax units who are kept out of higher rate tax by this relief

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* tables showing by range of total income up to a lower limit of £100,000, for those above and those below pensionable age and distinguishing between single persons, one-earner and two-earner married couples, the estimated saving to the Exchequer of abolishing all allowances and reliefs other than the basic single and married allowances; and if he will provide similar tables on the 1990 basis of separate taxation of husbands and wives.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1121]:* The total direct revenue yield from abolishing all income tax allowances (other than the basic single and married allowances) and reliefs cannot be estimated reliably.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the earned and unearned income of the top 1 per cent. of taxpayers in the current financial year and of the amount they are expected to pay in national insurance contributions.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1127]:* I refer the hon. Member to my predecessor's reply to the hon. Member for Dunfermline, East (Mr. Brown) of 3 July, *Official Report*, columns *33-36* for estimates of the earned and investment income of the top 1 per cent. of income tax payers. They are provisionally estimated to pay about £300 million in national insurance contributions in 1989-90.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing the number of tax units and amount of earned income in each tax band by range of total income and tax status for those *(a)* above and *(b)* below pensionable age.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1127]:* Available estimates are given in the tables. They are based on a projection of the 1986-87 survey of personal incomes and are provisional. Earned income includes any state or occupational pensions received.

Number of tax units liable to tax and amount of earned income by range of total income, 1989-90

	Single persons			
	Taxpayers aged under 65		*Taxpayers aged 65 and over*	
Total income (lower limit) £ per annum	*Number of units liable to pay tax ('000s)*	*Amount of earned income (£ million)*	*Number of units liable to pay tax ('000s)*	*Amount of earned income (£ million)*
2,000	140	360	—	—
3,000	780	2,550	120	410
4,000	740	3,000	220	820
5,000	800	4,030	200	860
6,000	900	5,330	170	780
7,000	900	6,250	100	530
8,000	800	6,330	90	500
9,000	580	5,150	50	270
10,000	1,090	11,290	90	630
12,000	1,040	13,200	70	590
15,000	690	11,100	70	630
20,000	340	7,470	50	500
30,000	90	2,810	20	280
50,000	30	1,810	20	430
All ranges	8,920	80,680	1,270	7,230

Number of tax units liable to tax and amount of earned income by range of total income, 1989-90

	Married couple without wife's earned income			
	Taxpayers aged under 65		*Taxpayers aged 65 and over*	
Total income (lower limit) £ per annum	*Number of units liable to pay tax ('000s)*	*Amount of earned income (£ million)*	*Number of units liable to pay tax ('000s)*	*Amount of earned income (£ million)*
2,000	—	—	—	—
3,000	—	—	—	—
4,000	60	280	—	—
5,000	150	750	40	190
6,000	240	1,430	90	480
7,000	230	1,550	120	680
8,000	210	1,560	100	650
9,000	270	2,330	80	580
10,000	600	6,070	90	710
12,000	870	10,850	90	880
15,000	860	13,520	80	960
20,000	560	12,400	50	750
30,000	230	8,040	30	650
50,000	100	7,100	20	850
All ranges	4,380	65,880	790	7,380

Number of tax units liable to tax and amount of earned income by range of total income, 1989-90

	Married Couple with Wife's Earned Income			
	Taxpayers aged under 65		*Taxpayers aged 65 and over*	
Total income (lower limit) £ per annum	*Number of units liable to pay tax ('000s)*	*Amount of earned income (£ million)*	*Number of units liable to pay tax ('000s)*	*Amount of earned income (£ million)*
2,000	—	—	—	—
3,000	—	—	—	—
4,000	1	2	—	—
5,000	10	30	10	50
6,000	20	120	20	130
7,000	40	270	20	120
8,000	90	670	30	190
9,000	80	720	50	390
10,000	290	2,980	90	860

Married Couple with Wife's Earned Income

Total income (lower limit) £ per annum	Taxpayers aged under 65 Number of units liable to pay tax ('000s)	Taxpayers aged under 65 Amount of earned income (£ million)	Taxpayers aged 65 and over Number of units liable to pay tax ('000s)	Taxpayers aged 65 and over Amount of earned income (£ million)
12,000	730	9,310	90	960
15,000	1,460	23,910	100	1,380
20,000	1,690	38,360	130	2,300
30,000	690	23,820	60	1,390
50,000	180	11,900	20	1,040
All Ranges	5,280	112,090	620	8,810

[1] Less than 5,000.
[2] Less than £5 million.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing the number of tax units in each tax band by range of total income and tax status for those below pensionable age, his estimate of the cost to the Revenue of the substitution of a single allowance of £3,000 and a married allowance of £6,000 for the present personal income tax allowances, the married women's earnings allowance and the wife's earnings election together with an increase in the rate of income tax from 25 per cent. to 35 per cent. on total incomes between £5,500 and £13,000 for single persons and £11,000 and £18,500 for married persons.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1127]:* Estimates of the direct change in income tax liability are given in the tables. They assume the following allowance and rate structure:

(i) single person's allowance of £3,000;
(ii) married man's allowance of £6,000;
(iii) abolition of wife's earned income allowance and wife's earnings election;
(iv) a basic rate tax of 25 per cent. on taxable income between
£1 and £5,500 for single persons
£1 and £11,000 for married couples
(v) a higher rate tax of 35 per cent. on taxable income between
£5,501 and £13,000 for single persons
£11,001 and £18,500 for married couples
(vi) a higher rate tax of 40 per cent. on taxable income above
£13,000 for single persons
£18,500 for married couples

No allowance is made for possible behavioural effects or the consequential effects on capital gains tax. All estimates are based on a projection of the 1986-87 survey of personal incomes and are provisional. Further information could be provided only at disproportionate cost.

Number of tax units aged under 65, by range of total income, and cost/yield of changes to income tax allowances and higher rates of tax, 1989-90 Single Persons

Total income (lower limit) £ per annum	Number of units liable to pay tax in 1989-90 ('000s)	Cost(—)/Yield(+) of proposed regime (£ million)
2,000	140	[1]
3,000	780	−40
4,000	740	−40
5,000	800	−60
6,000	900	−60
7,000	900	−70
8,000	800	−60
9,000	580	−20
10,000	1,090	80
12,000	1,040	280
15,000	690	360
20,000	340	420
30,000	90	160
50,000	30	50
All ranges	8,920	1,000

[1] Cost of less than £5 million.

Married couples without wife's earned income

Total income (lower limit) £ per annum	Number of units liable to pay tax in 1989-90 ('000s)	Cost(—)/Yield(+) of proposed regime (£ million)
2,000	—	—
3,000	—	—
4,000	60	−10
5,000	150	−40
6,000	240	−80
7,000	230	−80
8,000	210	−70
9,000	270	−100
10,000	600	−240
12,000	870	−350
15,000	860	−330
20,000	560	−20
30,000	230	100
50,000	100	40
All ranges	4,380	−1,180

Married couples with wife's earned income

Total income (lower limit) £ per annum	Number of units liable to pay tax in 1989-90 ('000s)	Cost(—)/Yield(+) of proposed regime (£ million)
2,000	—	—
3,000	—	—
4,000	[1]	[2]
5,000	10	[2]
6,000	20	[3]
7,000	40	10
8,000	90	10
9,000	80	10
10,000	290	30
12,000	730	90
15,000	1,460	300
20,000	1,690	1,180
30,000	690	1,150
50,000	180	430
All ranges	5,280	3,210

[1] Less than 5,000.
[2] Cost of less than £5 million.
[3] Yield of less than £5 million.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will publish in the *Official Report* a table showing for *(a)* one-earner and *(b)*

two-earner married couples the number of tax units in each tax band by range of total income and tax status for those (i) above and (ii) below pensionable age and his estimate of the yield to the revenue in the current financial year from abolishing wife's earnings election and raising the higher rate of tax to 40 per cent. on incomes of married couples with total incomes between £18,500 and £27,000, 45 per cent. between £27,000 and £37,000, 50 per cent. between £37,000 and £50,000, 55 per cent. between £50,000 and £250,000 and 60 per cent. above £250,000;

(2) whether he will publish in the *Official Report* a table showing for single persons the number of tax units in each tax band by the range of total income and tax status for those above and below pensionable age, his estimate of the yield to the Revenue in the current financial year from an increase in higher rate tax for single persons to 40 per cent. on total incomes between £13,000 and £19,000, 45 per cent. between £19,000 and £26,000, 50 per cent. between £26,000 and £34,000, 55 per cent. between £34,000 and £125,000 and 60 per cent. above £125,000.

Mr. Lilley *[pursuant to his replies, 28 July 1989, c. 1127-28]:* Estimates of the direct increase in income tax liability are given in the tables. No allowance is made for possible behavioural effects or the consequential effects on capital gains tax. All estimates are based on a projection of the 1986-87 survey of personal incomes and are provisional. Further information could be provided only at disproportionate cost.

Number of tax units, by range of total income, and yield from changes to higher rates of tax, 1989-90

Single persons

Total income (lower limit) £ per annum	Taxpayers aged under 65		Taxpayers aged 65 and over	
	Number of units liable to pay tax in 1989-90 ('000s)	Yield (£ million)	Number of units liable to pay tax in 1989-90 ('000s)	Yield (£ million)
2,000	7,770	—	1,110	—
15,000	690	40	70	20
20,000	340	220	50	50
30,000	90	170	20	50
50,000	30	270	20	140
All Ranges	8,920	700	1,270	260

Married couples without wife's earned income

Total income (lower limit) £ per annum	Taxpayers aged under 65		Taxpayers aged 65 and over	
	Number of units liable to pay tax in 1989-90 ('000s	Yield (£ million)	Number of units liable to pay tax in 1989-90 ('000s)	Yield (£ million
2,000	2,630	—	610	—
15,000	860	—	80	—
20,000	560	30	50	10
30,000	230	120	30	20
50,000	100	240	20	70
All Ranges	4,380	390	790	100

Married couples with wife's earned income

Total income (lower limit) £ per annum	Taxpayers aged under 65		Taxpayers aged 65 and over	
	Number of units liable to pay tax in 1989-90 ('000s)	Yield (£ million	Number of units liable to pay tax in 1989-90 ('000s)	Yield (£ million)
2,000	1,260	—	310	—
15,000	1,460	—	100	—
20,000	1,690	40	130	10
30,000	690	430	60	40
50,000	180	700	20	100
All Ranges	5,280	1,170	620	150

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing the number of tax units in each tax band by range of total income and tax status for those *(a)* above and *(b)* below pensionable age and his estimate of the yield from making investment income chargeable to national insurance contributions on the same basis as earned income; and if he will include the number of tax units and total investment income in each case.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1127-28]:* The hon. Member's question provides insufficient information on which to base an answer.

Mortgages

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each year since 1979 the increase in mortgage funds for housing together with the increase in the value of the houses sold by reference to stamp duty or otherwise.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1134]:* Information on loans for house purchase is published in table 9.4 of "Financial Statistics". Information for earlier years appears on the Central Statistical Office databank which is available in the House of Commons Library. The table shows the year-on-year increase in the total value of residential property sold since 1979.

	Per cent.
1980	13
1981	15
1982	14
1983	23
1984	14
1985	11
1986	15
1987	26
1988	40

Pensions

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* (i) his estimate of the employers' notional contribution to notionally funded and unfunded schemes, (ii) figures for the Civil Service showing the percentage contribution made by the Government and their employees and (iii) his best estimate of the proportional split between sources of pension income in the cases quoted in sub-paragraphs (a) and (b) of paragraph 22 of the Inland Revenue paper, using as a basis the information given in his answer of 11 November 1988, *Official Report*, column *235*.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 1136]:* Available information is as follows:

(i) Employers' notional contributions to notionally funded and unfunded pension schemes are published in table 4.10 of the 1989 edition of the "United Kingdom National Accounts".

(ii) The Civil Service pension scheme is not funded. The costs of benefits are met as they arise from the civil superannuation vote. The Government Actuary's Department has costed employers' contributions at 17 per cent. of salaries. Employees pay contributions at 1½ per cent. of salary, mainly for widowers-widows benefits.

(iii) Sources of income are published in the table referred to at (i). The full analysis requested would involve disproportionate cost.

Stamp Duty

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will provide an up-to-date estimate of the yield of stamp duty on the sale of domestic premises in the current financial year and in 1988-89, with a breakdown by regions where possible.

Mr. Lilley *[pursuant to his reply, 28 July 1989, c. 851]:* The table gives the estimated yield from stamp duty on residential property in 1988-89, broken down by regions. Estimates for Scotland and Northern Ireland are very tentative since the information available does not distinguish receipts from conveyances of residential property in these regions.

Region	*£ million*
North	15
Yorkshire and Humberside	35
East Midlands	50
East Anglia	50
South East	375
Greater London	255
South West	130
West Midlands	55
North West	50
Wales	25
Scotland Northern Ireland	40
	1,080

The forecast of stamp duty receipts in 1989-90, which was published in the 1989-90 "Financial Statement and Budget Report", included a forecast of £1,000 million for stamp duty on residential property. A regional breakdown of this figure is not available.

Pension Fund Holidays

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* the value in 1988 and the current year to date of pension fund contribution holidays taken by employers and employees, respectively, together with his estimate of the amount of tax due thereon.

Mr. Lilley *[pursuant to his reply, 27 July 1989, c. 853]:* Information is not readily available in the form requested. The table gives information on large self-administered pension funds reporting to the Inland Revenue on proposed action to remove surpluses following the legislation in the Finance Act 1986.

Schemes proposing a contribution holiday

Schemes reporting in	*Employers' holiday*		*Employees' holiday*	
	Number	*Amount (£m)*	*Number*	*Amount (£m)*
1987-88	67	56	5	2
1988-89	221	332	12	19
April-July 1989	124	350	4	1

Note: The amounts shown represent the total surplus to be eliminated by contribution holidays for schemes which have reported in each period. Contribution holidays may be spread across several years. Schemes proposing a reduction in contributions rather than a contribution holiday are excluded.

EMPLOYMENT

Civil Service (Relocation)

Mr. Cran: To ask the Secretary of State for Employment what progress is being made in his Department's review, in line with Treasury guidelines, of the potential for the further relocation of Civil Service posts outside London and the south-east; and when he expects the review to be completed.

Mr. Eggar: I refer the hon. Gentleman to the reply given on 7 June 1989 at column *57* to the hon. Member for Warrington, South (Mr. Butler).

YTS

Ms. Short: To ask the Secretary of State for Employment, how many YTS starts and how many leavers were recorded by each payment type, by male and female, and by one or two year training entitlement by standard training agency region, for Great Britain as a whole, and for each of the last three months.

Mr. Nicholls: As the information is contained in several tables I shall send the hon. Member the information requested and place a copy in the Library.

Labour Statistics

Mr. Austin Mitchell: To ask the Secretary of State for Employment what is the current number of unemployed and unemployment rate in the United Kingdom and the latest figure in other EEC countries on the basis used by the EEC Commission for comparative purposes; and what information he has for the United Kingdom and other EEC countries on the corresponding figures for June 1985, June 1979 and June 1973.

Mr. Eggar: The available information is given in the following table. International unemployment rates on a comparable basis are not available for June 1985, June 1979 and June 1973.

Unemployment rates for comparison between EEC member states (seasonally adjusted)

	May 1989 *Per cent.*	*April 1985* *Per cent.*
United Kingdom	6·8	11·6
Portugal	5·5	8·6
Netherlands	10·1	10·5
Luxembourg	1·8	3·1
Italy	10·7	9·2
Ireland	17·0	18·3
France	10·0	10·3
Spain	17·6	21·9
Greece	[1]7·4	7·8
Germany	5·9	7·4
Denmark	7·1	8·2
Belgium	9·9	11·9

[1] April 1987

Source: Statistical Office of the European Communities.

Mr. Meacher: To ask the Secretary of State for Employment if he will publish in the *Official Report* the number and percentage of *(a)* men and *(b)* women aged (i) 50 to 54 years, (ii) 55 to 59 years and (iii) 60 to 64 years for men only who are unemployed (1) in total, (2) over one year, (3) over two years, (4) over three years, (5) over four years, and (6) over five years for the latest available date.

Mr. Nicholls: The following information is available from the Library. The table shows for the United Kingdom the number of unemployed claimants for each age and duration category and these as a percentage of the total work force in each age group for July 1989, the latest available date.

United Kingdom July 1989

Male

Duration	*Age 50 to 54 years* *Number of unemployed*	*[1]per cent.*	*Age 55 to 59 years* *Number of unemployed*	*per cent.*	*Age 60 years and over* *Number of unemployed*	*per cent.*
Over 1 year	65,996	4·8	94,006	7·5	7,365	0·7
Over 2 years	52,188	3·8	76,711	6·2	3,760	0·4
Over 3 years	40,756	3·0	61,868	5·0	2,922	0·3
Over 4 years	32,206	2·3	47,989	3·9	2,288	0·2
Over 5 years	25,631	1·9	37,681	3·0	1,805	0·2
TOTAL	107,797	7·8	136,491	11·0	32,134	3·2

Female

Duration	*Age 50 to 54 years* *Number of unemployed*	*per cent.*	*Age 55 to 59 years* *Number of unemployed*	*per cent.*
Over 1 year	22,710	2·2	30,954	3·7
Over 2 years	16,501	1·6	24,196	2·9
Over 3 years	12,641	1·2	19,580	2·3
Over 4 years	9,345	0·9	15,337	1·8
Over 5 years	6,602	0·6	11,562	1·4
TOTAL	41,769	4·1	46,538	5·5

[1] Unemployment as a percentage of the total work force in each age group.

Employment Training

Mr. Bill Michie: To ask the Secretary of State for Employment when he will reply to Mr. Paul Handisside's letter of complaint about his experience on employment training; and if he will make a statement.

Mr. Nicholls: A reply was sent on 24 July 1989.

Inflation and Unemployment

Mr. Meacher: To ask the Secretary of State for Employment by how much *(a)* inflation and *(b)* unemployment have increased at the latest available date since 1979 in (i) each EEC country, (ii) the United States of America, (iii) Japan, (iv) Sweden, (v) the EEC as a whole and (vi) the Organisation for Economic Co-operation and Development as a whole.

Mr. Eggar: The figures requested are shown in the table.

	Consumer prices		Unemployment rate[1]	
	Latest available date[2]	Percentage change since 1979	Latest available date[2]	Percentage change since 1979
United Kingdom	June	169	April	43
Belgium	May	79	April	30
Denmark	May	176	May	18
France	May	174	April	71
Germany	May	28	March	67
Greece	May	888	April[3]	289
Ireland	Q2	283	May	139
Italy	May	394	May	41
Luxembourg	May	70	. .	. .
Netherlands	May	47	January	74
Portugal	May	1,258	November	−32
Spain	May	277	February	108
United States	May	61	April	−10
Japan	May	28	March	10
Sweden	May	113	April	−24
EC	May	166	March	66
OECD	May	79	March	15

[1] Standardised and seasonally adjusted.
[2] 1989 unless otherwise stated.
[3] 1988
Sources:
Prices: ED for United Kingdom: SOEC for Portugal and Luxembourg; OECD for others.
Unemployment: SOEC for Ireland, Italy, Greece, Denmark, Luxembourg; OECD for others.

Minimum Wage

Mr. Nellist: To ask the Secretary of State for Employment if, pursuant to the reply to the honourable Member for Halifax (Mrs. Mahon) *Official Report*, 21 July, column *390*, he will list that research work, known to his Department, which does not support the view that the removal of statutory minimum wage provisions can be expected to have beneficial effects on employment.

Mr. Nicholls: There are two such studies:
C. Craig, F. Wilkinson, G. Rubery and R. Tarling "Labour Market Structure, Industrial Organisation and Low Pay" Department of Applied Economics, Cambridge Research Paper No 54, 1982.
D. Canning and R. Tarling, "A Report on the Department of Employment's Study, Wages Floors in the Clothing Industry 1950-1981, Department of Applied Economics, Cambridge, 1985.
My Department does not necessarily agree that the evidence presented in these studies supports the conclusions drawn. In the latter case, a rebuttal of the authors' findings was published at the time.

Training Schemes

Mr. Hardy: To ask the Secretary of State for Employment if he will ensure that all those employed on training schemes whether under youth training or employment training arrangements are fully covered by the health and safety regulations appropriate to the industry or business in which they are involved.

Mr. Nicholls: YTS and ET trainees are afforded the same protection as employees under the Health and Safety at Work Act 1974 by virtue of the Health and Safety (Training for Employment) Regulations 1988 (as amended).

Mr. Hardy: To ask the Secretary of State for Employment if he will ensure that all those placed in employment training and YTS are fully inducted in safe working practices, that they are properly insured and provided with safety equipment, clothing and footwear appropriate to the activities in which they are engaged.

Mr. Nicholls: Comprehensive statutory and contractual arrangements exist to ensure the health, safety and welfare of all ET and YTS trainees. These arrangements include provision for proper induction, insurance and appropriate protective equipment and clothing.

Interest Rates

Mr. Sillars: To ask the Secretary of State for Employment if he has made any assessment of the effects on employment of the current level of interest rates; and if he will make a statement.

Mr. Nicholls: The Government will continue to keep interest rates at whatever level is necessary to reduce inflation. This Department does not make forecasts of the future levels of employment or unemployment but if excessive wage increases are conceded jobs will be lost.

Small Businesses (Loans)

Mr. Speller: To ask the Secretary of State for Employment what plans he has to provide smaller business with lower-cost, fixed-term loans.

Mr. Eggar: There are no plans to introduce a system which would provide subsidised loans for small businesses. This would distort competition and discriminate against businesses which have to obtain finance from normal commercial sources.

Benefit Claimants

Mr. Terry Davis: To ask the Secretary of State for Employment how many persons in the west midlands region were disqualified from receiving unemployment benefit during the period 1 January to 31 March 1989 because they were considered to have left their employment voluntarily without just cause and subsequently appealed against the disqualification.

Mr. Eggar *[holding answer 27 July 1989]:* I refer the hon. Member to the reply that I gave him on 28 July 1989 at column *1050*.

The number of persons who appeal against the decision to disqualify unemployment benefit because they were considered to have left their employment voluntarily without just cause are not separately identified from other claimants who appeal against the decision of an adjudication officer.

DEFENCE

Kurt Waldheim

Mr. Andrew Mitchell: To ask the Secretary of State for Defence when he will publish the results of the review of the 1986 investigation into the fate of captive British service men and the possible involvement of the then Lieutenant Waldheim.

Mr. Archie Hamilton: My right hon. Friend the Prime Minister announced on 16 February 1988 that a review would be undertaken of the results of the investigation carried out in 1986 by the Ministry of Defence into the fate of British servicemen and the possible involvement of the then Lieutenant Waldheim. This was in the light of both the report of the Commission set up by the Austrian Government, which had access to a wider range of sources than those available for the 1986 investigation, and of the continued questioning of Lieutenant Waldheim's role. Her Majesty's Government have now conducted most thorough inquiries into the allegations concerning his role in areas of specific British interest. The results of this review have been recorded in a report, which I have placed today in the Library of the House, and which is being published by HMSO.

The review has been solely concerned with areas of British interest and has centred on the cases of British service men, mostly members of the special forces, captured between October 1943 and October 1944 in Greece and the Greek islands under the control of the German Army Group E, in whose headquarters Lieutenant Waldheim was then serving as a junior staff officer. These cases, covering over 80 British service men, include both those brought to the attention of the Ministry of Defence and others identified during the research for this review. The review has not looked at other allegations concerning Lieutenant Waldheim's involvement in areas not related to British interests.

The review has involved long and painstaking research. The historical evidence and the documents gathered have been examined and analysed by the director of Army legal services who is well versed in the laws of war and who retains a residual responsibility for the prosecution of war crimes. His duty is to examine the evidence that has been put before him and advise whether, on that evidence, there is a case for a potential accused to answer. After very careful consideration his conclusion concerning the then Lieutenant Waldheim is that there is no evidence from which guilt of a war crime might be inferred.

The report indicates that Lieutenant Waldheim knew of the capture of the British service men and the possible fate of "Commandos", but no evidence has come to light to indicate that as a junior staff officer he had the power either to order or to prevent that fate or indeed to affect the outcome in any way. Knowledge in such circumstances is not itself a crime. Her Majesty's Government have accepted the findings of the report.

The report also deals with British knowledge of Lieutenant Waldheim's wartime role and the post-war handling of relevant records. Allegations that records were altered, destroyed or withheld to protect President Waldheim are shown to be unfounded. He was not wanted by the United Kingdom either as a "top Nazi" or as a war criminal. In order to clarify these issues virtually all the most relevant papers have been included as annexes to the report. A very few documents have either not been published or not in full, on the ground of security or personal sensitivity. All these documents have been examined by Professor Sir Harry Hinsley, lately the Master of St. John's college, Cambridge, who agreed to scrutinise the results of the review in order to ensure its objectivity and thoroughness. I draw the House's attention to his statement in the report, in which he vouches for the validity of the conclusions drawn from these documents. On the question of President Waldheim's alleged post-war involvement with foreign intelligence services and his election to the United Nations, I do not intend to break the practice of successive Governments by commenting on such matters but I commend detailed consideration of the report.

Research has concentrated on the main archives in this country, in Germany and America, but other archives were consulted, as well as individuals whose wartime service was of relevance or who had some other expertise to offer. Although it can never be said that any historic report is definitively the last word, I am satisfied that the investigation has produced, from the thousands of documents examined, what we believe to be the main relevant records. These have established a pattern showing the events, and the responsibilities of the German headquarters' officers involved in those events. We therefore feel justified in bringing this long exercise to a conclusion now, and publishing the results.

A factor in this decision has been the need to consider the feelings of the relatives of the missing service men. I very much regret that it has not been possible to resolve all the outstanding questions about what finally happened to the missing service men, although I should like to assure the House that any further information that may come to light will be passed on to the families.

Cornfield Circles

Mr. Colvin: To ask the Secretary of State for Defence whether any official assistance has been given by service personnel to civilians investigating the origin of cornfield circles in Hampshire and Wiltshire; and if he will make a statement.

Mr. Archie Hamilton: I am not aware of any official assistance having been given by service personnel to civilians investigating the origin of crop circles.

Defence Technology Enterprises Limited

Mr. Sillars: To ask the Secretary of State for Defence how many licences have been arranged by Defence Technology Enterprises Ltd.; and how many recipients are companies registered in Scotland.

Mr. Neubert: Defence Technology Enterprises Ltd. has arranged 38 licences. Two are with companies registered in Scotland.

Equipment Orders

Mr. Sillars: To ask the Secretary of State for Defence how many major equipment orders are currently based on the fixed price system; and what assessment he has made of the effect of current rates of inflation on these contracts.

Mr. Neubert: The information sought could be provided only at disproportionate cost.

Expenditure

Mr. Sillars: To ask the Secretary of State for Defence (1) how much of the research and development of the 1989-90 procurement programme will be spent in *(a)* Scotland *(b)* south-east England, respectively; and what is the proportion each represents of the total;

(2) what is his estimate of expenditure in *(a)* Scotland and *(b)* south-east England in 1989-90 for research and development as set out in table 2.3 of Cm. 675-II.

Mr. Neubert: Estimates of regional expenditure on research and development are not available and could be produced only with disproportionate cost. Estimates of regional expenditure on equipment in the United Kingdom for 1985-86 and 1986-87 are however given in table 6.9 of "Statement on the Defence Estimates 1989 —Volume 2".

Pay Review Body (Representations)

Mr. Sillars: To ask the Secretary of State for Defence what avenues are available to other ranks to provide the armed forces pay review body with their views on pay and allowances.

Mr. Archie Hamilton: Members of the armed forces pay review body visit a number of service establishments in the United Kingdom and overseas each year as part of its annual review of service pay. During the course of these visits they meet service men and women of every rank, with the express aim of obtaining at first hand their views on pay and allowances.

NATO Ministerial Meeting

Mr. Sillars: To ask the Secretary of State for Defence when is the next meeting of the North Atlantic Treaty Organisation planning group ministerial meeting.

Mr. Archie Hamilton: The next meeting of the North Atlantic Treaty Organisation's nuclear planning group will take place on 24-25 October 1989.

"Way Ahead for NATO"

Mr. Sillars: To ask the Secretary of State for Defence when the complete report on the "Way Ahead for NATO", referred to in paragraph 229, page 11 of Cm. 675-I, is expected to be published.

Mr. Archie Hamilton: The NATO publication "A Comprehensive Concept of Arms Control and Disarmament" was issued with the NATO summit communique on 30 May 1989. A copy was placed in the Library of the House in June 1989.

Recruitment

Mr. Sillars: To ask the Secretary of State for Defence whether the armed forces pay review body has been asked to take special account of the demographic trough and its potential effect on recuitment.

Mr. Archie Hamilton: The Armed Forces Pay Review Body has been informed of the implications of the demographic trough for the services, as well as of the wide range of measures being taken to help ensure that the services are adequately manned in the 1990s.

Antarctic Hydrography

Mr. Shersby: To ask the Secretary of State for Defence what programme of hydrography is currently being carried out in the Antarctic by HMS Endurance; what policy is being pursued in conjunction with the International Hydrographic Bureau to co-ordinate information from Admiralty charts with those produced by other countries; and if he will make a statement.

Mr. Archie Hamilton: HMS Endurance undertakes annual hydrographic surveys of the western shores of the Antarctic peninsula. The Ministry of Defence supplies details of hydrographic work carried out by the United Kingdom to the International Hydrographic Bureau. The information is then re-published in the "International Hydrographic Bulletin", which is available to all hydrographic offices. Should any of the latter require further information, they may contact the hydrographer direct.

Safety Critical Software

Mr. Dalyell: To ask the Secretary of State for Defence what progress he is making on North Atlantic Treaty Organisation harmonisation in relation to defence standards 00-55 and 00-56 covering safety critical software.

Mr. Alan Clark: The United Kingdom has taken the lead in setting out the requirements for safety critical software to meet the needs of the late 1990s. The draft defence standards 00-55 and 00-56 have been given extensive distribution for comment within the United Kingdom and internationally. NATO is using 00-55 and 00-56 as source documents for its own guideline documents.

It is important for international standards covering safety critical software to meet the requirements of both the civil and defence sectors, and to be accepted by the widest possible range of countries. The Ministry of Defence is therefore working closely with other Government Departments in seeking to harmonise the approaches of the United Kingdom defence and civil sectors. The United Kingdom position will, in due course, be presented to the International Electrotechnical Commission (IEC), a body with a very wide membership, which has recently started to develop international standards for safety-related systems and the computers and software used in them. Other countries, including NATO members, will present their views to the IEC in a similar way.

The Ministry of Defence is taking into account the work of the IEC as part of the process of consultation on

the draft defence standards 00-55 and 00-56 before they are issued as interim standards, and it will continue to aim for alignment with civil standards in any future revisions.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Defence if he will make a statement on the achievements of his Department and his policies in helping small businesses over the last 12 months compared with the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Neubert *[pursuant to the reply, 24 July 1989, col. 554]*: Due to an arithmetical error an incorrect figure was shown. The number of small firms receiving payment on direct contract has increased from some 4,000 in 1986-87 to over 5,500 in 1988-89 (not 7,000 as previously shown).

NORTHERN IRELAND

Playgrounds (Safety)

Mr. Clifford Forsythe: To ask the Secretary of State for Northern Ireland what plans he has to seek to improve safety standards of playing surfaces of children's playgrounds.

Dr. Mawhinney: The design and construction of playgrounds and play areas in schools must conform to standards recommended by the Department of Education. These standards have recently been revised and improvements introduced. The provision and maintenance, including safety standards, of public recreational facilities are the responsibility of district councils.

GCSE Results

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland for the four weeks following the release of the GCSE results how many U grades were amended to higher grades; how many of these were allocated to each higher grade; and at which schools were the pupils who had changed results.

Dr. Mawhinney: Available information relates to candidates with the Northern Ireland Schools Examinations Council only. Two hundred and twenty U grades were amended to higher grades as follows:

Regrade	
A	9
B	30
C	60
D	53
E	23
F	21
G	24

The following schools and colleges of further education were attended by candidates with changed results:

Bangor Grammar School
Beechlawn Special School
Belfast College of Technology
Carrickfergus High School
Coleraine College of Further Education
Comber High School
Corpus Christi College
Dominican College, Belfast
Glengormley High School
Gransha Boys' High School
Grosvenor High School
Hopefield High School
Laurelhill High School
Little Flower Secondary School
Monkstown Community School
Newry High School
Newry Technical College
Newtownabbey College of Further Education
North Down College of Further Education
North West College of Technology
Portadown College of Further Education
Rupert Stanley College of Further Education
Saintfield High School
St. Colman's High School, Strabane
St. Columb's College, Londonderry
St. Dominic's High School
St. Patrick's Boys' Academy
St. Patrick's High School, Banbridge
Sullivan Upper School
The Royal School, Armagh

Urban Development Grants (Belfast)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland for which areas of the city of Belfast applications for urban development grants are still approved.

Mr. Needham: Urban development grant applications may, in principle, still be accepted throughout the Belfast city council area. However, in February 1988, it was decided that, since demand exceeded resources, funds should be focused upon the areas of greatest need in the city.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many applications for urban development grants for projects at Royal avenue, Belfast have been approved in each of the past five years.

Mr. Needham: The information requested is as follows:

	Numbers
1985	1
1986	2
1987	5
1988	2
1989*	2

* To date.

Strangford Lough

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many *(a)* representations in total and *(b)* objections he has received in connection with the proposal for a declaration of an area of special scientific interest at Strangford lough; and what proposals he has to rescind or modify this declaration of an area of special scientific interest.

Mr. Peter Bottomley: Scientific advisers have said the ASSI declaration is justified. We have consulted/discussed the proposed declaration over 580 times with affected local owners and local users, among others. Eighty individuals or groups have made representations or objections, or a mixture of the two, in writing. These responses will be carefully considered before a final decision is taken to confirm, with or without modification, or rescind the declaration.

Pet Foods Plant, Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many objections he has received to the planning application for change of use from light engineering to pet foods processing for premises at 268 Balygowan road, Crossnacreevy, Castlereagh; what assessment has been made of potential smells from the proposed plant; what is the shortest distance from the proposed food plant to residential property; and if he will make a statement.

Mr. Needham: I have today written to the right hon. Gentleman giving the information requested.

Planning Applications, Newtownards

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland (1) how many objections were received in connection with planning application No. X/89/0611 for a proposed bungalow at 82/90 Ballybunden road, Killinchy, Newtownards; what was the closing date for receipt of objections; on what date he issued a planning decision; and on what date work commenced on site;

(2) how many persons objected to planning application No. X/89/0175 for the conversion of a dwelling at 21 Ann street, Newtownards into two self-contained flats; what was the decision of Ards borough council in relation to this application; what is his planning decision; and what complaints have been received in relation to these premises in the past 12 months.

Mr. Needham: I have today written to the right hon. Gentleman giving the information requested.

Housing, Ards and Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many people are on the waiting list for homes in the boroughs of Ards and Castlereagh; how many homes were constructed by the Housing Executive in these two boroughs during each of the past five years; and how many new homes are planned by the Housing Executive in these two boroughs in each of the next five years.

Mr. Peter Bottomley: These are matters for the Housing Executive, but I am advised by the chairman that over 700 new homes are planned for Ards and Castlereagh in the next five years and that at 31 August 1989 the number of people on the waiting list in the boroughs of Ards and Castlereagh was 877 and 846 respectively.

The number of new dwellings started by the Housing Executive in the two boroughs in each of the past five years and the number planned in each of the next five years is shown in the table. Figures for individual years in the period 1991-94 are not available.

	New Starts					*Planned New Starts*		
Boroughs	*84-85*	*85-86*	*86-87*	*87-88*	*88-89*	*89-90*	*90-91*	*91-94*
Ards	64	50	63	66	104	40	173	246
Castlereagh	93	—	16	62	35	62	8	280

Prison Population

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many prisoners there are of each denomination at each prison in Northern Ireland.

Mr. Cope: The information that is readily available is set out in the table:

	Belfast	*Maze*	*Maghaberry*	*Magilligan*	*YOC*
Roman Catholic	256	312	111	126	75
Church of Ireland	112	60	71	49	38
Presbyterian	118	50	45	52	30
Free Presbyterian	17	55	32	15	?
Methodist	21	12	8	7	2
Others	36	23	24	14	4

Ballyoran Primary School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if he will make a statement on the condition of the former Ballyoran primary school; when he received an application from Castlereagh borough council to take over this school; and when he proposes to make a decision.

Dr. Mawhinney: The premises of the former Ballyoran primary school, which are owned by the South-Eastern education and library board, are in a poor condition as a result of considerable vandalism.

The Department of Education first received an inquiry from Castlereagh borough council regarding the possibility of grant-aid towards the purchase of the former Ballyoran primary school on 22 September 1987.

The Department has no objection to the acquisition by the council of these premises. However, the terms of the disposal of the premises and the land are matters for consideration in the first instance by the South-Eastern education and library board.

Traffic (Comber)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if he will make a statement on traffic conditions in the centre of Comber; and what is the present programme for the construction of Comber by-pass.

Mr. Peter Bottomley: Traffic difficulties exist in Comber particularly at peak hours. Stage 2 of the Comber bypass is programmed to commence in April 1992.

Electricity Charges

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on what dates in 1988 and 1989 the fixed charges in the Northern Ireland Electricity accounts for both domestic and commercial consumers were increased; and what were the percentage increases in each case.

Mr. Needham: Northern Ireland Electricity's fixed (standing) charges increased on 1 April in each of these two years. The increases were 6·6 per cent. and 20·9 per cent. respectively for domestic and 7·6 per cent. and 36·1 per cent. for commercial consumers. After taking account of changes in unit charges, the average overall increases in NIE tariffs were 9 per cent. and 6·1 per cent. respectively in the two years.

Cairnshill Filling Station, Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what are the restrictions for opening hours in the planning permission for Cairnshill filling station, 221 Smithfields road, Castlereagh, BT8, Co. Down.

Mr. Needham: I have today written to the right hon. Gentleman giving the information requested.

Urban Development Grant

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is his policy on accepting new applications for urban development grants for projects in the towns of Enniskillen, Omagh, Strabane, Armagh, Dungannon and Cookstown.

Mr. Needham: There are insufficient resources under the urban development grant scheme (which is funded by moneys voted by Parliament) to pay grants outside Belfast and Londonderry. The International Fund for Ireland has made grants available in district towns and other urban areas under the urban development programme. I have asked the chairman of the fund board to write to the right hon. Gentleman.

Egg Production

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the latest figure for egg production in Northern Ireland; what it was 12 months prior to that date; and if he will make a statement on the future of egg production.

Mr. Peter Bottomley: The high-quality egg industry in Northern Ireland makes, and will continue to make, a valuable contribution to the local economy. The estimated throughput of graded eggs at Northern Ireland's registered packing stations for the week ending 1 October 1989 was 37,000 cases (30 dozen eggs per case), compared with 43,000 cases in the corresponding week in 1988. The level of throughput is below that of the year before, but average price levels are substantially higher.

Traffic, Shaw's Bridge

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the planned traffic density from the proposed new hotel on the site of the former playing fields of Stranmillis college at Shaw's bridge, Castlereagh; whether he has approved this increase of traffic on to the main road at Shaw's bridge; and if he will make a statement.

Mr. Needham: I have today written to the right hon. Gentleman giving the information requested.

Ballyvester Primary School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the present enrolment at Ballyvester primary school; what was the enrolment at this school during each of the past five years; how many new pupils were admitted to the school at the beginning of the new academic year; and how many applications for admission to Ballyvester primary school for the current academic year were refused.

Dr. Mawhinney: The information is as follows:

	Enrolment: pupils
January 1985	54
January 1986	71
January 1987	77
January 1988	75
January 1989	77
September 1989	78

In September 1989, 13 pupils were admitted; 16 were refused admission.

Vehicle Testing Centre, Newtownards

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the present waiting period to have vehicles tested at the Department of Environment vehicle testing centre in Newtownards; what change has taken place in the levels of employment at this centre during the past 12 months; what complaints he has received about delays at this centre; what proposals he has to privatise vehicle testing; and if he will make a statement.

Mr. Peter Bottomley: The waiting time is too long. The present appointment waiting time for vehicle tests at the Newtownards centre is five weeks for goods vehicles and five and a half weeks for private cars.

There has been no change in the levels of employment at this centre during the past 12 months. One vacancy since August, due to promotion, will be filled this month.

We are not aware of specific written complaints about delays at this centre.

We have commissioned management consultants to review the present vehicle testing arrangements and to propose how the function might be carried out in future. The Department of Environment is currently considering the consultants' report and will consult the unions before deciding on proposals to achieve a better service for vehicle users.

Wind Mill, Ballycopeland

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what planning permission exists for the hill adjacent to the Wind Mill, Ballycopeland, Millisle; when this permission expires; and what current planning applications for this site are under consideration.

Mr. Needham: I have today written to the right hon. Gentleman giving the information requested.

Drumadoon Drive, Ballybeen

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has for improvements at Drumadoon drive, Ballybeen relating to road safety; and if he will make a statement.

Mr. Peter Bottomley: We will keep the incidence of injury accidents on the road under investigation. We will consider remedial action if this proves necessary.

Grahamsbridge Road, Dundonald

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has for improvements at Grahamsbridge road, Dundonald; when is it expected that work will commence on site; and if he will make a statement.

Mr. Peter Bottomley: An improvement scheme is planned at Grahamsbridge road, Dundonald. It will embrace the widening of the existing carriageway, provision of a footway and improvement of sightlines. Work on site should start in January 1990.

Day-trippers

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what recent representations he has made about the present restrictions imposed upon day-trippers visiting Northern Ireland by the Government of the Republic of Ireland; when he last discussed this subject at a meeting of the Anglo-Irish Ministerial Council; when he last made representations to the Commission of the European Community about this subject; and when this matter will be heard by the European Court of Justice in Luxembourg.

Mr. Brooke: We have made clear to the Irish Government through a number of channels, including the Intergovernmental Conference, our concern about their restrictions on travellers' allowances. When the restrictions were imposed in 1987, we brought them to the attention of the European Commission, who later the same year referred the case to the European Court of Justice. Written pleadings have been exchanged at the court, and the United Kingdom has submitted observations in support of the Commission. The court declared the written procedure closed in August, but has not yet fixed a date for oral hearing.

Belfast Urban Area Plan

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he proposes to publish the report of the public inquiry into the Belfast urban area plan.

Mr. Needham: The Department of Environment for Northern Ireland received the second and final part of the Planning Appeals Commission's report on 4 October. The Department is at present considering the report and will publish it along with its adoption statement on the Belfast urban area plan as soon as possible.

Prison Chaplains

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland which churches have appointed chaplains to each of the prisons in Northern Ireland.

Mr. Cope: The Roman Catholic Church, the Church of Ireland, the Presbyterian Church and the Methodist Church have each appointed chaplains to each of the prisons in Northern Ireland.

Lagan College (Chaplains)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland which religious denominations have appointed chaplains to the integrated school at Lagan college.

Dr. Mawhinney: The appointment of chaplains to schools is a matter for school authorities.

Education and Libraries Orders

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on how many occasions in each of the past 10 years the Department of Education exercised its power of direction in the case of education and library boards for acting or proposing to act unreasonably in the discharge of their functions under the Education and Libraries (Northern Ireland) Orders.

Dr. Mawhinney: Two such directions were issued to education and library boards in 1983.

SCOTLAND

Wick and Dornoch Sheriff Courts

Mr. Maclennan: To ask the Secretary of State for Scotland (1) if he will list in the *Official Report* the number of community service orders and referrals which have been made by *(a)* the Wick sheriff court and *(b)* the Dornoch sheriff court in each year since the community service scheme commenced in Caithness and Sutherland in September 1985, giving the category of offence to which the orders related;

(2) if he will list in the *Official Report* the number of fines imposed by *(a)* the Wick sheriff court and *(b)* the Dornoch sheriff court in 1986 and each subsequent year, giving the category of offence to which the fines related;

(3) if he will list in the *Official Report* the number of those who have received custodial sentences of less than 12 months at *(a)* the Wick sheriff court and *(b)* the Dornoch sheriff court in 1986 and each subsequent year, giving the category of offence to which the sentences related.

Lord James Douglas-Hamilton: The information available is set out in the table. Crimes have been grouped using the Scottish Home and Health Department's classification of crimes and offences. Information on community service referrals is not collected centrally.

Crime/Offence	Wick Sheriff Court: Persons receiving fines			Wick Sheriff Court: Persons given custodial sentences of less than one year			Wick Sheriff Court: Persons receiving community service orders[2]				Dornoch Sheriff Court: Persons receiving fines			Dornoch Sheriff Court: Persons receiving custodial sentences of less than one year			Dornoch Sheriff Court: Persons receiving community service orders[2]			
	1986	1987	[1]1988	1986	1987	[1]1988	1985	1986	1987	[1]1988	1986	1987	[1]1988	1986	1987	[1]1988	1985	1986	1987	[1]1988
Total crimes and offences	477	414	419	22	26	25	11	19	24	21	206	179	161	8	3	2	3	8	2	8
Total crimes	90	92	66	16	19	18	9	15	11	15	35	20	18	7	3	2	3	6	2	4
Non-sexual crimes of violence	6	2	3	1	—	—	1	—	1	1	1	1	—	—	—	—	—	1	—	—
Homicide	2	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Serious assault etc.	4	1	—	1	—	—	—	—	—	—	1	—	—	—	—	—	—	1	—	—
Handling offensive weapons	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—
Robbery	—	—	1	—	—	—	1	—	—	1	—	—	—	—	—	—	—	—	—	—
Other	—	1	1	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—
Crimes of indecency	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sexual assault	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lewd and libidinous practices	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Other	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Crimes of dishonesty	59	75	40	10	15	18	7	12	8	13	21	8	12	7	3	2	2	4	2	4
Housebreaking	7	13	2	—	8	10	3	2	4	6	1	1	1	4	3	2	1	—	1	3
Theft by opening lockfast places	7	2	—	1	1	1	2	2	—	—	—	—	1	—	—	—	—	1	—	—
Theft of motor vehicle	9	7	3	—	1	—	—	—	1	2	2	4	3	—	—	—	—	1	—	1
Theft by shoplifting	4	7	2	1	1	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Other theft	19	29	17	5	3	1	1	6	3	4	14	3	4	1	—	—	1	1	1	—
Fraud	5	4	6	1	1	2	1	—	—	1	3	—	2	2	—	—	—	—	—	—
Other	8	13	10	2	—	1	—	2	—	—	1	—	1	—	—	—	—	1	—	—
Fire-raising, vandalism, etc.	11	7	16	1	—	—	1	1	1	1	5	5	3	—	—	—	1	—	—	—
Fire-raising	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—
Vandalism etc.	11	7	16	1	—	—	1	1	1	1	3	5	2	—	—	—	1	—	—	—
Other crimes	13	8	7	4	4	—	—	2	1	—	8	6	3	—	—	—	—	1	—	—
Crimes against public justice	8	4	6	4	3	—	—	—	—	—	3	3	2	—	—	—	—	—	—	—
Drugs offences	5	4	1	—	1	—	—	2	1	—	5	3	1	—	—	—	—	1	—	—
Other	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total Offences	387	322	353	6	7	7	2	4	13	6	171	159	143	1	—	—	—	2	—	4
Miscellaneous offences	118	101	105	5	6	6	2	2	12	6	29	33	32	1	—	—	—	1	—	2
Simple assault	32	28	25	2	4	2	1	—	5	1	4	9	1	—	—	—	—	—	—	—
Breach of the peace	56	44	45	3	2	2	1	2	6	5	15	4	3	1	—	—	—	1	—	—
Drunkenness	2	—	5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Other	28	29	30	—	—	2	—	—	1	—	10	20	28	—	—	—	—	—	—	2
Motor vehicle offences	269	221	248	1	1	1	—	2	1	—	142	126	111	—	—	—	—	1	—	2
Reckless and careless driving	56	58	96	—	—	—	—	1	—	—	43	32	53	—	—	—	—	—	—	2
Drunk driving	67	46	53	—	—	—	—	1	1	—	52	49	32	—	—	—	—	—	—	—
Speeding	60	42	22	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—
Unlawful use of vehicle	61	48	45	1	1	1	—	—	—	—	34	38	20	—	—	—	—	1	—	—
Vehicle defect offences	14	9	22	—	—	—	—	—	—	—	4	1	1	—	—	—	—	—	—	—
Other	11	18	10	—	—	—	—	—	—	—	9	5	5	—	—	—	—	—	—	—

[1] Provisional
[2] Including any orders made as a condition of probation

Fines

Mr. Maclennan: To ask the Secretary of State for Scotland if he will list in the *Official Report* the numbers, by sex, of those received into prison in default of fine payments in the most recent year for which figures are available, and for each of the five preceding years.

Lord James Douglas-Hamilton: The information is set out in the table.

Number of males and females received into penal establishments in Scotland and default of fine payments

Year	Males	Females
1983	8,772	557
1984	8,431	452
1985	10,829	735
1986	9,969	657
1987	10,365	618
[1]1988	9,170	544

[1] Provisional

Mr. Maclennan: To ask the Secretary of State for Scotland what consideration he has given to the introduction of day or unit fines.

Lord James Douglas-Hamilton: We have given thorough consideration to the responses which we received earlier this year to our consultation document on fines and fine enforcement which discussed, among other aspects, the day or unit fine and we hope to be in a position to announce our proposals shortly.

European City of Culture

Mr. Maclennan: To ask the Secretary of State for Scotland whether he is allocating any additional funds to the city of Glasgow to use during its year as European city of culture.

Mr. Lang: The Government are contributing £0.5 million directly to the European City of Culture 1990. In addition, Government-funded bodies are committing significant resources in support of particular events taking place in 1990.

Charities

Mr. Foulkes: To ask the Secretary of State for Scotland when he expects to publish his conclusions on the responses to the consultative memorandum on the supervision of charities in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: Later this month copies will be made available in the Library in the normal manner.

Scottish Homes

Mr. Sillars: To ask the Secretary of State for Scotland (1) how many applications by Scottish Homes of persons approved by them have been served on public sector landlords with a view to acquiring housing;

(2) how many groups to date have been approved by Scottish Homes as suitable landlords for the purchase of public sector houses under secure tenancies;

(3) if it is the intention of Scottish Homes to set out a model lease to which persons seeking its approval as a landlord would be expected to adhere.

Lord James Douglas-Hamilton: To date no application has been served on any public sector landlord, in terms of section 58 of the Housing (Scotland) Act 1988, either by Scottish Homes or by persons approved by them. As yet, no formal applications have been submitted to Scottish Homes by persons seeking to acquire approved landlord status under section 57 of that Act.

In considering an applicant's suitability to be registered as an approved landlord, Scottish Homes does not intend to impose as a condition of approval that landlords implement a model lease. However, it will be a requirement of approval that a clear written tenancy agreement is made available to all tenants. Scottish Homes will provide advice to applicant landlords on a number of conditions which they would expect to be covered in the tenancy agreement. Approval of a landlord will be dependent on the landlord's agreement to meeting these conditions.

Greater Glasgow Health Board

Mr. Sillars: To ask the Secretary of State for Scotland how many public relations officers are now employed by Greater Glasgow health board; and what was the comparable figure two years ago.

Mr. Michael Forsyth: Greater Glasgow health board employs three public relations officers; the board employed one two years ago.

Nursery Schools

Mr. Sillars: To ask the Secretary of State for Scotland if he will estimate the capital and revenue costs of providing nursery school places for all children in the three to five year age group.

Mr. Lang: On the assumption that the present proportion of part-time to full-time nursery places is maintained and on the basis of current unit costs, it is estimated that the total annual revenue cost of providing nursery education for all three and four-year-olds would be £113 million. It is not possible realistically to estimate what the associated capital cost might be.

Sheriff Courts

Mr. Sillars: To ask the Secretary of State for Scotland if he will introduce legislation to extend judicial review capacity to sheriff courts.

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate regards it as entirely appropriate that, as part of the supervisory jurisdiction of the Court of Session, judicial review is carried out only by certain nominated judges of that court. He has no proposals to introduce legislation to provide for judicial review by sheriffs.

Competitive Tendering

Mr. Sillars: To ask the Secretary of State for Scotland if he will list by health board the fees paid to consultants at the nearest available date for work undertaken in connection with competitive tendering.

Mr. Michael Forsyth: This information is not held centrally.

Salmon

Mr. Onslow: To ask the Secretary of State for Scotland what advice he has received from the advisory committee on salmon stocks about the genetic danger to wild salmon stocks that is likely to result from the release or escape of farmed salmon into the wild environment; and what was the first date of any such advice.

Mr. Ian Lang: Fisheries Ministers have not asked the Salmon Advisory Committee to provide advice or recommendations on the subject of possible genetic interaction between farmed salmon and wild salmon stocks. Informally the chairman of the Salmon Advisory Committee has drawn attention to the possible relevance of work of the Nature Conservancy Council in this field to codes of practice on restocking salmon rivers. This subject is not, however, one which we have specifically asked the Salmon Advisory Council to include in its already extensive programme of work.

Aphids

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on his review of his Department's research on aphids and aphid-borne diseases.

Lord James Douglas-Hamilton: Our aim is to take decisions on the future of aphid trapping and monitoring

work in Scotland later this year after the Scottish aphid-borne virus working party has reported. I shall write to the hon. Member to inform him of these decisions in due course. Meanwhile the current level of aphid monitoring in Scotland will be maintained.

Electricity Boards

Mr. Bill Walker: To ask the Secretary of State for Scotland by what date the Scottish electricity boards are required to submit their annual reports and accounts.

Mr. Lang: The report and accounts direction issued on 29 September 1989, copies of which have been deposited in the Library of the House, requires the South of Scotland electricity board and the North of Scotland Hydro-Electric Board to submit their annual reports and accounts by 31 December.

FOREIGN AND COMMONWEALTH AFFAIRS

Lorrain Osman

Mr. Chris Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made in respect of an invalid arrest warrant issued by the Hong Kong authorities on 30 November 1985, in relation to Lorrain Osman, currently held in the United Kingdom pending extradition proceedings; and if he will make a statement.

Mr. Maude: Since this matter is currently sub judice, it would not be appropriate for us to comment.

Hong Kong

Mr. Chris Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, under the joint agreement, the National People's Congress of the People's Republic of China after 30 June 1997 will maintain reserve rights to amend the basic law of the Special Administrative Region of Hong Kong and to review the constitutionality of the local laws of the Special Administrative Region; and if he will make a statement.

Mr. Maude: Article 158 of the current draft of the Basic Law vests the power of amendment of the Basic Law in the National People's Congress. It states that no amendment to the Basic Law shall contravene the established basic policies of the PRC regarding Hong Kong. These are set out in paragraph 3 and elaborated in annex 1 of the Sino-British Joint Declaration.

Mr. Chris Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs when he now estimates that close co-operation can be restored between the United Kingdom and the People's Republic of China authorities; to what extent such restored co-operation could lead to a full implementation of the Joint Declaration on the future of Hong Kong; and if he will make a statement.

Mr. Maude: The thirteenth meeting of the Sino-British joint liaison group, which took place from 27 to 29 September, marked the restoration of formal consultation with the People's Republic of China over Hong Kong. The communiqué which issued from that meeting stated that both sides had reaffirmed their continued determination to abide by the Joint Declaration and to fulfil the various responsibilities it lays down.

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom Government's right to pursue diplomatic claims on behalf of Hong Kong citizens of BNO status is covered by the agreement with the Government of China.

Mr. Maude: The British memorandum associated with the Sino-British Joint Declaration on the question of Hong Kong makes clear that from 1 July 1997 those British Dependent Territories Citizens (BDTCs) from Hong Kong, who have by then elected to become BN(O)s and to travel on BN(O) passports, will be entitled to consular services and protection in third countries. The Chinese memorandum indicates that such passports may continue to be used from 1 July 1997, although, in accordance with normal practice in cases of dual nationality, BN(O)s will not be entitled to consular protection by the United Kingdom Government in the Hong Kong Special Administrative Region, or in other parts of China.

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what legal opinions his Department has obtained on the nationality status of persons born in Hong Kong when sovereignty passes to China in 1997.

Mr. Maude: The Chinese memorandum to the Sino-British Joint Declaration states that under Chinese nationality law, all Hong Kong Chinese are Chinese nationals. The British memorandum makes clear that all Hong Kong British Dependent Territories citizens will, from 1 July 1997, be eligible to retain an appropriate status which will entitle them to continue to use passports issued by the Government of the United Kingdom. It also provides that that status will be acquired by BDTCs only if they hold, or are included in, a BN(O) passport issued before 1 July 1997, except that eligible persons born on or after 1 January 1997, but before 1 July 1997, may obtain or be included in such a passport up to 31 December 1997.

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has taken legal opinion on whether under international law the citizens of Hong Kong will upon transfer of sovereignty to China become de jure Chinese nationals.

Mr. Maude: In accordance with the exchange of memoranda associated with the Sino-British Joint Declaration on Hong Kong, all persons who on 30 June 1997 are, by virtue of a connection with Hong Kong, British Dependent Territories Citizens (BDTCs) under the law in the United Kingdom, will cease to be BDTCs with effect from 1 July 1997, but will be eligible to retain the status of British Nationals (Overseas). At the same time, under the nationality law of the People's Republic of China, all Hong Kong Chinese compatriots, whether they are BDTCs or not, are Chinese nationals.

Soviet Submarines

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Soviet Government regarding the threat to the environment from nuclear-powered Soviet submarines.

Mr. Waldegrave: None.

European Community

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement setting out the policy of Her Majesty's Government on the future development of the EEC.

Mr. Maude: Britain will remain a full and active participant in the development of the European Community. Our top priority is the completion of the single market on time, bringing down the barriers inside Europe and staying open to the world outside. We are contributing fully to discussions in all areas of Community activity.

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he intends to take in cases where the Commission of the EEC presents directives which appear to exceed the powers conferred under the Treaty of Rome and the Single Act; and if he will make a statement.

Mr. Maude: I refer my hon. Friend to the answer my right hon. Friend the Prime Minister gave him on 19 May. We shall decide our response as and when such cases arise.

Antarctic

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Paris meeting on the Antarctic.

Mr. Sainsbury: The fifteenth Antarctic treaty consultative meeting is still in progress. Its final report will be adopted on 20 October.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to promote the establishment of an Antarctic treaty secretariat.

Mr. Sainsbury: At the fifteenth Antarctic treaty consultative meeting currently being held in Paris, our delegation will be pressing for a decision in principle that an Antarctic treaty secretariat should be established.

Federal Republic of Germany

Mr. Thurnham: To ask the Secretary of State for Foreign and Commonwealth Affairs when he is next meeting his West German counterpart; and what matters will be discussed.

Mr. Maude: My right hon. Friend the Foreign Secretary met Herr Genscher on 20 September when they discussed a broad range of issues. They are likely to meet again soon, although no specific date has been arranged.

Namibia and Angola

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implementation of United Nations security resolution 435 in Namibia and Angola.

Mr. Waldegrave: Elections to a constituent assembly in Namibia will take place from 7 to 11 November. We will continue to give full support to the United Nations' efforts to ensure that the elections are free and fair, and to assist in a peaceful transition to independence.

Chile

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what further meetings Her Majesty's Ambassador to Chile has had with opposition parties and human rights groups; and what subjects were discussed.

Mr. Sainsbury: Her Majesty's ambassador in Chile and his staff have had, and continue to have, frequent meetings and wide-ranging discussions with human rights groups and opposition parties. A full list is not readily available and could be obtained only at disproportionate cost.

Turkey (Kurdish people)

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what further representations he has made to the Government of Turkey concerning abuses of human rights and the treatment of Kurdish people.

Mr. Maude: I shall be meeting the Under-Secretary of the Turkish Foreign Ministry later today. I shall make it clear that, while we welcome the improvement in Turkey's human rights record described by Mr. Ozal in his address to the Council of Europe on 27 September, it remains important that the Turkish Government should respect and abide by the terms of the international conventions to which they are a party.

Policy Implementation

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out his Department's *(a)* successes and *(b)* failures of policy implementation since May 1979.

Mr. Waldegrave: I refer the hon. Member to the written answers given by my right hon. Friend the Prime Minister on 28 April and by my right hon. Friend the then Minister of State, Foreign and Commonwealth Office, on 2 May, to the questions from the hon. Member for Newport, West (Mr. Flynn).

Non-proliferation Treaty

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department met with President Sheikh Zayed Bin Sultan Al Nahyan of the United Arab Emirates during his recent visit to London, to discuss *(a)* nuclear weapons proliferation in the Middle East Gulf Region and *(b)* initiatives that may be taken at the fourth review conference of the non-proliferation treaty.

Mr. Waldegrave: No. But we have made it clear on many occasions that we would welcome the adherence of the United Arab Emirates to the nuclear non-proliferation treaty.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what correspondence his Department has received in the last six months on the issue of the nuclear non-proliferation treaty.

Mr. Waldegrave: The Foreign and Commonwealth Office regularly receives correspondence touching on nuclear-related issues, including non-proliferation, from organisations and members of the public.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place since July with other governments on progress on preparations for the fourth review conference of the nuclear non-proliferation treaty.

Mr. Waldegrave: Further discussions took place at the second preparatory committee for the fourth review conference, which was held in Geneva from 11 to 15 September.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to raise the issue of non-proliferation treaty membership with each of the governments of the non-proliferation treaty states; and what initiatives he plans to increase the total membership of the non-proliferation treaty.

Mr. Waldegrave: We regularly raise the question of accession to the treaty with non-parties at various levels. As a depositary power, the United Kingdom attaches importance to the widest possible adherence to the treaty.

South Africa (Sanctions)

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what ministerial representation there was at the Commonwealth meeting of Foreign Ministers, held in Canberra in early August, to discuss sanctions on South Africa; and if he will make a statement.

Mr. Waldegrave: None.

The hon. Member is presumably referring to the meeting of the Commonwealth Committee of Foreign Ministers on South Africa. Britain is not a member of the Committee.

Libya (Exports)

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what restrictions there are on United Kingdom exports of civil nuclear technology and nuclear materials to Libya.

Mr. Waldegrave: All United Kingdom exports of nuclear technology and materials continue to be governed by the policy set out by the then Foreign Secretary on 31 March 1976.

Compensation Orders (China)

Mr. Wilson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many offers of settlement have been made under the Foreign Compensation (People's Republic of China) Order 1987; under what categories they have been; and how many of these offers have so far been accepted.

Mr. Sainsbury: A final offer cannot be made until the Foreign Compensation Commission has completed determination of all claims, including property claims, against the China Fund. This is not expected until autumn 1990. However, in January an interim payment of 5 per cent. of the value assigned by the commission to a bond was announced to bond claimants. Out of 1,717 bond claimants to whom offer of interim payment has been made, 1,592 had accepted the offer as of 29 September 1989.

Gibraltar

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings in the past 12 months have been held at *(a)* ministerial level and *(b)* senior Civil Service levels with Gibraltarian authorities about matters concerned with the European Community.

Mr. Maude: European Community matters affecting Gibraltar have been discussed at ministerial level with the Gibraltar Government four times in the last 12 months. There have been frequent contacts at official level.

Statelessness

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will cite the occasions where the United Kingdom has engaged in treaty making or other international agreement which complies with article 10 of the United Nations convention on reduction of statelessness.

Mr. Sainsbury: When the United Kingdom has transferred territory by treaty in the circumstances envisaged in the United Nations convention since 1966, the date when the convention became binding on the United Kingdom, appropriate arrangements for nationality have been made in compliance with that article.

Drug Seizures

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list United Kingdom and United Kingdom dependencies flag vessels seized by the United States under the 13 November 1981 exchanges of notes concerning co-operation in the suppression of the unlawful importation of narcotic drugs into the United States, showing the date seized, the drugs found, the number of persons arrested and indicate any judicial penalties imposed.

Mr. Sainsbury: I am arranging for copies of a list showing the British vessels seized under the 1981 Exchange of Notes, the date seized, the drugs found and the number of persons arrested to be deposited in the Library of the House.

We are seeking information on the penalties imposed in each case. I shall write to the hon. Member in due course.

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the United States authorities to clarify the geographic scope of the 13 November 1981 exchange of notes concerning co-operation in the suppression of the unlawful importation of narcotic drugs into the United States and to strengthen both reporting requirements and dispute resolution procedures; and if he will make a statement on the efficacy of the agreement.

Mr. Sainsbury: Since the Exchange of Notes was concluded in 1981 we have been in contact with the Americans about various aspects of the agreement. In our view, the agreement works satisfactorily; it is helping the fight against the clandestine import of drugs in the area to which the agreement relates. It is not our practice to disclose details relating to the operation of such agreements.

United Kingdom High Commission, Nicosia

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff there are in the United Kingdom High Commission in Nicosia, Cyprus; how many of the staff are *(a)* Greek Cypriots and *(b)* Turkish Cypriots; and what steps are taken to monitor these proportions relative to the size of each of the communities on the island.

Mr. Maude: There are 76 staff altogether in the High Commission. Of these, 40 are locally engaged, including six Greek Cypriots and four Turkish Cypriots.

Recruitment of locally engaged staff takes place on the basis of ability, not ethnic origin. There are, however, practical difficulties in recruiting members of one community to work in territory controlled by the other.

Ethiopian Jews

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by Her Majesty's Government to the United Nations about the treatment of Ethiopian Jews in United Nations camps in the Sudan.

Mr. Waldegrave: We have been in touch with UNHCR. In their view there has been no discrimination in the treatment of Ethiopian refugees.

Falashas (Ethiopia)

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Ethiopian Government about allowing Falashas to join their relatives in Israel.

Mr. Waldegrave: We have raised this matter with the Ethiopian authorities. Their response was that the Falasha are treated in the same way as other Ethiopians wishing to emigrate.

Geneva Convention

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will give the reasons why the United Kingdom has not yet ratified the protocols of the Geneva convention signed on 8 June 1977.

Mr. Waldegrave: My hon. Friend is probably referring to the issue of ratification of the 1977 additional protocols to the Geneva conventions. We have been considering carefully the legal, political and military implications of ratification. This has involved a detailed and continuing process of consultations with our allies in NATO. Progress has been made. Final decisions on ratification will be made when that process of consultation is complete.

Drug Traffickers, Colombia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his response to the representations from the Foreign Minister of Colombia regarding British participation in the training of mercenary personnel for employment by drug barons.

Mr. Salisbury: As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made clear when he met Sr Londoño in New York on 26 September, we condemn unequivocally and unreservedly the activities of those who work for drugs traffickers in Colombia. It is primarily for the Colombian authorities to take action in respect of offences committed in Colombia. We remain in close touch with the Colombian authorities on this issue.

Chemical Weapons

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs how many sessions of the Geneva conference on disarmament for a global chemical weapons convention have been held to date; and if he will list the participating states.

Mr. Waldegrave: The Conference on Disarmament, originally called the Committee on Disarmament, was established by the first United Nations special session on disarmament in 1978. It first met in 1979 and since then there have been two three-month sessions per year, thus totalling 22 sessions to date. The subject of chemical weapons has been on the conference's agenda from the outset. In 1983 additional shorter "inter-sessional" consultations specifically on chemical weapons were also established. There have been 11 such "inter-sessional" meetings to date.

The 40 members states of the Conference on Disarmament are Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, Federal Republic of Germany, France, German Democratic Republic, Hungary, Italy, India, Indonesia, Iran, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Soviet Union, Sri Lanka, Sweden, United Kingdom, United States, Venezuela, Yugoslavia and Zaire. In addition, there are about 25 states holding observer status at the conference.

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the latest Soviet responses to NATO requests for details and timescales of Soviet undertakings to destroy chemical warfare stocks.

Mr. Waldegrave: Mr. Shevardnadze announced in January that the Soviet Union would begin the destruction of its chemical weapons, CW, stockpiles in 1989 at a new facility in Chapayevsk which was being constructed for this purpose. No further information was given on the details and timescale of the destruction programme, but on 6 September it was announced that the Chapayevsk facility would not now be completed. Due to local environmentalist pressure it is to be converted to a "training centre for devising industrial methods for destroying toxic substances". No revised destruction programme has been announced but it appears unlikely that the Soviet Union will begin destruction this year. In contrast, the United States commenced its CW destruction programme in 1970 and has to date destroyed 15 million pounds of chemical weapon agent.

Strategic Nuclear Weapons

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs how often the United Kingdom Government have participated directly in negotiations with the Soviet Union with the objective of securing a treaty for the reduction or elimination of strategic nuclear weapons.

Mr. Waldegrave: We have not participated in such negotiations. We have, however, made it clear that if United States and Soviet strategic arsenals were to be very substantially reduced, and if no significant change had occurred in Soviet defensive capabilities, Britain would want to review her position and to consider how best she could contribute to arms control in the light of the reduced threat.

Archbishop of Canterbury (Vatican Visit)

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what facilities were extended by the British Mission to the Vatican to the Archbishop of Canterbury in the course of his recent visit to Rome: and if he will make a statement.

Mr. Maude: This was an official ecclesiastical visit. The arrangements were made by the Vatican in conjunction with Lambeth palace. Her Majesty's Ambassador to the Holy See, as a courtesy, offered a dinner for the Archbishop.

EDUCATION AND SCIENCE

Local Management Schemes

10. **Mr. Colvin:** To ask the Secretary of State for Education and Science if he will make a statement on the progress of local management schemes for schools.

Mr. MacGregor: I am pleased to be able to announce that all local education authorities have submitted their LMS schemes. This is an impressive achievement. About 10 schemes were submitted at least a month early and we have already begun announcing our approval for the first of these to come into force next April.

Nursery Schools

13. **Mr. Pike:** To ask the Secretary of State for Education and Science whether he proposes to make additional resources available to local education authorities to increase the provision of nursery school education.

27. **Mr. Knox:** To ask the Secretary of State for Education and Science if he will make a statement on nursery school provision.

Mrs. Rumbold: Our plans for 1989-90 allow the steady expansion of the last decade to continue. Our plans for 1990-91 will be announced in the autumn statement.

Teachers (Resignations)

14. **Mr. Callaghan:** To ask the Secretary of State for Education and Science what information he has about the number of resignations from teachers which were submitted by 31 May.

Mr. Alan Howarth: Teachers submit their resignations to local education authorities and comprehensive information about the number of resignations in May 1989 is not yet available to the Department.

Primary School Teachers

15. **Mr. Alex Carlile:** To ask the Secretary of State for Education and Science if he will make a further statement on primary school teacher shortages.

Mr. Alan Howarth: In general, across the country as a whole, there are sufficient primary school teachers and few problems of shortages. However, there are problems in some areas, particularly in inner London. Recruitment to primary initial teacher training continues to be buoyant, and there should be sufficient teachers overall to meet demand in the future.

Teacher Shortages

16. **Ms. Harman:** To ask the Secretary of State for Education and Science what discussions he has had with present and future local education authorities in London about teacher shortages.

Mrs. Rumbold: My right hon. Friend's predecessor met the right hon. Member for Bethnal Green and Stepney (Mr. Shore), together with representatives of the Inner London education authority, on 13 June. I met the leaders of the inner London councils on 19 June, and again on 12 September, and on both occasions discussed teacher shortages. We agreed that there should be further discussions at official level.

33. **Mr. Rooker:** To ask the Secretary of State for Education and Science how many schools do not have a full complement of teachers.

Mr. Alan Howarth: This information is not available centrally. The employment and deployment of teachers are matters for local education authorities and schools.

Teachers' Pay

17. **Mr. Simon Hughes:** To ask the Secretary of State for Education and Science if he will make a statement on his policy towards teachers' pay and conditions.

Mr. MacGregor: The Government's policy is that teachers' pay should reflect the need to recruit, retain and motivate sufficient teachers of the right quality within what can be afforded.

32. **Mr. Roy Hughes:** To ask the Secretary of State for Education and Science what representations he has received concerning teachers' pay; and what action he proposes to take.

Mrs. Rumbold: My right hon. Friend has received a number of representations concerning teachers' pay. He announced the remit for the interim advisory committee's consideration of the 1990-91 pay settlement on 26 September.

Education Act 1981

18. **Mr. Tom Clarke:** To ask the Secretary of State for Education and Science what progress he has made in preparing the revised circular of guidance regarding the implementation of the Education Act 1981.

Mr. Alan Howarth: Circular No. 22/89 was issued on Friday 29 September 1989. Copies have been placed in the Libraries of both Houses.

Teacher Training

19. **Mr. David Evans:** To ask the Secretary of State for Education and Science what steps his Department is taking to encourage those currently in other professions to train as teachers.

Mr. Alan Howarth: The principal elements in our programme directed towards mature entrants are the new licensed teacher arrangements, the funding of special courses for graduates making a career change, the provision of "taster" courses, and the preparation of publicity material specifically directed at mature entrants.

Higher Education (Access)

20. **Mr. Boswell:** To ask the Secretary of State for Education and Science what representations he has received from the Royal Society of Arts in support of improved access to higher education.

Mr. Jackson: My right hon. Friend has been kept informed of the Royal Society of Arts' initiative in establishing a project under the banner of the Industry Matters Education/Industry Forum, directed by Sir Christopher Ball, to consider the widening of access to higher education. I understand that an interim report is shortly to be published as a basis for further comment and consultation, and that the final report will follow thereafter.

City Technology Colleges

21. **Mr. Clelland:** To ask the Secretary of State for Education and Science how much public money has been allocated to city technology colleges; and if he will make a statement.

Mrs. Rumbold: A total of £28·5 million has been spent on the city technology college programme between the inception of the programme and the end of September 1989. Further planned public expenditure to the end of the financial year 1991-92 is £93·8 million. The balance of expenditure between capital and recurrent costs will depend on a number of factors, including the nature and condition of premises acquired and the speed with which sponsors' plans are implemented.

30. **Mr. Roger King:** To ask the Secretary of State for Education and Science how many city technology colleges have now been announced; and if he will make a statement.

Mrs. Rumbold: The city technology college programme is making excellent progress. Kingshurst opened last year, Nottingham and Teesside opened last month, and a further eight projects have been announced with firm opening dates in 1990 and 1991. In addition, five companies or individuals have announced their willingness to be major participants in the CTC programme.

War Studies

22. **Mr. Gregory:** To ask the Secretary of State for Education and Science what information he has concerning GCSE and advanced level courses concerning the study of war and conflict subjects.

Mrs. Rumbold: The School Examinations and Assessment Council is responsible for the approval of GCSE and advanced level examination syllabuses. I am not aware of any such syllabuses concerned exclusively with the study of war and conflict subjects. The study of war and conflict is of course sometimes included as part of an examination syllabus, in subjects such as history or a humanities subject.

Educational Attainment

23. **Ms. Short:** To ask the Secretary of State for Education and Science whether he has any plans to improve educational attainment of the lowest 40 per cent. of schoolchildren.

Mrs. Rumbold: The national curriculum will raise standards of achievement for pupils of all ages and abilities.

School Activities (Charging)

24. **Mr. Stern:** To ask the Secretary of State for Education and Science if he has any proposals to amend the law relating to charging for school activities.

Mrs. Rumbold: The new law has been in place for only one full term. It is far too soon to make firm judgments about its effects.

Nursery Teachers

25. **Mr. Morley:** To ask the Secretary of State for Education and Science what measures he is taking to provide himself with an accurate picture of teacher supply in nursery education.

Mr. Alan Howarth: The Department collects data on vacant nursery posts. In January 1989 there were 194 vacancies. The latest primary school staffing survey shows that almost all nursery teachers had received nursery or infant specific training.

Humberside College of Higher Education

26. **Mr. Cran:** To ask the Secretary of State for Education and Science what representations he has received in connection with Humberside college of higher education's proposal that it be afforded polytechnic designation; and if he will make a statement.

Mr. Jackson: The principal of Humberside college of higher education wrote to me in 1987 asking that the college be considered for designation as a polytechnic. In our initial letter of guidance to the PCFC we invited the council to offer advice on the question of further polytechnic designations. Following its last meeting the council wrote to my right hon. Friend recommending the criteria it considered a college should satisfy to merit designation as a polytechnic. My right hon. Friend has indicated that he is inclined to agree with the PCFC's advice, but that he would welcome views from those who have an interest in the issue.

London Education Authorities

28. **Mr. Tony Banks:** To ask the Secretary of State for Education and Science what representations he has received from London local education authorities; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend continues to receive representations on a range of matters.

Secondary School Teachers

29. **Mr. Fearn:** To ask the Secretary of State for Education and Science if he will make a further statement on secondary school teacher shortages.

Mr. Alan Howarth: In January 1989 vacancies amounted to about 1·3 per cent. of the secondary teaching force—a proportion that has remained broadly similar over many years. However, there are difficulties in filling vacancies in some areas and in some subjects. Over £50 million has been spent so far on the Department's action programme, launched in 1986 to combat these difficulties. We will continue and reinforce this programme.

Open University

31. **Mr. Wallace:** To ask the Secretary of State for Education and Science what representations he has received during the present year regarding funding for the Open university.

Mr. Jackson: My right hon. Friend received in January and February over 100 representations from Open university students. The Open university visiting committee, which advises him on the university's plans and their financial implications has discussed with the university its funding requirements for 1990 and subsequent years. My right hon. Friend will announce the university's grant for 1990, and the indicated grants for 1991 and 1992 later this year.

Higher Education

Mr. Bowis: To ask the Secretary of State for Education and Science what was the cost of each student at *(a)* universities and *(b)* polytechnics for 1979 and at the latest date for which such information is available.

Mr. Jackson: The data requested are as follows. The figures show the net institutional expenditure per student at universities (Great Britain) and polytechnics (England) in cash terms.

Net institutional expenditure[1] per student

	Financial year (£)	
	1979-80	*1987-88*
Universities[2]	3,074	5,719
Polytechnics[2]	2,515	3,356

[1] The figures for universities are based on recurrent expenditure financed by UGC grants and tuition fee income for home and overseas students. The figures for polytechnics are net recurrent institutional expenditure per full-time student. Institutional expenditure includes direct and indirect costs of providing tuition but excludes financing cost of capital expenditure.

[2] Standard weightings have been used to calculate numbers of full-time equivalent students.

Schools (Data Use)

Mr. Cohen: To ask the Secretary of State for Education and Science when he expects to issue advice as to whether schools are independent data users under the Data Protection Act.

Mr. Alan Howarth: My right hon. Friend has recently advised the Data Protection Registrar that in matters of school administration, with the exception of school registers, the governors of LEA-maintained schools hold electronic data as agents of the local education authority and are thus covered by the authority's data users licence. Governors keeping their registers on computer must however be licensed separately. The Department will issue guidance on this subject to authorities and schools in the near future.

Autistic Children

Ms. Primarolo: To ask the Secretary of State for Education and Science what guidelines he provides for the diagnosis and statementing of autistic children for *(a)* pre-nursery and *(b)* pre-school.

Mr. Alan Howarth: The Secretary of State does not provide such guidelines; this is a matter for local education authorities. General advice to LEAs on their duties under the Education Act 1981 in relation to the making of assessments and statements of special educational need is contained in circular No. 22/89 which was issued on 29 September. I have made arrangements for the hon. Member to receive a copy of this circular, copies of which have been placed in the Library.

Meteorology and Atmospheric Physics

Dr. Thomas: To ask the Secretary of State for Education and Science if there was any ministerial or departmental representation at the fifth assembly of the International Association of Meteorology and Atmospheric Physics held at Reading university in July and August.

Mr. Jackson: My hon. Friend the Parliamentary Under-Secretary of State for the Environment gave the opening address at this scientific conference, which was attended by numerous scientists from the science research councils active in the fields involved.

Institute of Meat Research

Mr. Spearing: To ask the Secretary of State for Education and Science what approaches have been made by any governments to Her Majesty's Government concerning the Institute of Meat Research in Bristol; if he will publish details; and if he will make a statement.

Mr. Jackson: No such approaches have been received.

Student Unions

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he will make a statement on plans to reform student unions.

Mr. Jackson: We published our survey of student unions on 27 September. My right hon. Friend will come forward with proposals for changes in due course.

Student Loans

34. **Mr. Kirkwood:** To ask the Secretary of State for Education and Science if he will make a further statement about his student loan proposals.

Mr. Jackson: The work described in my right hon. Friend's statement on 19 June—*Official Report* columns 21-22—is proceeding. We shall announce further details in due course.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science (1) how he intends to reimburse banks for the branch cost of administering student loan repayments, deferrals and defaults; and if he will now estimate branch costs;

(2) pursuant to his reply to the hon. Member for Oxford, East of 24 July, *Official Report*, column *442*, if he will publish the detailed analysis and cost-time estimates on the administration of the student loans scheme;

(3) pursuant to his reply to the hon. Member for Oxford, East of 24 July, *Official Report* column *441*, if he will now publish his assessment of the recurring costs of student loans administration in each year beyond 1995 *(a)* in total and *(b)* per account.

Mr. Jackson: I cannot comment at this stage on matters which are subject to contractual negotiations. As we have made clear, the House will be informed of the major steps in the preparations for administration of the loans.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what discussions he has held, or plans to hold, with building societies concerning his proposed top-up loans for students scheme.

Mr. Jackson: The discussions with the financial institutions described in my right hon. Friend's statement on 19 June include representation of the building societies.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science (1) if student loan debt collection agencies will have access to *(a)* the poll tax register, *(b)* the electoral register and *(c)* national insurance records;

(2) what records student loan debt collection agencies will have access to.

Mr. Jackson: The loans administration company will have access to the normal range of public documents in addition to the information provided by students in making their applications.

Mr. Straw: To ask the Secretary of State for Education and Science pursuant to his answer to the hon. Member for Oxford, East (Mr. Smith) *Official Report*, 24 July, column *442*, concerning the next stage of the detailed analysis of the top-up loans scheme, whether this has now been completed; and if he will place a copy in the Library.

Mr. MacGregor: When Price Waterhouse's stage 2 report is completed, I shall place in the Library of the House copies of the report other than those parts which are commercially confidential.

Mr. Straw: To ask the Secretary of State for Education and Science whether his Department has managed any evaluation of the employment career development loan scheme piloted by the Department of Employment, in the context of his student proposals.

Mr. MacGregor: No. The national scheme of career development loans was introduced in July 1988. The clientele for which it is intended is quite different from that for top-up loans.

AGRICULTURE, FISHERIES AND FOOD

Cereals

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each year since 1973 *(a)* the (i) guide, (ii) intervention, (iii) threshold and (iv) other prices for cereals and *(b)* the co-responsibility levies together with (1) the amount produced, (2) the surplus production, (3) the amount taken into intervention, (4) the corresponding world price and (5) the cost to the EEC of (x) intervention, (y) storage and (z) export refunds.

Mr. Curry: Details of the target, threshold and intervention prices for common wheat and barley since 1973 are given in table A. In addition, a separate buying-in price has operated since 1987-88 at 94 per cent. of the intervention price.

The cereals co-responsibility levy was introduced from the start of the 1986-87 marketing year. In its first two years of operation, the rate was set at 5·38 ecu-tonne. In 1988-89 the basic levy remained at 5·38 ecu-tonne, but there was also an additional levy of 2·87 ecu-tonne. in 1989-90 the basic levy is 5·22 ecu-tonne and the provisional rate of the additional levy is also 5·22 ecu-tonne. The latter will be reduced if the 1989 Community harvest does not exceed the maximum guaranteed quantity of 160 million tonnes by 3 per cent. or more.

Details of European Community cereals production, the difference between production and consumption, and the amount taken into intervention are given in table B. There is no single representative measure of world price for cereals.

Details of EC expenditure on cereals intervention storage and export refunds are given in table C.

Table A
Cereals—Target threshold and intervention prices

Year	*tonne*	*Target*		*Threshold*		*Intervention*	
		Common Wheat	*Barley*	*Common Wheat*	*Barley*	*Common Wheat*	*Barley*
1973–74	UA	114·94	105·29	112·80	103·10	105·80	96·66
1974–75[1]	UA	121·84	110·55	119·00	107·70	110·03	96·60
1974–75	UA	127·93	116·08	125·10	113·25	115·53	101·43
1975–76	UA	139·44	126·99	136·45	124·00	125·93	110·96
1976–77	UA	152·00	137·80	149·30	135·10	131·00	116·00
1977–78	UA	158·08	144·97	155·15	142·00	120·06	120·06
1978–79	UA	162·39	147·23	159·40	144·25	121·57	121·57
1979–80	ECU	201·42	182·89	197·45	178·90	149·17	149·17
1980–81	ECU	214·01	194·32	209·20	189·50	155·88	155·88
1981–82	ECU	230·55	210·00	225·55	205·00	165·23	165·23
1982–83	ECU	250·61	228·27	245·61	223·27	179·27	179·27
1983–84	ECU	261·41	238·17	256·43	233·17	184·58	184·58
1984–85	ECU	259·08	236·30	254·05	231·27	182·73	182·73
1985–86	ECU	254·98	232·61	249·95	227·58	179·44	179·44
1986–87	ECU	256·16	233·86	250·81	228·51	179·44	170·47
1987–88	ECU	256·10	233·80	251·39	229·09	179·44	170·47
1988–89	ECU	250·30	228·00	245·68	223·38	179·44	170·47
1989–90	ECU	241·08	219·46	236·74	215·12	174·06	165·36

[1] Revised 1974-75 prices effective from 7 October 1984.

Table B

Cereals

Production; Production less consumption; Intervention purchases

Million tonnes

Year	*Usable cereals production*	*Production less consumption*	*Intervention purchases*
1973-74	104·6	−10·8	1·8
1974-75	107·2	−6·0	2·3
1975-76	96·4	−13·8	1·4
1976-77	90·0	−19·7	0·4
1977-78	102·5	−8·9	1·1
1978-79	115·4	−0·5	1·2
1979-80	113·7	−1·9	2·2
1980-81	124·8	+7·8	4·7
1981-82	122·3	+6·9	2·4
1982-83	131·4	+17·3	8·5
1983-84	123·3	+6·3	1·0
1984-85	151·4	+32·5	13·2
1985-86	160·4	+17·2	11·9
1986-87	154·4	+14·8	5·5
1987-88	153·4	+20·0	4·8
[1]1988-89	163·2	+26·2	3·7

[1] Provisional figures.

[2] 1973-74 to 1979-80—Figures are for EC 9.
1980-81 to 1984-85—Figures are for EC 10.
1985-86 to 1988-89—Figures are for EC 12.

Table C: EC Budget Expenditure—Cereals 1973-1989

	Export refunds (including food aid) (£ million)	*Public intervention storage (£ million)*
1973	195·4	29·9
1974	31·7	11·8
1975	143·2	23·4
1976	158·7	28·1
1977	135·7	9·4
1978	494·3	39·2
1979	769·1	76·9
1980	711·3	128·9
1981	671·8	227·2
1982	594·0	252·9
1983	894·5	331·8
1984	536·3	207·8
1985	633·2	476·4
1986	1,108·9	869·6
1987	2,270·7	672·1
1988	2,042·5	844·6
1989	3,834·1	1,316·8

Note.—The figures for 1973-77 have been converted for units of accounts. It is not possible to convert mua to mecu accurately. Therefore these figures do not strictly compare with figures for later years.

Source:

1973-87 FEOGA Financial Reports
1988 Provisional Outturn
1989 Budget Conjunctive Document

EC Support

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1988 and 1987 the amount each European Economic Community state received from the European Economic Community by way of support for agriculture, the percentage share of the total, and the amount paid into the European Economic Community as a percentage of own resources payments.

Mr. Maclean: The attached table shows by member state the amount and percentage share of expenditure from the European agricultural guidance and guarantee fund (EAGGF) in 1987 and 1988, and the amount and percentage share of own resource payments in 1987. Own resource figures for 1988 are not available as the European Court of Auditors report for 1988 will not be published by the Commission until December 1989.

EC expenditure—EAGGF and own resources

£ million

	1987		*1988*		*1987*		*1988*
	Total EAGGF	*Percentage of EC total*	*Total EAGGF*	*Percentage of EC total*	*Own resources*	*Percentage of total*	*Own resources*
Belgium	606	3·5	501	2·6	1,225	4·8	n/a
Denmark	775	4·5	832	4·2	608	2·4	n/a
Germany	2,967	17·3	3,416	17·5	6,751	26·5	n/a
Greece	1,023	6·0	985	5·0	245	1·0	n/a
Spain	451	2·6	1,342	6·9	1,229	4·8	n/a
France	4,250	24·7	4,403	22·5	5,273	20·7	n/a
Ireland	754	4·4	789	4·0	243	1·0	n/a
Italy	2,919	17·0	3,086	15·8	3,734	14·7	n/a
Luxembourg	4	0·02	4	0·02	53	0·2	n/a
Netherlands	1,975	11·5	2,603	13·3	1,702	6·7	n/a
Portugal	127	0·7	175	0·9	246	1·0	n/a
United Kingdom	1,321	7·7	1,409	7·2	4,120	16·2	n/a
Total European Communities	17,175		19,556		35,349		

n/a = Figures not available.

EC (Membership Cost)

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will bring up to date table M in his Department's submission to the Treasury and Civil Service Committee on the "Financial and Economic Consequences of United Kingdom Membership of the European Economic Community" (HC Paper 57-II) of Session 1984-85.

Mr. Curry: Estimates are no longer prepared on the basis requested. Detailed information on the incomes, assets and liabilities of farm businesses by farm type and country is contained within the 1989 edition of "Farm Incomes in the United Kingdom," a copy of which is in the Library of the House.

Guaranteed Prices

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what was the ratio of the United Kingdom guaranteed price for *(a)* cereals, *(b)* dairy products, *(c)* oils and fats and *(d)* edible meats in: (i) 1988 and (ii) 1968.

Mr. MacLean: Details of guaranteed prices determined for 1968-69 are set out in the "Annual Review and Determination of Guarantees 1968" (Cmnd. 3558) pp 44-45, which is available in the Library of the House. Information on support prices for 1988-89 is contained in the note on common agricultural policy prices settlement 1988-89 which was deposited in the Library of the House on 4 August 1988.

Zoonoses Testing

Mrs. Gorman: To ask the Minister of Agriculture, Fisheries and Food to what extent *(a)* broiler chickens, *(b)* turkeys and *(c)* egg-laying flocks have been subject to zoonoses testing; and why there are differences in the frequency thereof.

Mr. Curry: The Testing of Poultry Flocks Order 1989 requires all commercial laying flocks of domestic fowls, and flocks over 25 birds supplying eggs or birds for breeding purposes, to be tested for salmonella at eight-week intervals. These requirements, introduced as part of the Government's measures to tackle the problem of salmonella in eggs, are shortly to be replaced by new provisions which inter alia will extend the requirements relating to breeding flocks to cover turkeys.

There is no requirement for testing of broiler birds but the provisions on breeding flocks apply to broiler breeders and will be used as the basis for necessary control measures when infection is found.

New Zealand Lamb

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* the landed price before payment of duty of imports of New Zealand lamb in 1988, 1978 and 1968 together with (i) the average New Zealand export price, (ii) the corresponding price paid to British farmers, (iii) imports from New Zealand and Australia and (iv) United Kingdom production, imports, exports and consumption of sheepmeat.

Mr. Curry: The average cif price (the nearest equivalent to a 'landed' price) for New Zealand lamb was 103 pence/kg (p/kg) in 1988. No figures are available for 1968 and 1978 or for average fob export prices.

The average prices (including variable premium) paid to British farmers for lamb have been as follows:

Year	P/kg (estimated dressed carcase weight)
1968	[1]40
1978	137
1988	222

[1] Decimal equivalent
(Source: Agriculture in the United Kingdom)

Imports from New Zealand:

Year	Quantity (tonnes)
1968	320,608
1978	213,610
1988	112,260

(Source: HM Customs and Excise)

Imports from Australia:

Year	Quantity (tonnes)
1968	16,638
1978	11,551
1989	6,979

(Source: HM Customs and Excise)

United Kingdom production:

Year	Quantity (tonnes)
1968	246,000
1978	248,000
1988	345,000

(Source: Agriculture in the United Kingdom)

United Kingdom imports:

Year	Quantity (tonnes)
1968	352,596
1978	227,083
1988	121,469

(Source: HM Customs and Excise)

United Kingdom exports:

Year	Quantity (tonnes)
1968	8,019
1978	42,509
1988	85,243

(Source: HM Customs and Excise)

United Kingdom domestic uses:

Year	Quantity (tonnes)
1968	586,000
1978	409,000
1988	372,000

(Source: Agriculture in the United Kingdom)

Broadleaved Woodlands

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food on how many occasions the Forestry Commission awarded grants under the broadleaved woodland grant scheme in England, between its inception in 1985 and closure in 1988; and on how many occasions the grant of £100 for obtaining professional advice, in the preparation of a plan of operation under the scheme, was awarded.

Mr. Maclean: To date, the Forestry Commission has approved 5,159 applications for grant under the broadleaved woodland grant scheme in England. The grant of £100 has been paid on 830 of those applications.

Animals (Import and Export)

Mr. Spearing: To ask the Minister of Agriculture, Fisheries and Food if he will tabulate in the *Official Report* all existing animal health and disease checks, restrictions, examinations, or certifications concerning import and export of all live animals and birds to and from the United Kingdom, with reference to their respective statutory bases, together with the relevant proposals of the Commission of the European Economic Community contained in, or foreshadowed by, documents 4183/89, 4830/89 and 5057/89 indicating in each case, whether the proposed changes are acceptable or unacceptable to Her Majesty's Government.

Mr. Curry: It would be impracticable to publish in the *Official Report* the hundreds of import licences and export certificates which exist.

Our import conditions are designed to prevent the introduction of animal disease, and relate to the species concerned and the animal health status of the countries of origin. Among other things we may require an appropriate pre-export testing and isolation and post-import quarantine, post-import isolation plus testing.

For exports, the requirements depend on European Community rules where they exist and in other cases on those of the authorisation of the countries of destination.

The statutory basis for import licences and export certification are derived from the following orders:

Importation of Animals Order 1977
Importation of Birds, Poultry and Hatching Eggs Order 1979
Importation of Equine Animals Order 1979
Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974
Exportation of Pigeons Order 1983
The Diseases of Animals (Export Health Certificates) Order 1985

As to the EC Commission's proposals for harmonised animal health rules for trade in sheep and goats (document 4183/89), bovine embryos (document 4389/89), and poultry and hatching eggs (document 5057/89) I refer the hon. Member to the explanatory memoranda, copies of which were deposited in the Library and to the debate on them which took place on 18 July at columns 294-315.

Herbicide Resistance

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food if his Department was represented at the 11th Long Ashton international symposium on herbicide resistance in weeds and crops.

Mr. Curry: The Ministry was represented by four members of the Agricultural Development and Advisory Service (one of whom gave an invited talk at the symposium dinner).

Warm Water Fish

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food if he has made any assessment of the findings of the Marine Biological Association and Plymouth marine laboratory released in August, that there have been significant increases in warm water fish species found off the south-west coast of the British Isles.

Mr. Curry: I am aware of the long hydro-biological time series referred to. Changes occur continuously for many reasons. We keep the matter under review.

National Fruit Collection

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what areas have been identified in relation to *(a)* climate and *(b)* soil conditions as a successor-home to Brogdale for the national fruit collection; what representations he has had from Wye college for taking responsibility for Brogdale; and what is his cost estimate of taking four grafts of every specimen or variety and replanting them in suitable soil conditions, on a site other than Brogdale.

Mr. Curry: The Ministry is in negotiation with two organisations, the East Malling Trust and Wye college, which have both expressed an interest in taking on the management of the national fruit collection. This would involve moving the collection from Brogdale to either East Malling or Wye respectively. Consideration of these two sites will include an assessment of the suitability of climate and soil conditions. The costs of moving the collection by propagation and replanting will vary depending on the precise arrangements but initial estimates suggest that the total costs (including all materials and labour) could be of the order of £100,000 to £150,000, which would be spread over a four or five-year period.

Agricultural Research Centres

Sir Michael McNair-Wilson: To ask the Minister of Agriculture, Fisheries and Food how many agriculture research centres are funded by his Ministry.

Mr. Gummer *[pursuant to the reply, 29 June 1989, c. 550]:* My right hon. Friend the Secretary of State for Education and Science and I have decided that the horticultural research and development carried out by the Agricultural and Food Research Council and by the Agricultural Development and Advisory Service should be integrated under a reconstituted British Society for Horticultural Research. (BSHR).

This will be headed by a small and strong executive committee, reporting to me and reflecting the tripartite partnership of my Department, my right hon. Friend's funding of the Agricultural and Food Research Council and growers, each of whom will have equal representation. Members of the committee, which will include growers, will be appointed by me and my right hon. Friend. Growers will thus have an influential and effective voice in the new organisation, which will be able to receive funds directly from a range of sources including the Ministry of Agriculture, Fisheries and Food, the Agricultural and Food Research Council and the industry.

The BSHR will have available to it the facilities at six horticultural research centres. These will be Wellesbourne (which, as already announced, will become the principal horticultural research station), East Malling (centre for fruit and other perennial crops research and development), the centre for hops research at Wye college, and the experimental horticulture stations at Kirton, Efford and Stockbridge house. The new organisation will bring together the expertise and effort of staff drawn from the AFRC and from ADAS.

The Government believe that bringing the elements of horticultural research and development together in this way will provide a sound basis for the future. Naturally, the Government's support for the BSHR will be influenced by the industry's response, since growers' support will be essential to provide the balanced programme of research and development needed to safeguard the future of British horticulture in a highly competitive international market. We believe that this new integrated organisation will command the confidence of the industry. We are sure that all the partners will work together to bring about a successful launch.

Fisheries

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food to what extent his duties towards conservation and enhancement of natural beauty under section 17 of the Agriculture Act 1986 extend to fisheries matters; and if he will make a statement on the implication of these duties where they impact on fishing and fish stock management.

Mr. Curry *[holding answer 26 July 1989]:* My duties under section 17 of the Agriculture Act 1986 are concerned with agriculture not fisheries. However, in dealing with fisheries we are concerned with conservation of fish stocks in order to manage them as renewable resources. I also refer the hon. Gentleman to a previous reply given on 21 July 1989, *Official Report*, column *408*.

HOUSE OF COMMONS

Palace of Westminster

Mr. Grocott: To ask the Lord President of the Council what is the current cost of maintaining and running the House of Lords.

Sir Geoffrey Howe: The provision required in the current year 1 April 1989 to 31 March 1990, for the expenditure of the House of Lords on peers' expenses, administrative costs, staff pensions and security totals £15,260,000.

Notes

(i) Stationery and printing cost for the House of Lords are borne on an allied service vote maintained by Her Majesty's Stationery Office. Provision for the 1989-90 totals £4,800,000.

(ii) Other services provided in support of both Houses of Parliament are:

(a) Rates on Government Property (HM Treasury) Provision for 1989-90 totals £1,200,000[1]

(b) Accommodation services (Property Services Agency of the Department of the Environment) Provision for 1989-90 totals £25,300,000[1]

[1] No separate figures are available here in respect of the amounts attributable to each House.

Community Charge

Mr. Hannan: To ask the Lord President of the Council whether right hon. and hon. Members will be entitled to reclaim the standard community charge on a second home under the additional costs allowance.

Mr. Blunkett: To ask the Lord President of the Council what arrangements are being made to provide an allowance to members of Parliament for the payment of the standard community charge on their second homes; and if he will make a statement.

Sir Geoffrey Howe: The additional cost allowance covers expenses necessarily incurred by hon. Members in maintaining a second home required for the performance of their parliamentary duties. From April 1990, the standard community charge will be one of the costs which may be incurred in maintaining a second home. In cases where there is a liability for a standard charge hon. Members will therefore be able to claim reimbursement in circumstances where they would previously have claimed for rates. Hon. Members will still pay the personal community charge at their main residence and there is no question of reimbursing this. The Fees Office will be writing to all hon. Members shortly to explain these arrangements in detail.

SOCIAL SECURITY

Spending Power

Mr. Steinberg: To ask the Secretary of State for Social Security if on a similar basis to his answer to the hon. Member for Bradford West (Mr. Madden) on 22 June, *Official Report*, columns *575-80*, he will publish figures showing the average total weekly benefit payable to Mr. Swainston, 3 Hawthorn Park, Brandon, Durham, before and after the social security reforms of April were completely phased in.

Mr. Scott: I have written to the hon. Member.

Independent Living Fund

Mr. Alfred Morris: To ask the Secretary of State for Social Security whether, in establishing a single budget to cover the costs of care, he proposes to take account of the existence of the independent living fund and allow it to continue funding individual disabled people to enable them to buy in the personal care they need to avoid institutionalisation.

Mr. Scott: The independent living fund has been very effective in its current form. Clearly, we will need to consider, and if necessary discuss with the trustees, whether the Government's proposals for the future organisation and funding of community care call for any adjustment to the fund.

Disability Pension (Self-employed People)

Mr. Alan W. Williams: To ask the Secretary of State for Social Security why self-employed persons are ineligible to claim disability pension.

Mr. Scott: The arguments for preferential industrial injuries benefit for self-employed people are not as strong as they are for employees. The consideration that a person is acting under orders does not apply and, since there is no employer, there is no place for a preferential scheme to complement and limit the employer's liability at common law.

Disabled People

Mr. Thurnham: To ask the Secretary of State for Social Security if his Department is examining ways in which a partial capacity benefit for disabled people could be introduced; and if he will make a statement.

Mr. Scott: In examining existing benefit provision against the findings of the OPCS surveys, we shall consider the need for a partial incapacity benefit.

Income Support

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security if he will give the latest figures for the number of people on income support who had direct deductions for *(a)* electricity and *(b)* gas.

Mrs. Gillian Shephard: The number of cases with deductions for electricity and gas is as follows:

	Number
Electricity	152,000
Gas	152,000

Where a person has deductions for both electricity and gas, they are included in both figures.
Source: Annual Statistical Enquiry, May 1988.

Attendance Allowance (Assessments)

Mr. Robin Cook: To ask the Secretary of State for Social Security how many medical practitioners examine patients for attendance allowance; how many of these are principals in general practice; how many of these are retired medical practitioners; how many of them are medical practioners without other remuneration; how many of them have a specialist psychiatric qualification; and how many of them have training in psychiatry lasting six months or more.

Mr. Scott: There are 3,742 examining medical practitioners (EMPs) in Great Britain who examine patients for attendance allowance. Of these it is estimated that 82 per cent. are principals in general practice and 16 per cent. are retired medical practitioners. No information is held on the number of EMPs without other remuneration.

Data on the numbers of EMPs possessing a specialist psychiatric qualification or having post-graduate training in psychiatry are not routinely recorded; and to obtain such information would incur a disproportionate cost.

Mr. Robin Cook: To ask the Secretary of State for Social Security how many medical practitioners, annually, are discharged from their responsibilities for assessing for attendance allowance, because of their incompetence in obtaining psychiatric histories or undertaking mental state examinations.

Mr. Scott: No central record is kept of the reasons for discontinuing the services of examining medical practioners for attendance allowance. Doctors are carefully

chosen before starting this work. They are given instruction in the requirements for the examinations, their work is monitored and any further training required is given. It is very rare therefore for these doctors' services to be discontinued because of incompetence.

Mr. Robin Cook: To ask the Secretary of State for Social Security (1) what specific instructions are given in the form of guidelines, in the obtaining of a psychiatric history or examination of mental state;

(2) what training in the eliciting of a psychiatric history or in mental state examination is provided by the Department to practitioners prior to or consequent upon their appointment to assess patients for attendance allowance.

Mr. Scott: Doctors selected to examine attendance allowance claimants are usually recruited from among general practitioners within the locality who will have demonstrable knowledge of local socio-economic conditions, established experience in general medical practice and evident expertise in conducting medical examinations. Guidance is given by the regional office senior medical officer (ROSMO), or regional office medical officer (ROMO), on the background of, and conditions for the award of attendance allowance.

The performance of new examining doctors is closely monitored by the ROSMO who will institute further training sessions as appropriate; thereafter doctors' reports are regularly monitored to identify any further need for guidance. The form, nature and pattern of such monitoring may vary and are dictated by the individual ROSMO.

In conducting an examination for attendance allowance purposes the examining doctor's principal role is to complete the standard report form which has been designed to give an account of the patient's needs for attention and/or supervision. By their very nature the medical examinations required for the purpose of determining eligibility for these allowances need the expertise and experience possessed by general medical practitioners who are able to give consistent advice across a wide range of disabilities and age-groups. In the small number of cases where a specialist opinion is required an independent report is sought from a consultant clinician with the necessary specialist knowledge. The attendance allowance board or its delegate has access not only to the examining doctor's report but other evidence considered necessary, such as psychological, head teacher's and hospital's reports etc. The present arrangements thus allow for suitably qualified persons to be approached, as necessary, in an individual case.

The attendance allowance board has also issued a "Handbook For Delegated Medical Practitioners" a copy of which is in the House of Commons Library. That handbook, together with the written guidelines given to examining medical practitioners upon appointment, describe the medical factors which should be taken into account in the obtaining of a psychiatric history from, and examination of mental state of, those claimants who exhibit mental disorders. As with physical illness, neither the diagnosis nor the disability is the determining criterion in the assessment for attendance allowance. The attendance needs are the determining factor.

Mr. Robin Cook: To ask the Secretary of State for Social Security what system there is for checking independently, by a medical practitioner with psychiatric experience, that assessments for attendance allowance have been carried out competently.

Mr. Scott: All reports of medical examinations conducted on claimants for attendance allowance are scrutinised either by the attendance allowance board or by the independent medical practitioners to whom the board has delegated its powers to make decisions in individual cases. The board, one of whose members is a consultant psychiatrist, recognises that the assessment of the amount of attention and/or supervision required by patients suffering from psychiatric illnesses may pose particular problems. Guidance has been issued by the board in the "Handbook for Delegated Medical Practitioners", published by Her Majesty's Stationery Office in 1988. Aided by the board's guidelines and possessing expertise and experience in the practice of clinical medicine and in the evaluation of medical reports on claimants for attendance allowance, the board's delegated doctors provide an expert and efficient check that attendance allowance assessments are carried out competently.

Local Government Finance

Mr. Blunkett: To ask the Secretary of State for Social Security if he will show for England, Wales, Scotland and Great Britain his latest estimates of *(a)* the rate rebate caseload, *(b)* the cost of rate rebates, *(c)* the community charge benefit caseload, *(d)* the number of individuals likely to claim and receive community charge rebates and *(e)* the cost of community charge rebates.

Mrs. Gillian Shephard: The most recent estimates for 1989-90 show that the rate rebate caseload in Great Britain (including the community charge rebate in Scotland) will be about 5½ million, and the total benefit cost (including the cost of community charge rebate in Scotland) will be £1·53 billion.

I will write to the hon. Member in due course about the remainder of his question.

Social Security Statistics

Mr. Battle: To ask the Secretary of State for Social Security if he will publish a table showing the value of the retirement pension for a single person and a married couple as a proportion of average net earnings for all males and all male manual workers for each year between November 1978 and the latest date available.

Mrs. Gillian Shephard: The information is as follows:

Basic state pension as a percentage of average net earnings

Uprating date	*Male manual workers*		*All males*	
	Single	*Couple*	*Single*	*Couple*
November 1978	32·3	48·9	29·8	45·3
November 1979	31·8	48·4	29·2	44·6
November 1980	32·8	49·7	29·1	44·4
November 1981	33·4	50·9	29·3	44·9
November 1982	35·0	53·1	30·6	46·7
November 1983	33·1	49·7	28·7	43·6
November 1984	32·9	49·6	28·4	43·2
November 1985	33·1	49·9	28·5	43·3
July 1986	31·6	47·7	26·9	41·0
April 1987	30·1	45·7	25·3	38·8
April 1988	28·4	43·3	23·5	36·2
April 1989	27·6	42·1	22·9	35·0

Source: Abstract of statistics, published by DSS August 1989.

Mr. Battle: To ask the Secretary of State for Social Security if he will publish a table showing the value of unemployment benefit for a single person, a married couple and a married couple with two children under 11 years as a proportion of average net earnings for all males and all male manual workers for each year between November 1978 and the latest date available.

Mrs. Gillian Shephard: The information is published in tables 6.1a and 6.1b of the August 1989 edition of the "Abstract of Statistics for Index of Retail Prices, Average Earnings, Social Security Benefits and Contributions", a copy of which is in the Library.

Mr. Battle: To ask the Secretary of State for Social Security what is the value of income support in 1989-90 for *(a)* a single person aged under 25 years, *(b)* a single person aged over 25 years, *(c)* a married couple, *(d)* a one-parent family, *(e)* a married couple with two children aged four years and six years, *(f)* a pensioner couple aged 65 years and *(g)* a disabled person with entitlement to disability premium as a proportion of average net earnings for all males and male manual workers.

Mrs. Gillian Shephard: Information on categories *(a)*, *(b)*, *(c)* and *(e)* is at tables 6.5a and 6.5b of the August 1989 edition of the "Abstract of Statistics for Index of Retail Prices, Average Earnings, Social Security Benefits and Contributions", a copy of which is in the Library. The information requested for the remaining categories is as follows:

	Income support as a percentage of average net earnings	
	All males	*Manual Males*
(d) (One parent family with one child under age 11)	27·8	33·0
(f)	36·3	43·4
(g)	25·5	30·8

War Widows

Mr. Nicholas Winterton: To ask the Secretary of State for Social Security how many letters he has received from right hon. and hon. Members over the last six months concerning pension provision for war widows; and how many of these letters were from the hon. Member for Macclesfield.

Mrs. Gillian Shephard: Since 1 April, we have received 253 letters concerning war widows pensions, 187 of which were from the honourable Member for Macclesfield.

ACC, Livingston

Mr. Robin Cook: To ask the Secretary of State for Social Security whether the contract with Electronic Data Systems for the Livingston area computer centre provides for existing staff of his Department to be considered for employment with EDS; and what safeguards are proposed for the existing terms and conditions of any staff so transferred and for recognition of negotiating rights.

Mr. Newton: Details of the new jobs were circulated to the staff of the existing unemployment benefit computer centre in the other half of Buchanan house and no bar was placed in the way of their applications. Staff who choose to accept offers from Electronic Data Systems (EDS) will resign from the Civil Service and accrued rights will be treated in the normal way for resignations. The terms, conditions and negotiation rights offered by EDS are a matter for the company.

Child Benefit

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security if he will estimate the cost of raising child benefit in April 1990 in line with the projection of the retail prices index between December 1988 and September 1989.

Mrs. Gillian Shephard: The index of retail prices (RPI) increased by 5·7 per cent. between December 1988 and September 1989. The net cost of increasing child benefit by 5·7 per cent. would be around £200 million.

Social Fund

Mr. Corbyn: To ask the Secretary of State for Social Security if he will list the 1989-90 social fund allocation for each London local office and the monthly rate of expenditure for *(a)* grants, *(b)* loans and *(c)* community care groups; what additional resources he has made available to each office; and what are his projections for 1990-91.

Mr. Scott: Details of social fund allocations to local offices together with details of their monthly expenditure on grants and loans are available in the Library. Information on expenditure in relation to client groups for all London local offices can be obtained only at disproportionate cost.

Additional social fund loan allocations for 1989-90 have been made from the contingency reserve to five local offices in London to take account of the unforeseen additional expenditure arising from the arrival of Kurdish refugees in the areas covered by those offices. The revised annual loan allocations are as follows:

	Revised allocation £	*Amount of increase* £
Highgate	419,845	28,226
Shoreditch	352,401	9,867
Stoke Newington	325,467	16,791
Tottenham	534,260	93,881
Wood Green	220,424	18,991

An announcement on the local office allocations for 1990-91 will be made nearer the time.

Maintenance Payments

Mr. Thurnham: To ask the Secretary of State for Social Security what representations he has received about changing the system of maintenance payments by deducting the sums due from earnings at the same time as income tax and national insurance, enabling these payments to be made direct to the recipients; whether he has any estimates of the reduction of dependency on income support such a system would produce; and if he will make a statement.

Mr. Scott: We have received no representations on this point although I am aware that it has been suggested by various organisations and commentators. Absent fathers have a legal responsibility towards their families but, for

three quarters of lone parents receiving income support, the absent parent pays no maintenance at all. When courts make maintenance orders they take into account, amongst other things, the means of both parents and therefore the ability of the non-custodial parent to pay maintenance. In certain cases where the father fails to make payments ordered by the courts, and this is due to his wilful refusal or culpable neglect, the courts may make an attachment of earnings order. This means that the maintenance payments are paid to the court by the employer. Any increase in the maintenance collected for lone parent families on benefit would certainly reduce their need for benefit. However the extent of this would depend on the levels of maintenance awarded and collected.

Single Parents

Mr. Thurnham: To ask the Secretary of State for Social Security what representations he has received about increasing the earned income allowance for single parents; what estimates he has of the reduction in the numbers of single parents who would receive income support following such an increase in the allowance; and if he will make a statement.

Mrs. Gillian Shephard: Many representations are received by Government on all aspects of taxation. Reductions in personal taxation like those made by this Government should generally be improving individuals' incentives to work. Whilst it is undoubtedly true that income tax reductions have helped raise the take-home pay of lone parents who choose to work, I know of no evidence suggesting that an increase in the additional personal allowance would substantially reduce the number of lone parent families receiving income support.

Bathgate Local Office

Mr. Dalyell: To ask the Secretary of State for Social Security how many short fixed-term temporary staff have been employed by the social security office in Bathgate over any convenient period in the summer of the current year, and for what reasons; and if he will make a statement on the qualifications of such staff.

Mrs. Gillian Shephard: Prior to 11 September 1989 no temporary staff were employed on a fixed-term contract basis at this office. In the period 11 September to 9 October up to nine such staff were employed at any one time. The recruits were offered fixed-term contracts, rather than permanent positions, in view of the need to reduce staffing levels in 1990 when major computerisation is introduced. Temporary staff on fixed-term contracts are required to have similar qualifications to those employed on a permanent basis.

Benefits

Mr. Allen McKay: To ask the Secretary of State for Social Security if he will list the changes made to social security benefits since April and those proposed to the end of 1989-90.

Mrs. Gillian Shephard *[holding answer 17 July 1989]:* The information following lists the changes made to Social Security benefits since April 1989 and proposed changes to the end of 1989-90 which have been announced.

Date	*Change*	*Legislation*
1 April 1989	To enable community charge recipients to be eligible for Social Fund funeral payments.	The Social Fund Maternity and Funeral Expenses (General) Amendment Regulations 1989 SI No 379.
1 April 1989	Boarders no longer treated as non-dependants for Housing Benefit or Income Support purposes but similar standard deductions from Housing Benefit/housing costs to be made.	Housing Benefit (General) Amendment Regulations 1989 SI No 416 Income Support (General) Amendment Regulations 1989 SI No 534.
1 April 1989	Complementary change to other income disregards to reflect the separate status of boarders and non-dependants in Housing Benefit.	Housing Benefit (General) Amendment Regulations 1989 SI No 416.
1 April 1989	Complementary provision to the introduction of an 'enhanced' pensioner premium to ensure that working pensioners getting the enhanced premium retain a £15 earnings disregard if underlying entitlement to the disability premium remains.	Housing Benefit (General) Amendment Regulation 1989 SI No 416.
1 April 1989	Extension of disregard of a former dwelling to a former partner with care of one or more dependent children	Housing Benefit (General) Amendment Regulations 1989 SI No 416.
1 April 1989	Introduction of the rent officer referral arrangements.	Housing Benefit (General) Amendment No 2 Regulation 1989 SI No 566. The Rent Officers (Additional Functions) Order 1989 SI No 590 The Rent Officers (Additional Functions) (Scotland) Order 1989 SI No 578.
1 April 1989	Introduction of Community Charge Rebates in Scotland.	Housing Benefit (Community Charge Rebates) (Scotland) Regulations 1989 SI No 1890 (S 178).

Date	Change	Legislation
1 April 1989	Amendments to the above scheme including the introductions of extra help for some pensioners from October.	Housing Benefit (Community Charge Rebates) (Scotland) Amendment Regulations 1989 SI No 361 (S 37)
1 April 1989	Permit deductions from Income Support in respect of arrears of community charge in certain circumstances (Scotland).	Community Charge (Deductions from Income Support) (Scotland) Regulations 1989 SI No 507 (S 59).
10 April 1989	Introduction of Retirement Allowance to Industrial Injuries Disablement Benefit.	Schedule 2 of the Social Security Act 1988.
10 April 1989	Annual Uprating of Social Security benefits.	Social Security Benefits Uprating Order 1989 SI No 43. Social Security Benefits Up-rating Regulations 1989.
10 April 1989	Clarification of the definition of incapacity for the purpose of entitlement to the disability premium.	Income Support (General) Amendment No 2 Regulations 1988 SI No 2022.
10 April 1989	Special Income Support provisions for people living in board and lodging accommodation removed. Accommodation charge met through Housing Benefit, boarders entitled to normal Income Support to cover living expenses.	Income Support (General) Amendment Regulations No 4 1988 SI No 1445.
19 June 1989	Certain additional days of entitlement to SSP to count as qualifying days towards entitlement to invalidity benefit.	Social Security (Unemployment, Sickness and Invalidity Benefit) Amendment Regulations 1989 SI No 872.
19 June 1989	Persons incapable of work for two days within a period of six consecutive days because of treatment by way of plasmapheresis chemotherapy with cytotoxic drugs or radiotherapy to qualify for incapacity benefits even when treatment is not on a weekly basis.	Social Security (Unemployment, Sickness and Invalidity Benefit) Amendment Regulations 1989 SI No 872.
10 July 1989	Disregard of part of student's grant income for books and equipment raised from £220 to £234 for Family Credit purposes.	Family Credit and Income Support (General) Amendment Regulations 1989 SI No 1034.
10 July 1989	To provide for the disregard in the calculation of Family Credit, Housing Benefit and Income Support payments made by local authorities under the Child Care Act 1980 and the Social Work (Scotland) Act 1968 to young people leaving care.	Family Credit and Income Support (General) Amendment Regulations 1989 SI No. 1034. Housing Benefit (General) Amendment No. 3 Regulations 1989 SI No. 1017.
10 July 1989	Increase in personal allowance for all 16 to 17 year old Housing Benefit claimants to £27·40.	Housing Benefit (General) Amendment No. 3 Regulations 1989 SI No. 1017.
10 July 1989	Extension of entitlement for people aged 16 to 17 and people in relevant education who are of necessity living away from their parents.	Family Credit and Income Support (General) Amendment Regulation 1989 SI No. 1034.
10 July 1989	Increases in applicable amount for some claimants aged 16 to 17.	Family Credit and Income Support (General) Amendment Regulation 1989 SI No. 1034.
10 July 1989	Eligibility for all urgent cases including asylum seekers to premiums where the normal conditions are satisfied.	Family Credit and Income Support (General) Amendment Regulation 1989 SI No. 1034.
10 July 1989	Further amendments to Community Charge Rebates in Scotland.	Housing Benefit (Community Charge Rebates) (Scotland) No. 2 Amendment Regulations 1989 SI No. 972 (S 95).
21 July 1989	Substitutes the concept of entitlement for payment into Attendance Allowance in Section 35 of the Social Security Act 1975.	Schedule 8 of Social Security Act 1989.
August 1989	Controls subsidy paid to local authorities in certain special cases.	Housing Benefit (Permitted Totals) Amendment Order 1989
September 1989	Special transitional provisions for the smooth implementation of the Community Charge Benefit scheme	Community Charge Benefits (Transitional) Order 1989.

Date	Change	Legislation
1 October 1989	Abolition of State Retirement Pension Earnings rule.	Clause 7 and Schedule 1 of Social Security Bill 1989.
9 October 1989	Days on which duties as a councillor performed to be treated as days of incapacity for work for sickness and invalidity benefit and severe disablement allowance purposes.	Paragraph 2 of Schedule 8 of Social Security Act 1989.
9 October 1989	Extension of upper age limit for payment of mobilty allowance from 75 to 80.	Schedule 8 of Social Security Act 1989.
9 October 1989	Personal Pensions to be treated as earnings for purposes of dependants earnings rule.	Schedule 9 of Social Security Act 1989.
9 October 1989	Liability of non-custodial parents to maintain a child for Income Support and Social Fund purposes extended to include children aged 16, 17 and 18.	Schedule 5 of Social Security Act 1989.
9 October 1989	Introduce 'enhanced' pensioner premium for pensioners aged 75 and over and uprate higher pensioner premium. Provide for continued award of higher pensioner premium if maximum age for award of qualifying benefit is reached or if retirement pension is awarded. Increased higher pensioner premium for people aged 60 to 74.	Housing Benefit (General) Amendment Regulations 1989 SI No 416 Income Support (General) Amendment Regulations 1989 SI No 534.
9 October 1989	Transitional protection to be unaffected by increases in pensioner premiums.	Regulations in preparation.
9 October 1989	Provisions for seasonal workers' earnings will be removed, so they will be treated like other claimants' earnings.	Draft Income Support (General) Amendment No 2 Regulations 1989 (SI No N/A).
9 October 1989	Payment of compensation received on termination of employment without due notice to be taken into account.	Income Support (General) Amendment No 2 Regulations 1989 (SI No N/A).
9 October 1989	Changes in Unemployment Benefit; (i) abatement of Unemployment benefit in respect of personal pensions; (ii) concept of 'actively seeking work; (iii) conditions for requalification after benefit is exhausted; (iv) treatment of payments in lieu of notice; (v) restricted availability; (vi) introduction of permitted period and taking up employment on trial; (vii) removal of the concept of 'suitable employment', putting the accent on 'good cause'.	Schedule 8-12 of Social Security Act 1989.
9 October 1989	Special IS provision for hostel dwellers removed. Help with accommodation charge through HB, hosted dwellers entitled to normal IS to cover living expenses.	Income Support (General) Amendment Regulations 1989 (SI No 534).
Autumn 1989	Removal of special conditions for seasonal workers.	Draft Social Security (Unemployment, Sickness and Invalidity Benefit) Amendment No 2 Regulations 1989 (SI No N/A).
Autumn 1989	Introduction of an upper weekly earnings limit for Unemployment Benefit	Not known.
Autumn 1989	Introduction of a de minimus level on the application of the 'Full Extent Normal' rule for Unemployment Benefit	Not known.
Autumn 1989	Regulations requiring local authorities to refer appropriate cases to the rent officer.	Regulations to be made under provisions contained in clause 15 of the Social Security Bill.
1 April 1990	Introduction of Community Charge Benefit throughout Great Britain.	Community Charge Benefits (General) Regulations 1989.
1 April 1990	Permit deductions from Income Support in respect of arrears of community charge in certain circumstances.	Community Charges (Deductions from Income Support) Regulations 1989.

Date	Change	Legislation
April 1990	£5 a week disregard of war Disablement Pension and War Widow's Pension to be increased to £10 for Income Support purposes.	Not known.

Community Care

Mr. Stern: To ask the Secretary of State for Social Security what recommendations for early action he is giving to local authorities social services departments in the light of the statement and White Paper on community care.

Mr. David Mellor *[holding answer 28 July 1989]:* We are currently preparing our White Paper on community care. We will then consider the need for further guidance.

Pensions (Qualifying Age)

Mr. Flynn: To ask the Secretary of State for Social Security if he will publish the cost at current rates of equalising the qualifying age for receipt of basic pension for both sexes at *(a)* 62 years, *(b)* 61 years and *(c)* 60 years.

Mrs. Gillian Shephard *[holding answer 24 July 1989]:* The information is not available in the form requested. The most recent estimates, which are based on 1985-86 benefit rates, are that the approximate net annual cost to public funds of equalising state pension age at 60 years would be £3,000 million.

ENVIRONMENT

Sizewell C Power Station

Mr. David Porter: To ask the Secretary of State for the Environment what representations he has received during the recess about the Central Electricity Generating Board applications to build Sizewell C power station in Suffolk.

Mrs. Virginia Bottomley: My right hon. Friend has received eight letters and two postcards which were forwarded to the Department of Energy, which has responsibility for this matter, for a repiy.

Environmental Assessments

Mr. Allan Roberts: To ask the Secretary of State for the Environment what guidance his Department has received from the European Commission concerning the environmental assesament of projects being funded by, or the subject of a grant application for, European regional development funds; and if he will place copies of the guidance in the Library.

Mr. Moynihan: All projects funded with grant from the European regional development fund must conform to Community environmental legislation, in particular, the European Community directive (85/337/EEC) on environmental impact assessment. Guidance on how the directive applies to projects in England and Wales which required planning permission is given in DOE circular 15/88 (Welsh Office 23/88) which is available in the Library. Requirements for environmental informaion to be submitted to the Commission are still the subject of discussion among all member states.

Water Authorities (Debt)

Mr. Blunkett: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Sheffield, Brightside of 24 May, *Official Report*, column *951*, if he will make a further statement concerning the treatment of outstanding debt of the water authorities.

Mr. Howard: Shortly before flotation, we will be writing off the £4·4 billion National Loans Fund debt transferred from the English water authorities to the new English water plcs. This will be replaced with new securities issued to the Government, including new debentures, but mostly in the form of shares to be sold to the public. This substantial capital reconstruction which involves a sizeable cash injection will enable the companies to finance the major investment in the future which we all want to see.

Local Government Finance

Mr. Cohen: To ask the Secretary of State for the Environment if he will seek to amend the Local Government and Housing Bill to include all or any of the safeguards found in the Poll Tax (Restoration of Individual Privacy) Bill; and if he will make a statement.

Mr. David Hunt: No. The existing legislation gives community charge registration officers clearly defined and limited powers to collect information necessary for their statutory functions.

Planning Applications

Mr. Cohen: To ask the Secretary of State for the Environment on how many occasions since 1979 a request to call in a planning application from *(a)* the Nature Conservancy Council and *(b)* the Countryside Commission has been refused; and if he will list such occasions, together with the reasons for not calling in, and the principal requests received on those occasions from other persons and bodies.

Mr. Moynihan: The information requested is not readily available and could be obtained only at disproportionate cost.

Kurdish Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for the Environment what representations he has received from local authorities, local authority associations and hon. Members concerning the needs of Kurdish asylum seekers; what resources he has made available; and if he will make a statement.

Mr. Chope: The Government have received a number of representations about the impact of the recent influx of Turkish asylum-seekers. Housing benefit for which local authorities receive Government subsidy, and income support are payable to individual claimants and help has

been provided from the social fund in the form of crisis loans. In addition, the Government are making exceptional payments to voluntary organisations. Ministers are currently considering the representations which have been made for additional assistance to the boroughs.

Waste Paper (Recycling)

Ms. Walley: To ask the Secretary of State for the Environment if he will make urgent inquiries of the contractor responsible for the removal of House of Commons rubbish as to why quantities of large paper bags, filled with potentially recyclable waste paper, have been removed in bags labelled for burning only; if he will take steps to stop this practice immediately; if he will make available bags labelled recyclable waste paper; and if he will make a statement.

Mr. Chope: Waste paper from the Palace of Westminster is collected free of charge as "salvage" and the contractor finds it for recycling. The labels on the paper sacks therefore have no significance in practice. It would be wasteful, however, not to use the outstanding supplies of these sacks before changing over to new sacks which will be marked "Recyclable Waste Paper".

Toxic Waste

Dr. Thomas: To ask the Secretary of State for the Environment if his Department has assessed the use of biotechnologically created bacteria to treat poisonous organic toxic wastes.

Mrs. Virginia Bottomley: Since 1975 we have been sponsoring research on the use of bacteria to treat difficult wastes, using their natural genetic changes. We are monitoring closely current developments in genetic manipulation.

Environmental Regulation

Dr. Thomas: To ask the Secretary of State for the Environment if his Department is participating in the international conference on environmental regulation in the European Community held in London on 19 and 20 October.

Mrs. Virginia Bottomley: An official of the Department will participate in the conference.

Waste Management

Dr. Thomas: To ask the Secretary of State for the Environment if his Department had any representation at the conference on raising standards in wastes management: future costs and benefits, held at Lancaster university on 21 September; and if he will make a statement.

Mrs. Virginia Bottomley: I represented my right hon. Friend and delivered the opening address at the conference.

Dr. Thomas: To ask the Secretary of State for the Environment if his Department was represented at the fifth European summer school on radioactive waste management, held on 17 to 20 July, at Christ's college, Cambridge.

Mrs. Virginia Bottomley: A principal inspector from Her Majesty's inspectorate of pollution delivered a paper to the 1989 European summer school in a personal capacity.

Greenhouse Effect

Dr. Thomas: To ask the Secretary of State for the Environment what departmental representation there was at the fifth assembly of the International Association of Meteorology and Atmospheric Physics held at Reading university in July and August; and if he will make a statement on the outcome of the assembly in regard to United Kingdom policies on the greenhouse effect.

Mrs. Virginia Bottomley: I addressed the conference during the opening ceremony and a scientist from the Department attended on the first day. The discussions at the conference highlighted the need for further research on the greenhouse effect. The Government are already committed to over £10 million of such research in this financial year and are planning a continuing programme of projects.

PCB Wastes

Dr. Thomas: To ask the Secretary of State for the Environment what import and disposal authorisation had been granted for the cargoes of PCB wastes sent from Canada in August on the ships Khudozhnik Saryan and the Madezha Obukhoba to the ports of Tilbury and Liverpool.

Mrs. Virginia Bottomley: Imports of hazardous wastes into this country are governed by the Transfrontier Shipment of Hazardous Waste Regulations 1988. These require the waste disposal authority responsible for the facility receiving the waste to give its approval. A copy of the completed consignment note must be sent to the Secretary of State. These do not identify the ship on which any particular consignment is to be carried, but we have no reason to think that these two shipments were not properly notified.

Disposal of wastes is governed by the licensing of facilities by the waste disposal authority under the Control of Pollution Act 1974.

Waste Exports

Dr. Thomas: To ask the Secretary of State for the Environment what volumes of toxic, hazardous or special wastes have been exported from the United Kingdom in each year since 1979 for treatment and disposal abroad; and to which countries the waste was sent.

Mrs. Virginia Bottomley: Firm information has been available only since the implementation in October 1988 of the Transfrontier Shipment of Hazardous Waste Regulations 1988. These require, inter alia, that before any consignment of hazardous waste is transported to or from this country, the holder of the waste sends a copy of the completed consignment note to the Secretary of State. The Department has received no consignment notes for exports to date.

Her Majesty's inspectorate of pollution has no knowledge of any waste being exported before the implementation of the Transfrontier Regulations in 1988.

Nature Reserves

Ms. Walley: To ask the Secretary of State for the Environment if he will make a statement about the progress of his plans for the change of status of national nature reserves.

Mrs. Virginia Bottomley: The Government have no plans to change the status of national nature reserves. The Nature Conservancy Council is considering how future policy for national nature reserves can continue to be developed in the light of both the council's preliminary report which was published in May this year, and of the Government's proposals to reorganise the Nature Conservancy Council which were announced in July.

Nature Conservancy Council

Ms. Walley: To ask the Secretary of State for the Environment if he will make a statement as to his intentions regarding future funding of the Nature Conservancy Council.

Mrs. Virginia Bottomley: The Government will continue to ensure that the Nature Conservancy Council receives adequate funding to enable its agreed objectives and programmes for conservation work to be met. The Government have secured an increase in real terms of over 150 per cent. in the Nature Conservancy Council's grant since 1979.

EC Water Directives

Mr. Spearing: To ask the Secretary of State for the Environment what system of checks and inspections is used by the Commission of the European Economic Community in respect of compliance with directives concerning the quality of domestic water supplies; what information is supplied to it by member states on their water undertakings; and what comprehensive publication of performance is published by the Commission.

Mr. Howard: No inspections at first hand are carried out by the Commission to ensure that member states are complying with the drinking water directive. In the United Kingdom the Water Supply (Water Quality) Regulations made under the Water Act 1989 incorporate the provisions of the directive into national law and set out sampling requirements, the results of which will be made available to the public and to local authorities.

The Commission depends upon information submitted by member states themselves and also investigates complaints on alleged breaches of the directive made by members of the public. We have no knowledge as to information supplied by other member states, but the United Kingdom has always co-operated fully with the Commission. We have recently submitted an overview of the United Kingdom's national programme costing £1·4 billion over the next five years. I am not aware of any comprehensive publication of performance published by the Commission.

Sewers (Vermin Control)

Mr. Spearing: To ask the Secretary of State for the Environment if he will state those provisions of legislation which aspire to future responsibility for control and destruction of vermin in sewers owned by the new water plcs.

Mr. Howard: Under section 67 of the Water Act 1989, the water service companies which have succeeded the water authorities have a general duty to cleanse and maintain their sewers. However, the primary responsibility for controlling vermin continues to rest with local authorities, which have a duty under the Prevention of Damage by Pests Act 1949 to keep their areas free of rats and mice as far as practicable.

East London River Crossing

Mr. Spearing: To ask the Secretary of State for the Environment when he expects the planning inquiry into the east London river crossing bridge section to be reopened; what consideration may be given in the inquiry into alternative designs of bridge or reversion to the original, or other, tunnel proposals; and if he will make a statement concerning this adjourned inquiry.

Mr. Howard: I have written today to the hon. Member. I have also arranged for a copy of an announcement made earlier today to be placed in the Library.

Written Answers to Questions

Wednesday 18 October 1989

EDUCATION AND SCIENCE

Further and Higher Education

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what is the planned recurrent grant to be allocated to *(a)* the universities, *(b)* the polytechnics and *(c)* other colleges of further and higher education in each year from 1988-89 to 1991-92, expressing the figures in cash terms and real terms, indexed so that 1988-89 = 100 and assuming constant annual inflation of (i) 5 per cent., (ii) 6 per cent. and (iii) 7 per cent., respectively.

Mr. Jackson: Recurrent grant to universities in Great Britain and for higher education funded by the Polytechnic and Colleges Funding Council in England is as follows for the financial years 1988-89 and 1989-90:

	UFC £ million	*PCFC £ million*
1988–89 (outturn)	1,586	n/a
1989–90 (estimate)	1,713	1,035

The plans for 1990-91 and 1991-92, which were set out in Chapter 12 of "The Government's Expenditure Plans 1989-90 to 1991-92" (Cm. 612), are under review in the current public expenditure survey. The Government's assumptions about inflation in future years were set out in Chapter 21 "Supplementary Analysis and Index" (Cm. 621).

It is not possible to estimate the amount of grant aid paid in support of Colleges of further and higher education maintained by local education authorities. Some of their higher education provision will now be funded by the Polytechnics and Colleges Funding Council. Other further and higher education is supported from local resources and through the block grant received from central Government. That block grant is not hypothecated to individual services and its application is a matter for decision by individual local authorities. The same consideration applies to the expenditure in 1988–89 of those polytechnics and colleges formerly funded by LEAs and now funded by the PCFC.

DEFENCE

Eurogroup Working Groups

Mr. Sillars: To ask the Secretary of State for Defence how many Eurogroup working groups are currently in existence within NATO; and which subjects they are considering.

Mr. Archie Hamilton: There are five sub-groups within Eurogroup dealing with co-operation in the fields of operational concepts, logistics, communications, military medicine, and training. The USA and Canada also participate in the training sub-group.

Military Forces (Infrastructure)

Mr. Sillars: To ask the Secretary of State for Defence how much has been spent in each of the past 10 years on infrastructure for military forces from NATO common funds; and what proportion was spent in the United Kingdom.

Mr. Archie Hamilton: The details are as follows:

Calendar year	*Expenditure from NATO common funds £ millions at 1988 prices*	*Proportion spent in United Kingdom Per cent.*
1979	347	9·8
1980	374	12·57
1981	391	21·99
1982	538	15·47
1983	626	23·95
1984	515	15·82
1985	533	17·17
1986	718	10·10
1987	809	13·98
1988	746	14·77

Gibraltar

Mr. Sillars: To ask the Secretary of State for Defence what is the revenue cost in a full year of the garrison in Gibraltar.

Mr. Archie Hamilton: The estimated cost of maintaining a garrison in Gibraltar in 1989-90 is £82 million.

NATO (Expenditure)

Mr. Sillars: To ask the Secretary of State for Defence when were the most recent discussions between European members of NATO and the United States executive branch of Government over expressed United States concern about the proportionate burden of NATO expenditure borne by the United States of America; and if he will make a statement.

Mr. Archie Hamilton: NATO's Defence Planning Committee published a report last December on "Enhancing Alliance Collective Security—Shared Roles, Risks and Responsibilities in the Alliance". There was further consideration of burden-sharing at the June meeting of the Defence Planning Committee. Discussions within the Alliance are continuing.

Cyprus Bases

Mr. John D. Taylor: To ask the Secretary of State for Defence how many Greek Cypriots and Turkish Cypriots are employed at each of the sovereign bases in Cyprus.

Mr. Archie Hamilton: Some 837 Greek Cypriots are currently employed at the eastern sovereign base area (Dhekelia), and some 1993 at the western sovereign base area (Akrotiri); 322 Turkish Cypriots are employed at Dhekelia.

Prime Minister (Transport)

Mr. Tony Banks: To ask the Secretary of State for Defence what charges were directed to the office of the Minister for the Civil Service in respect of providing transport for the Prime Minister in the financial year 1988-89.

Mr. Archie Hamilton: The Ministry of Defence charges the Office of the Minister for the Civil Service for the use of defence facilities at rates which are calculated in accordance with the rules laid down by the Treasury. These rates are designed to ensure that no residual costs are carried on defence votes. During 1988-89, bills to the value of £519,000 were raised on OMCS.

Emergency Parking

Mr. Tony Banks: To ask the Secretary of State for Defence what was the final cost charged to the Department of Transport in respect of service assistance in providing emergency parking facilities during the recent transport strike.

Mr. Archie Hamilton: The bill has not yet been presented to the Department of Transport. I will write to the hon. Member when the final costs have been assessed.

Party Conferences (Security)

Mr. Tony Banks: To ask the Secretary of State for Defence what was the total cost and the services provided by his Department for security at the 1989 *(a)* Labour party conference and *(b)* Conservative party conference.

Mr. Archie Hamilton: In response to requests from the chief constables of the Lancashire and Sussex constabularies, small numbers of military personnel were employed to assist the police in searching the respective conference areas for explosive devices and in potential bomb disposal tasks. No other service assistance was provided at either party conference. In line with normal arrangements, no charges were raised against the respective constabularies. The related costs fell to MOD votes.

NORTHERN IRELAND

Avian Influenza

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what precautions has he taken to control the spread of avian flu among hens in the Republic of Ireland into Northern Ireland; if he is in consultation with the authorities in the Republic of Ireland; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 17 October 1989]:* The Republic of Ireland authorities have taken precautions necessary to deal with the risk of spread from the two outbreaks of avian influenza in poultry in Co. Monaghan.

Poultry and their products may not be moved from the restricted area in the Republic of Ireland without a licence. They are not eligible for export to Northern Ireland.

Northern Ireland has imposed movement restrictions in the Northern Ireland territory which falls within 10 km of the outbreaks in the Republic of Ireland. The necessary amendments have been made to Northern Ireland specific import licences for live poultry and hatching eggs to prevent the introduction of disease.

The Department of Agriculture, Dublin, has kept us fully informed of the nature and virulence of the outbreaks and the eradication measures taken.

Northern Ireland veterinary and animal health officials have remained in close contact.

The situation is being kept under continuous review.

TRADE AND INDUSTRY

Alcohol Abuse

55. **Mr. Hood:** To ask the Secretary of State for Trade and Industry when he last met the Director of the Scottish Consumer Council; and if he discussed the problem of alcohol abuse by youngsters under the age of 18.

Mr. Forth: I last met the director of the Scottish Consumer Council when I attended a meeting of the council on 19 May. This topic was not among those that were discussed.

Arms Sales (South Africa)

Mr. Wray: To ask the Secretary of State for Trade and Industry what information he has or is seeking regarding the involvement of Ferranti subsidiary ISC, or its shell companies, Darlow, Tool Techniques and Varitech in the selling of arms to South Africa; and if he will make a statement.

Mr. Redwood: It is not our practice to comment on specific arms sales; however, Her Majesty's Government do abide by UN resolution 418 which prohibits the sale of arms to South Africa. Export licence applications under the Export of Goods (Control) Order for such exports would be refused.

THE ARTS

Arts Council (Report)

Mr. Jessel: To ask the Minister for the Arts whether he has yet received the report he commissioned from Mr. Richard Wilding about the role of the Arts Council and Regional Arts Association.

Mr. Luce: I have now received the report which I commissioned from Mr. Richard Wilding in December last year about the structure of support for the arts in England.

Mr. Wilding's report is the first major review of the structure and organisation of arts support for many years.

I commissioned the report at a time of major growth and development in the arts and a change in the nature of arts funding by central Government, the private sector and local authorities. I felt it was important that the structure for distributing these funds was still achieving its primary objectives: to create an environment in which the arts in England could flower; and to sustain the confidence of the arts world and the public in the system of distribution of taxpayers' money to the arts.

The report was to examine areas of possible concern: accountability for the public money spent by regional arts associations; lack of coherence between national funding bodies and the RAAs; cumbersome structures for handling business; and the cost of administering the whole system.

Mr. Wilding has now prepared his report, following extensive consultations with the Arts Council, the regional arts associations and other bodies and individuals with an interest in the subsidised arts sector.

I am keen to ensure that everyone who has an interest in the administration of the arts has the opportunity to comment on the proposals which have resulted from this

process. That is why I have arranged for publication of the report, copies of which are available on request from my office. I have also arranged for copies to be placed in the Libraries of both Houses.

Mr. Wilding has produced a detailed and carefully researched analysis of the current framework for policy making, administration and funding of arts in England. He had identified a number of areas where he thinks there are weaknesses and has proposed specific changes for improvement.

In so doing he has produced a very challenging document which unquestionably provides an invaluable foundation for debate in the arts world. I want that debate to be thorough but I also want to avoid prolonged uncertainty. In view of this, and the extensiveness of Mr. Wilding's own consultations, I propose a limited consultation period and would welcome comments on his recommendations, in writing, before 31 December. I shall want to take these comments fully into account before reaching decisions about Mr. Wilding's recommendations.

NATIONAL FINANCE

Eurotunnel

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if any further proposals to assist in financing the Eurotunnel have been made to the European investment bank since 15 May 1987; and if he will make a statement.

Mr. Ryder: Discussions between the EIB and its clients are commercially confidential and private.

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer, pursuant to his reply of 6 November 1987, *Official Report*, column *899*, if the syndicate of banks formed to co-ordinate the financing of Eurotunnel have now agreed to give a guarantee to the European investment bank in respect of the £1,000,000,000 loan given by the Euro bank to the Eurotunnel; and if he will make a statement.

Mr. Ryder: Yes, sir.

Budget Council

Mr. Couchman: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the recent meeting of the European Community's budget council.

Mr. Ryder: The Budget Council met in Brussels on 28 July. The Paymaster General represented the United Kingdom.

The Council established a first reading draft budget for 1990 totalling 48·19 becu (£30·7 billion) in commitment appropriations and 46·14 becu (£29·4 billion) in payment appropriations, respectively 708·3 mecu (£451·4 million) and 653·3 mecu (£416·4 million) below the figures proposed by the Commission in the preliminary draft budget (PDB).

The 1990 budget is the second to be subject to the arrangements for budgetary discipline arising from the 1988 European Council and the inter-institutional agreement between the Council, the Commission and the European Parliament which incorporates expenditure ceilings for 1988-92. The following table shows that the first reading draft budget is some way within those ceilings:

	Financial mecu	*Perspective £ million*	*Draft mecu*	*Budget £ million*
Commitment appropriation				
1. FEOGA guarantee	30,700	19,567	26,522	16,904
2. Structural Funds	11,555	7,365	11,527	7,347
3. R & D and Integrated Mediterranean programmes	2,071	1,320	1,957	1,248
4. Other policies	2,729	1,739	2,500	1,593
5. Reimbursements and administration	4,930	3,142	4,688	2,988
6. Monetary reserve	1,000	637	1,000	637
Total	52,985	33,770	48,194	30,717
Total Payment appropriations[1]	50,791	32,372	46,139	29,407

[1] There is only a global ceiling for payments.

Provision for agricultural guarantee expenditure is about 4,000 mecu (£2,549 million) below the financial guideline calculated in accordance with the Budget Discipline Decision of June 1988. The draft budget also includes provision of 1,470 mecu (£940 million) for the cost of depreciating existing agricultural stocks; and of 1,000 mecu (£637 million) for a monetary reserve which can be drawn up only to cover part of any additional agricultural expenditure arising from change in the $/ecu exchange rate.

Non-obligatory expenditure (DNO) in the draft budget totals 16·3 becu (£10·4 billion) in commitments and 14·2 becu (£9·1 billion) in payments. In accordance with the conclusions of the 1988 February European Council, the Budget Council distinguished between so-called "privileged" and "non-privileged" expenditure. In the first category, the draft budget provides for the substantial increase in appropriations for the structural funds agreed at the February 1988 Council and for research and development appropriations at a level consistent with the framework programme adopted in September 1987. As regards non-privileged DNO, the Budget Council reduced the proposed provision in the PDB by an amount sufficient to ensure that, for this category of expenditure, the growth of both payments and commitments was contained within half the maximum rate of 6·1 per cent. communicated by the Commission.

On 9 October, the ECOFIN Council established an amending letter to the PDB providing for economic restructuring aid to Poland and Hungary totalling 200 mecu. This expenditure is in excess of the relevant ceiling in the financial perspective (line 4 in the table) and, as a

temporary device pending the necessary revision of the perspective, the Council agreed to a corresponding negative reserve.

The European Parliament will consider the draft budget at its plenary session in the week beginning 24 October. The Parliament's amendments and modifications will be considered by the Budget Council on 14 November.

VAT Rebates (Farmers)

Mr. Spearing: To ask the Chancellor of the Exchequer what representations he has received concerning applications for value added tax rebates for expenditure not eligible for grants made available to farmers practising low-impact conservation husbandry; and if he will consider varying such eligibility.

Mr. Ryder *[holding answer 17 October 1989]:* None.

Advertising Agencies

Mr. Spearing: To ask the Chancellor of the Exchequer if he will place in the Library the standing arrangements made by her Majesty's Government for the employment of, or making contracts with, advertising agencies; and what advice, instructions and directions have been given to *(a)* regional water authorities and *(b)* the Central Electricity Generating Board in respect of similar activities.

Mr. Lilley *[holding answer 17 October 1989]:* At all times the Government aim to obtain best value for money when selecting advisers and contractors. Contracts with advertising agencies for Government advertising campaigns are handled and placed by the Central Office of Information, which is advised by the Advisory Committee on Advertising. The advertising arrangements of the water authorities and the CEGB are matters for the industries themselves.

HOME DEPARTMENT

Football Hooliganism (Neo-Nazi Groups)

Mr. Wray: To ask the Secretary of State for the Home Department (1) how many incidents of football hooliganism investigated for each year since 1979 involved direct or indirect organised and planned activities by racist or neo-Nazi groups;

(2) how many police forces in England, Scotland and Wales are at present investigating the racial and neo-Nazi connotations of football hooliganism; and if he will make a statement.

Mr. Peter Lloyd: This information is not recorded centrally.

Metropolitan Police (Suspensions)

Mr. Tony Banks: To ask the Secretary of State for the Home Department how many metropolitan police officers have been suspended from duty pending investigation of alleged misconduct to date in 1989.

Mr. Peter Lloyd: I understand from the Commissioner of Police of the Metropolis that 64 officers from that force have been suspended from duty so far this year.

Metropolitan Police Helicopters

Mr. Tony Banks: To ask the Secretary of State for the Home Department (1) if he will call for a report from the Commissioner of Police for the Metropolis as to for what purpose the Metropolitan police helicopter was deployed in Forest Gate at around 7.30 pm on 2 August; and on how many occasions in the last 12 months helicopters have been used by the police in Newham;

(2) if he will provide a breakdown by *(a)* London borough and *(b)* number of occasions on which the Metropolitan police have summoned the assistance of a helicopter in the last 12 months.

Mr. Peter Lloyd: I understand from the Commissioner of Police of the Metropolis that at approximately 7.30 pm on 2 August the helicopter was deployed on two occasions. The first was to locate suspects in the grounds of the Gateway store and the second was to assist police who were in pursuit of a suspect car.

Between 1 October 1988 and 30 September 1989, the helicopter was used on 4,277 occasions. Information about its use by police in individual London boroughs could be obtained only at disproportionate cost.

Animal Experiments

Mr. Tony Banks: To ask the Secretary of State for the Home Department in what form information is kept in his Department regarding experiments on animals carried out by contractors working on behalf of the Ministry of Defence.

Mr. Peter Lloyd: The Home Office collects information about all licensees and their work, but not about funding bodies which may be supporting this work.

Metropolitan Police (Traffic Strategy)

Mr. Tony Banks: To ask the Secretary of State for the Home Department what information he has regarding the overall force traffic strategy prepared by the Metropolitan police.

Mr. Peter Lloyd: I understand that the Metropolitan police have for some time now, been working towards the formulation of a new strategic approach to traffic. I understand that this work is nearing completion.

Party Conferences (Security)

Mr. Tony Banks: To ask the Secretary of State for the Home Department what were the total costs to public funds arising out of security measures provided by the various police forces at the 1989 *(a)* Labour party conference, *(b)* Conservative party conference, *(c)* SLD conference, *(d)* SDP conference and *(e)* Green party conference.

Mr. Peter Lloyd: I understand from the chief officers of the forces concerned that the additional cost of policing the 1989 party conferences were estimated as follows:

Conference	*Force*	*Additional cost* £
Labour	Sussex	4,000
Conservative	Lancashire	1,080,000
Social and Liberal Democrats	Sussex	600
Social Democratic Party	North Yorkshire	None
Green Party	West Midlands	None

The level of resources provided for the policing of party conferences is an operational matter for the chief officer of police in the light of all circumstances, including an assessment of the threat of terrorist attack.

Television Violence

Mr. Boswell: To ask the Secretary of State for the Home Department whether ethnic groups have contacted him about levels of violence on television.

Mr. Renton: We receive a number of letters about violence portrayed on television, but have not received any specifically from ethnic groups.

Independent Television (Scotland)

Mr. Sillars: To ask the Secretary of State for the Home Department when he last met representatives of independent television companies in Scotland; and what subjects were discussed.

Mr. Renton: I visited the Scottish independent television companies on 27 and 28 February, when a wide range of broadcasting issues was discussed. I have also met their representatives on other occasions during discussions on the future of broadcasting.

Arrests (Football Grounds)

Mr. John Marshall: To ask the Secretary of State for the Home Department what information he has as to how many of those arrested at football grounds during the 1987-88 season were subsequently *(a)* tried and *(b)* convicted.

Mr. Peter Lloyd: Information about the outcome of the 6,106 arrests made at Football League matches during the 1987-88 season is not recorded centrally.

Serious Crimes Squad (West Midlands)

Mr. Mullin: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands as to how many officers were serving with the serious crimes squad at the time it was disbanded.

Mr. Peter Lloyd: I understand from the chief constable that there were 29 officers serving with the squad at the time that it was disbanded in August 1989.

Dispersal Prisons (Costs)

Mr. Hinchliffe: To ask the Secretary of State for the Home Department if he will state the current cost per inmate per week in each dispersal prison.

Mr. Peter Lloyd: The average cost per inmate per week in each dispersal prison in 1988-89 (the most recent year for which information is available) was:

	£
Albany	586
Frankland	533
Full Sutton	742
Gartree	555
Long Lartin	505
Parkhurst	829
Wakefield	365

Police Manpower

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department what has been the increase in police manpower since 1979.

Mr. Peter Lloyd: At the end of July this year, police manpower stood at a record level of 169,022, made up of 125,808 police officers and 43,214 civilian staff. These figures represent a gain of 14,315 police officers and 8,584 civilians under this government since May 1979.

My right hon. Friend will be able to approve a further 1,100 police posts for 1990-91 so that police numbers will continue to grow.

Random Breath Testing

Mr. Jack: To ask the Secretary of State for the Home Department how many replies he has received to his request for opinions from the public on the introduction of random breath testing; and how many responses were in favour of this proposal.

Mr. Peter Lloyd: I refer the hon. Member to the reply given to the hon. Member for East Lothian (Mr. Home Robertson) on 8 May 1989 at column *284*.

ENERGY

Plutonium

Dr. Thomas: To ask the Secretary of State for Energy when he last discussed the issue of plutonium-contaminated waste with the chairman of the Radioactive Waste Management Advisory Committee.

Mr. Michael Spicer: My right hon. Friend the Secretary of State has not met the chairman of the Radioactive Waste Management Advisory Committee. RWMAC advises my right hon. Friends the Secretaries of State for the Environment, Scotland and Wales, with whom policy responsibility for radioactive waste management matters lies.

Alternative Energy

Mr. Wray To ask the Secretary of State for Energy what is for each year since 1979 the amount of public funds spent on research on energy produced by *(a)* off-shore wind turbines, *(b)* wave and tidal power, *(c)* solar technology and *(d)* other kinds of alternatives to coal, oil and nuclear energy.

Mr. Peter Morriso he table sets out expenditure on renewable sources o rgy supported by public funds since 1979. Information on expenditure on offshore wind R and D is included in the totals for wind R and D. Total expenditure on offshore wind since 1979 is £1·07 million (Department of Energy and CEGB).

Public sector R, D and D expenditure on renewable energy (£ million)

	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Wind	1·1	1·4	2·1	4·6	4·5	6·6	7·5	6·0	7·3	8·5
Wave	3·0	3·3	4·4	3·1	1·2	0·4	0·6	0·2	0·2	0·1
Geothermal Aquifers	1·5	1·9	4·1	2·3	2·1	1·3	0·3	0·1	0·0	0·1
Geothermal hot dry rocks	0·0	0·6	5·6	3·0	2·9	4·6	3·5	3·5	3·7	3·6
Solar	1·5	1·2	1·5	1·7	1·6	0·8	1·0	1·0	1·2	1·5
Biomass[1]	0·3	1·1	1·0	1·8	0·9	1·2	0·9	1·3	2·3	2·1
Tide	0·6	1·4	0·4	0·0	0·0	0·3	0·1	0·1	1·4	1·2
Hydro/general studies	—	—	—	—	—	—	—	—	0·8	0·8
Technology transfer and promotion	—	—	—	—	—	—	—	—	0·7	1·0
ETSU management	1·4	2·2	2·3	2·0	1·9	2·1	2·0	2·3	2·3	2·5
Total	9·4	13·1	21·4	18·5	15·1	17·3	15·9	14·5	19·9	21·4

[1] Includes expenditure on "waste as a fuel" projects under the Energy Efficiency Office Demonstration Scheme.

Notes:
1. The table incorporates expenditure on renewable energy by Government Departments. Science Engineering Research Council, Natural Environment Research Council and the CEGB.
2. Up to 1986-87 total for R and D also includes expenditure on low head hydro and general studies to 1986-87. These are separately identified for 1987-88 and include work carried out by the Chief Scientist Group, ETSU.
3. The totals for solar energy incorporate work on passive solar design of buildings, active solar water heating and photovoltaics.
4. The totals for wave incorporate work on ocean thermal energy conversion.

Mr. Wray: To ask the Secretary of State for Energy what plans he has to implement the Central Electricity Generating Board scientific report on energy produced by wind turbines based off-shore.

Mr. Peter Morrison: I am not aware of the report to which the hon. Member refers. My Department is continuing to investigate the technical and economic feasibility of offshore wind energy.

Energy Saving

Mr. Wray: To ask the Secretary of State for Energy what research his Department is carrying out or sponsoring in order to improve energy saving techniques.

Mr. Peter Morrison: Research under the "energy efficiency best practice" programme is directed to four interrelated elements: compilation of "energy consumption guides" giving data on energy use so consumers can compare their performance with others in their sector; provision of "good practice guides" promoting proven techniques which are already enabling the better energy users to be more efficient; production of "new practice" case studies on first commercial applications of new energy efficiency techniques, to promote wider implementation; support for "future practice" pre-competitive research and development work on a joint venture basis.

PRIME MINISTER

Official Visits

Mr. Tony Banks: To ask the Prime Minister if she will state for the period since 29 July *(a)* the countries she visited officially, *(b)* how many civil servants accompanied her, *(c)* the total cost involved, *(d)* the method of travel and *(e)* the number of journalists who used official transportation.

Sir Geoffrey Howe: I have been asked to reply.

Since 29 July, the Prime Minister has visited Japan and Moscow. She was accompanied by 12 civil servants, plus a further two for the Moscow leg. Transport was provided by an RAF VC10 and 18 representatives of the media travelled with her. Information on costs for the visit is not yet available.

Mr. Tony Banks: To ask the Prime Minister what action has been taken by her Department to recover outstanding moneys from media organisations arising from their representatives accompanying her on overseas visits.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister is satisfied that the arrangements used by her office for expediting the payment of overdue invoices are effective.

Policy Unit

Mr. Tony Banks: To ask the Prime Minister what was the total cost in 1988-89 of the Prime Minister's policy unit.

Sir Geoffrey Howe: I have been asked to reply.

The cost in 1988-89 of the Prime Minister's policy unit was £351,832.

No. 10 Downing Street

Mr. Tony Banks: To ask the Prime Minister what was the total cost of *(a)* decoration and *(b)* furnishings in No. 10 Downing street during 1988-89; and what are the estimated totals for 1989-90.

Sir Geoffrey Howe: I have been asked to reply.

The total cost in 1988-89 for decorations and furnishings for 10 Downing street was £391,125. The estimated cost of similar works over 1989-90 is £606,313.

The current works relate to the rooms used for state and public occasions; and reflect the costs necessary to refurbish part of one of the country's historic buildings, which had not been refurbished for nearly 20 years.

TRANSPORT

Eurotunnel

Mr. Teddy Taylor: To ask the Secretary of State for Transport if he will make a further statement on the arrangements for financing Eurotunnel insofar as they fall within his responsibility.

Mr. Portillo: Responsibility for Channel tunnel financing arrangements is entirely a matter for Eurotunnel.

Mr. Teddy Taylor: To ask the Secretary of State for Transport if he will make a statement on measures to ensure security in the Eurotunnel, and arrangements to identify explosives in any vehicle.

Mr. Portillo: The Government take very seriously the need to protect the tunnel and those who will use it. A security check regime will be required. It would not be appropriate for me to make a statement on the details of the security arrangements.

Mr. Teddy Taylor: To ask the Secretary of State for Transport when he anticipates that Eurotunnel will be open to traffic.

Mr. Portillo: I understand that Eurotunnel's projected opening date is 15 June 1993.

Air Controls

Mr. Wray: To ask the Secretary of State for Transport what action he is taking to improve the present controls system which the Association of European Airlines report found to be fragmented, costly and inefficient.

Mr. McLoughlin: Over the last year, the United Kingdom has successfully promoted a series of practical initiatives to improve co-operation and coordination between air traffic control authorities in Europe. The European Civil Aviation Conference recently established a task force to examine the scope for further integration of air traffic control systems. The task force's recommendation will be considered by European Transport Ministers early next year.

Merchant Fleet

Mr. Wray: To ask the Secretary of State for Transport what is for each year since 1979 *(a)* the tonnage capacity of the British merchant fleet and *(b)* the number of the British merchant ships.

Mr. McLoughlin: The number and tonnage of trading vessels registered in the United Kingdom, Crown dependencies and dependent territories at 1 July in each year since 1979 is as follow:

Trading vessels registered in the United Kingdom, Crown Dependencies and the Dependent Territories: 1979-89

Registry — *Thousand tons*

	United Kingdom			*Crown Dependencies*			*Dependent Territories (excluding Hong Kong)*			*Hong Kong*			*Total Trading Fleet*		
Year	*No.*	*Grt*	*Dwt*	*No.*	*Grt*	*Dwt*	*No.*	*Grt*	*Dwt*	*No.*	*Grt*	*Dwt*	*No.*	*Grt*	*Dwt*
1979	1,756	26,905	44,296	0	0	0	236	1,902	3,210	87	1,443	2,231	2,079	30,250	49,737
1980	1,698	26,070	43,013	0	0	0	266	1,917	3,237	98	1,691	2,643	2,062	29,678	48,893
1981	1,552	24,417	40,473	0	0	0	250	757	1,154	132	2,553	4,060	1,934	27,728	45,688
1982	1,374	21,388	35,085	48	59	69	256	741	1,159	158	3,469	5,670	1,836	25,658	41,984
1983	1,217	18,103	29,000	43	45	47	308	1,345	2,145	183	4,348	7,237	1,751	23,841	38,429
1984	1,096	14,773	23,157	55	87	120	312	1,366	2,247	224	5,748	9,573	1,687	21,975	35,097
1985	1,019	13,236	20,805	55	103	138	337	1,905	3,022	265	6,813	11,314	1,676	22,057	35,280
1986	902	10,285	15,593	59	287	442	413	4,135	6,834	285	8,120	13,642	1,659	22,827	36,511
1987	734	5,578	7,371	112	1,913	3,468	377	5,358	9,406	281	7,974	13,446	1,504	20,822	33,692
1988	685	5,091	6,452	116	2,120	3,806	351	7,142	13,242	260	7,266	12,327	1,412	21,619	35,826
1989	573	4,328	5,351	115	2,084	3,749	280	7,053	13,227	286	6,189	10,470	1,254	19,655	32,797

Notes:

1. Vessels registered in the Crown Dependencies during 1979, 1980 and 1981 are included in the United Kingdom statistics for those years.
2. 'Grt' stands for 'Gross Registered Tonnage'.
3. 'Dwt' stands for 'Deadweight tonnage'.
4. The Crown Dependencies include the Isle of Man and the Channel Islands.
5. The main Dependent Territories' registers are Gibraltar, Bermuda and the Cayman Islands.
6. The figures exclude non-trading type vessels such as tugs, off-shore supply ships and fishing vessels.

Marchioness

Mr. Bowis: To ask the Secretary of State for Transport if he will give details of the Government's contribution to the disaster fund set up by the mayor of Southwark for the victims of the Marchioness disaster and their families.

Mr. McLoughlin: Following the Marchioness disaster, the Government made a contribution of £125,000 to the river boat disaster fund. Neither the fund nor the Government's contribution to it will affect any possible claims for compensation.

Parliamentary approval for this payment will be sought in a supplementary supply estimate for the administration and transport services vote. Pending that approval, the £125,000 donation has been met from a repayable advance from the Contingencies Fund. As savings have occurred in class VIII, 2, there will be no increase in the public expenditure planning total.

Dock Workers (Redundancies)

Mr. Nicholas Bennett: To ask the Secretary of State for Transport how many former registered dock workers have been made redundant since the abolition of the dock labour scheme; how much the Government have contributed towards the redundancy payments; and if he will make a statement.

Mr. McLoughlin: As at 13 October, 3,938 former registered dock workers had been made redundant out of 9,221 on the register when the Scheme was abolished on 3 July. In accordance with the provision of the Dock Work

(Compensation Payments Scheme) Regulations 1989, the Department has contributed £78,760,050 towards the redundancy compensation payments. It is estimated that further payments will bring the total in 1989-90 to about £90 million.

Provision of £10 million was made in the summer supplementary estimate on class VIII, vote 3, and I shall be seeking parliamentary approval of a winter supplementary estimate on that Vote of a further £80 million for the compensation scheme.

The number of redundancies is far higher than had been expected, but clearly demonstrates that the overmanning in ports under the dock labour scheme was greater than had been realised. A major improvement in the efficiency of working methods in the ports is now taking place.

Sir Keith Bright

Mr. Harry Greenway: To ask the Secretary of State for Transport whether discussions on the terms on which Sir Keith Bright departed from London Regional Transport have now been concluded.

Mr. Parkinson: Yes. After due consideration of a claim made by Sir Keith Bright, I have determined that London Regional Transport shall pay to him the sum of £34,000 in settlement of the matter.

Tunnel Services

Mr. Arbuthnot: To ask the Secretary of State for Transport whether the users of the tunnel lids over the M25 at Bell Common, Epping and Holmesdale, Enfield and the A1(M) at Hatfield pay for the maintenance of the tunnel services in the form of a rent or lump sum up front.

Mr. Atkins: The Department of Transport bears the whole cost of maintaining and servicing all three tunnels. There are no commercial uses of the M25 tunnel lids.

AGRICULTURE, FISHERIES AND FOOD

Organic Farming

Mr. Wray: To ask the Minister of Agriculture, Fisheries and Food what information he has for each year since 1979 on the amount of organic food produced in *(a)* Canada, *(b)* Denmark, *(c)* France, *(d)* the Federal Republic of Germany, *(e)* Holland, *(f)* Sweden and *(g)* the United States of America.

Mr. Maclean: This information is not available.

Mr. Wray: To ask the Minister of Agriculture, Fisheries and Food, what is the amount of *(a)* private and *(b)* public funds spent on research about organic farming for each year since 1979.

Mr. Maclean: Information on the amount of public funds spent on research about organic farming for this year was given in the reply to the hon. Member for Halifax (Mrs. Mahon) on 18 May at col. *300*. Information for earlier years can be produced only at disproportionate cost. Information on the amount of private funds spent on organic farming is not available.

Mr. Wray: To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to support and promote organic farming.

Mr. Maclean: The Government are already encouraging British farmers in various ways to respond to consumer demand for organic produce. My Department was instrumental in setting up the United Kingdom register of organic food standards to produce national organic standards and an independent certification and inspection scheme. UKROFS is now well advanced in its work. The fallow option of the set-aside scheme enables farmers to prepare their land for organic production without forgoing income entirely. Similar support is being considered under the forthcoming extensification scheme. The farm and conservation grant scheme, co-operative sector assistance and ADAS advice are all available to organic producers. My department's R & D activities are also relevant to organic farming as is the recently announced comprehensive economic survey of organic farming which we are funding.

Conservation Husbandry

Mr. Spearing: To ask the Minister of Agriculture, Fisheries and Food if he will list those grants now available to farmers practising low-input conservation husbandry.

Mr. Maclean *[holding answer 17 October 1989]:* The full range of Government grants is available to those farmers pursuing less intensive husbandry systems with an emphasis on good conservation practice. Some are likely to match their more specific needs. For example, farmers who wish to convert to organic farming can take advantage of the fallow provisions of the set-aside scheme which enable them to prepare their land to meet organic standards without foregoing income entirely. Under the agricultural and horticultural co-operation schemes grant aid may be available towards formation and marketing costs of co-operatives formed to market organic produce or other foods produced under low input systems. Capital grants may also be available to established co-operatives towards the cost of buildings and equipment. In addition, incentives to protect and improve the environment exist under schemes such as the farm and conservation grant scheme, the environmentally sensitive areas scheme and the farm woodland scheme. Further assistance to less intensive farming under the options of the extensification scheme is under consideration.

Synthetic Chemicals

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the reply to the hon. Member for Holland with Boston (Sir R. Body) of 27 July, *Official Report*, column *961*, if he will make a statement on his detailed consultation with the United Kingdom Register of Organic Foodstuffs Board on synthetic chemicals.

Mr. Maclean *[holding answer 17 October 1989]:* The reply of 27 July at column *961* referred to detailed consultations with the board of the United Kingdom register of organic food standards and other bodies representing the producers, processors, manufacturers and consumers of organic foods when the European Commission's proposals on organic agriculture are submitted to the Council of Agriculture Ministers. These proposals have not yet been submitted by the Commission.

HOUSE OF COMMONS

Select Committee Reports

Mr. Amess: To ask the Lord President of the Council if he will list those Select Committee reports which have been debated on the floor of the House in each Session since 1966.

Sir Geoffrey Howe: The information requested is as follows:

Select Committee reports debated in the House since 1966
I. Reports debated on substantive Motions[1]

	Date
Session 1965-66	
House of Commons (Services) Committee: First Report (1965-66)	3 February 1966
Session 1966-67	
Procedure Committee: Fourth Report (1964-65), Report (1965-66) and First Report (1966-67)	14 December 1966
Estimates Committee: First Report and Fifth Special Report (1966-67)	9 February 1967
Procedure Committee: First, Second, Third and Fourth Reports (1966-67)	19 April 1967
Estimates Committee: Fourth Report and Ninth Special Report (1966-67)	4 May 1967
Session 1967-68	
Public Accounts Committee: Fifth Report and First and Second Report (1966-67)	13 November 1967
Procedure Committee: First, Second, Fourth, Fifth and Sixth Reports (1966-67)	14 November 1967
Estimates Committee: Ninth Report (1966-67) and Second Special Report (1967-68)	6 February 1967
Public Accounts Committee: Third Special Report (1967-68)	25 April 1967
Agriculture Committee: Report (1966-67)	14 May 1967
Science and Technology Committee: Report (1966-67)	23 May 1967
Session 1968-69	
Estimates Committee: Eleventh Report (1966-67) and Fifth Special Report (1967-68)	14 November 1968
Public Accounts Committee: First, Second and Third Reports (1967-68)	5 December 1968
Estimates Committee: Sixth Report (1967-68)	12 June 1969
Committee on Parliamentary Privilege: Report (1967-68)[2]	4 July 1969
Session 1969-70	
Public Accounts Committee: First, Second and Third Reports (1968-69)	20 November 1969
Estimates Committee: Eighth Report (1967-68)	5 February 1970
Session 1970-71	
Public Accounts Committee: First, Second and Third Reports (1969-70)	10 November 1970
House of Commons (Services) Committee: First Report (1970-71)	23 November 1970
Estimates Committee: Fifth Report (1968-69)	7 December 1970
Scottish Affairs Committee: Report (1969)	3 February 1971
Committee on Standing Orders (Revision): Report (1970-71)	8 March 1971
Procedure Committee: Second Report (1969-70)[3]	7 April 1971
House of Commons (Services) Committee: Fifth Report (1970-71)	7 April 1971
Science and Technology Committee: Second Report (1969-70)	27 May 1971
Committee on Parliamentary Privilege: Report (1967-68)	16 July 1971
House of Commons (Services) Committee: Sixth Report (1970-71)[4]	30 July 1971
Session 1971-72	
Expenditure Committee: First Report (1970-71), Special Report (1971-72) and First Report (1971-72)	9 February 1972
House of Commons (Services) Committee: Fourth Report	9 and 13 June 1972
Procedure Committee: Fourth Report (1971-72)	28 June 1972
Expenditure Committee: Second Report and Fifth Special Report (1971-72)	7 August 1972
Session 1972-73	
Public Accounts Committee: First, Second and Third Reports (1971-72)	7 December 1972
Committee on Parliamentary Questions: Report (1972-73)	18 December 1972
Procedure Committee: Second and Third Reports (1972-73)	18 December 1972
Joint Committee on Delegated Legislation: Report (1972-73)	18 December 1972
Science and Technology Committee: First, Second, Third and Fourth Reports (1972-73)	22 January 1973
European Secondary Legislation Committee: First Report (1972-73)	18 April 1973
Nationalised Industries Committee: Second Report (1971-72)	3 May 1973
Expenditure Committee: First and Second Reports (1972-73)	9 July 1973
Session 1973-74	
Procedure Committee: Fifth Report (1972-73)	20 November 1973
Public Accounts Committee: First to Eighth Reports (1972-73)	3 December 1973
House of Commons (Services) Committee: Sixth Report (1972-73)	10 December 1973
Expenditure Committee: Fourth, Sixth and Seventh Reports (1972-73), Second Special Report (1970-71), Sixth Special Report (1971-72) and Second and Fourth Special Reports (1972-73)	15 January 1974
Session 1974	
House of Commons (Services) Committee: First, Second and Third Reports (1974)	27 June 1974
Session 1974-75	
Public Accounts Committee: First to Fourth Reports (1974)	13 January 1975
Expenditure Committee: First Report (1974)	1 May 1975
Expenditure Committee: Third Report (1973-74), Third Report (1974) and Seventh Report (1974)	10 July 1975
Procedure Committee: First Report (1974-75)	3 November 1975
Session 1975-76	
Committee of Privileges: First Report (1975-76)	16 December 1975

	Date
Public Accounts Committee: First to Fifth Reports (1974-75)	22 January 1975
House of Commons (Services) Committee: First Report (1975-76)	8 March and 16 March 1976
Expenditure Committee: Eleventh Report (1974-75)	13 April 1976
Joint Committee on Sound Broadcasting: First Report (1975-76)	3 August 1976
Session 1976-77	
Public Accounts Committee: First to Sixth Reports (1975-76)	9 December 1976
House of Commons (Services) Committee: Sixth Report (1975-76) and First Report (1976-77)	18 January 1977
Expenditure Committee: Fifth Report (1974-75) and Eighth Report (1975-76)	14 March 1977
House of Commons (Services) Committee: First Report (1976-77) (resumed debate)	15 March 1977
House of Commons (Services) Committee: Fourth Report (1976-77)	5 May 1977
Overseas Development Committee: Second Report (1975-76), First Special Report (1976-77), Second Report (1976-77) and Second Special Report (1976-77)	13 June 1977
Committee on the Conduct of Members: Report (1976-77)	26 July 1977
Joint Committee on Sound Broadcasting: Second Report (1976-77)	26 July 1977
Session 1977-78	
Public Accounts Committee: First to Tenth Reports (1976-77)	9 January 1978
House of Commons (Services) Committee: Fourth and Fifth Reports (1976-77)	26 January 1978
Committee of Privileges: Third Report (1976-77)	6 February 1978
House of Commons (Services) Committee: Seventh Report (1976-77)	21 February 1978
Nationalised Industries Committee: First, Second and Fifth Reports (1977-78)	9 March 1978
Expenditure Committee: First Report (1976-77)	12 June 1978
Committee on Violence in Marriage: Report (1974-75)	16 June 1978
Committee on Violence in the Family: First Report (1975-76), First and Second Report (1976-77)	16 June 1978
House of Commons (Services) Committee: Fourth Report (1977-78)	29 June 1978
House of Commons (Services) Committee: Fifth Report (1977-78)	28 July 1978
Session 1978-79	
Committee on the Parliamentary Commissioner for Administration: First and Fourth Reports (1977-78)	1 December 1978
Public Accounts Committee: First to Tenth Reports and First and Second Special Reports (1977-78)	4 December 1978
Expenditure Committee: Eleventh Report (1976-77) and Twelfth Report (1977-78)	15 January 1979
Session 1979-80	
Procedure Committee: First Report (1977-78)	31 October 1979
House Affairs Committee: Second Report (1979-80)	5 June 1980
Public Accounts Committee: First to Seventh and Tenth Reports (1979-80)	1 May 1980
Procedure Committee Report (1977-78) and (1976-77)	30 October 1980
Session 1980-81	
Social Services Committee: Second Report (1979-80)	5 December 1980
Public Accounts Committee: Fifth to Thirty-fifth Reports (1979-80)	29 January 1981
Procedure Committee Report (1977-78)	31 January 1981
Session 1981-82	
Education, Science and Arts Committee (1980-81)	22 February 1982
Public Accounts Committee: First to Seventeenth Reports (1980-81)	19 April 1982
Committee on Members' Salaries (1981-82)	10 June 1982
Session 1982-83	
Committee on Standing Orders (Revision) Report (1982-83)	30 March 1983
Session 1983-84	
House of Commons (Services) Committee: Report (1982-83)	22 November 1983
Public Accounts Committee: First Special and First to Eleventh Reports (1982-83)	20 March 1984
Public Accounts Committee: First to Ninth Reports (1983-84)	20 March 1984
House of Commons (Services) Committee: First Report (1983-84)	2 May 1984
Procedure Committee: First Report (1983-84)	31 October 1984
House of Commons (Services) Committee: Second Report (1983-84)	31 October 1984
Session 1984-85	
Public Accounts Committee: Twenty-Fifth Report (1983-84)	1 May 1985
Public Accounts Committee: Tenth to Twenty-Fourth Reports and Twenty-Sixth to Thirty-Fifth Reports (1983-84), and First to Twenty-Fifth Reports (1984-85)	24 October 1985
Session 1985-86	
Committee on Members' Interests: Second Report (1984-85)	17 December 1985
House of Commons (Services) Committee: Second Report (1984-85)	29 January 1986
Procedure Committee: Second, Third and Fourth Reports (1984-85) and First Report (1985-86)	27 February 1986
European Legislation Committee: First Special Report (1985-86)	5 March 1986
Environment Committee: Second Report (1985-86)	13 May 1986
Privileges Committee: Report (1985-86)	20 May 1986
Public Accounts Committee: Twenty-Sixth to Thirty-Eighth Reports (1984-85) and First to Fourteenth and Sixteenth to Eighth Reports (1985-86)	3 July 1986
Trade and Industry Committee: Second Report and Fifth Special Report (1985-86)	7 July 1986
Session 1986-87	
Nil	
Session 1987-88	
Public Accounts Committee: Fifteenth and Nineteenth to Fifty-Second Reports (1985-86), and First to Nineteenth Reports (1986-87)	3 December 1987
Public Accounts Committee: First to Thirty-Sixth Reports, Forty-First Report and First Special Report (1987-88)	3 November 1988
Session 1988-89 (to 17 October 1989)	

	Date
House of Commons (Services) Committee: Second Report (1987-88)	30 January 1989
Committee on Televising of Proceedings of the House: First Report (1988-89)	12 June 1989

[1] Includes Reports debated on Supply Days, but not Reports debated on motions for the Adjournment (for which see table II).
[2] See also 16 July 1971.
[3] Named in a Motion but not debated.
[4] Named in a Motion but not debated.

II. Reports referred to on the Order Paper as being relevant to debate in the House, including, inter alia, debates on motions for the Adjournment of the House and on Estimates Days.

	Date
Session 1979-80	
Defence Committee: Second Report (1979-80)	28 and 29 April 1980
Treasury and Civil Service Committee: Second Report (1979-80)	7 May 1980
Session 1980-81	
Treasury and Civil Service Committee: Fifth Report (1980-81)	9 April 1981
Defence Committee: Second Report (1980-81)	19 and 20 May 1981
Foreign Affairs Committee: Fifth Report (1980-81)	24 July 1981
Session 1981-82	
Foreign Affairs Committee: First and Second Report (1980-81)	17 February 1982
Foreign Affairs Committee: First Report (1981-82)	17 February 1982
Treasury and Civil Service Committee: Fourth Report (1981-82)	6 April 1982
Treasury and Civil Service Committee: Fifth Report (1981-82)	21 April 1982
Social Services Committee: Fourth Report (1980-81)	18 June 1982
Session 1982-83	
Agriculture Committee: First Report (1980-81)	17 November 1982
Treasury and Civil Service Committee: Third Report (1982-83)	9 March 1983
Treasury and Civil Service Committee: Second Report (1982-83)	14 March 1983
Treasury and Civil Service Committee: Fifth Report (1982-83)	14 April 1983
Treasury and Civil Service Committee: Fourth Report (1982-83)	18 April 1983
Session 1983-84	
Treasury and Civil Service Committee: Third Report (1981-82)	28 October 1983
Social Services Committee: Third Report (1981-82)	25 November 1983
Employment Committee: First Report (1983-84)	27 February 1984
Treasury and Civil Service Committee: First Report (1983-84)	6 March 1984
Treasury and Civil Service Committee: Third Report (1983-84)	6 March 1984
Public Accounts Committee: Twelfth Report (1983-84)	8 March 1984
Energy committee: Second Report (1983-84)	8 March 1984
Public Accounts Committee: Ninth Report (1983-84)	12 March 1984
Treasury and Civil Service Committee: Fourth Report (1983-84)	10 April 1984
Social Services Committee: First Report (1983-84)	4 May 1984
Education, Science and Arts Committee: Eighth Report (1981-82)	14 June 1984
Defence Committee: First Report (1983-84)	18 and 19 June 1984
Education, Science and Arts Committee: First and Second Reports (1983-84)	4 July 1984
Environment Committee: Second Report (1983-84)	4 July 1984
Treasury and Civil Service Committee: Seventh Report (1983-84)	10 July 1984
Environment Committee: Third Report (1983-84)	17 July 1984
Foreign Affairs Committee: Second and Fourth Report (1983-84)	17 July 1984
Public Accounts Committee: Twenty-sixth Report (1983-84)	17 July 1984
Defence Committee: Third Report (1983-84)	22 October 1984
Session 1984-85	
Treasury and Civil Service Committee: First Report (1984-85)	6 December 1984
Procedure Committee: Report on Procedure Finance (1982-83)	6 December 1984
Energy Committee: Fourth Report (1983-84)	18 December 1984
Environment Committee: Fourth Report (1983-84)	11 January 1985
Treasury and Civil Service Committee: Third Report (1984-85)	22 January 1985
Treasury and Civil Service Committee: Sixth Report (1984-85)	4 March 1985
Energy Committee: Fifth Report (1983-84)	14 March 1985
Foreign Affairs Committee: Fifth Report (1983-84)	14 March 1985
Treasury and Civil Service Committee Eighth Report (1984-85)	29 April 1985
Employment Committee: Fifth Report (1984-85)	6 June 1985
Defence Committee: First and Third Reports (1984-85)	12 and 13 June 1985
Environment Committee: Third and Fourth Reports (1984-85)	11 July 1985
Social Services Committee: First and Second Report (1984-85)	11 July 1985
Trade and Industry Committee: Third Report (1984-85)	18 July 1985
Session 1985-86	
Foreign Affairs Committee: Fifth Report (1984-85)	22 November 1985
Treasury and Civil Service Committee: Second Report (1985-86)	12 December 1985
Foreign Affairs Committee: Second Report (1984-85) and First Report (1985-86)	17 December 1985
Social Services Committee: First Report (1985-86)	28 January 1986
European Legislation Committee: Seventh Report (1985-86)	3 February 1986
Treasury and Civil Service Committee: Third Report (1985-86)	20 February 1986
European Legislation Committee: First Special Report (1985-86)	5 March 1986
Treasury and Civil Service Committee: Fourth Report (1985-86)	29 April 1986
Environment Committee: Third and Fourth Reports (1985-86)	24 June 1986
Employment Committee: First, Second and Third Reports (1985-86)	24 June 1986
Defence Committee: Second Report (1985-86)	30 June 1986 and 1 July 1986
Trade and Industry Committee: First Report (1985-86)	9 July 1986
Social Services Committee: Fourth Report (1985-86)	9 July 1986

	Date
Treasury and Civil Service Committee: Fifth Report and Second Special Report (1985-86)	10 July 1986
Defence Committee: Third and Fourth Reports (1985-86)	29 October 1986
Session 1986-87	
Treasury and Civil Service Committee: Second Report (1986-87)	17 December 1986
Treasury and Civil Service Committee: Third Report (1986-87)	18 February 1987
Energy Committee: First Report (1986-87)	11 March 1987
Treasury and Civil Service Committee: Sixth Report (1986-87)	22 April 1987
Session 1987-88	
Defence Committee: First, Third, Fourth and Fifth Reports (1986-87)	27 and 28 October 1987
House of Commons (Services) Committee: Second Report (1984-85)	10 November 1987
Energy Committee: First Report (1986-87)	20 November 1987
Foreign Affairs Committee: Third Report (1986-87)	4 December 1987
Treasury and Civil Service Committee: First Report (1987-88)	14 January 1988
Treasury and Civil Service Committee: Second Report (1987-88)	24 February 1988
Environment Committee: Second Report and Second Special Report (1986-87)	26 February 1988
Agriculture Committee: First Report (1987-88)	8 March 1988
Energy Committee: Second Report (1987-88)	8 March 1988
Energy Committee: First Report (1987-88)	9 March 1988
Treasury and Civil Service Committee: Fourth Report (1987-88)	26 April 1988
Treasury and Civil Service Committee: Third Report (1987-88)	11 May 1988
Environment Committee: First Report (1987-88)	14 June 1988 and 12 July 1988
Social Services Committee: First and Third Reports (1987-88)[1]	5 July 1988
Defence Committee: Fourth Report (1987-88)	7 July 1988
Treasury and Civil Service Committee: Fifth Report (1987-88)	11 July 1988
Procedure Committee: Third Report (1985-86)	13 July 1988
Social Services Committee: Third Report (1987-88)	21 July 1988
Employment Committee: First Report (1987-88)	21 July 1988
Defence Committee: Third, Fifth and Sixth Reports (1987-88)	19 and 20 October 1988
Environment Committee: First Report (1985-86)	28 October and 4 November 1988
Environment Committee: Third Report and Third Special Report (1986-87)	4 November 1988
Session 1988-89 (to 17 October 1989)	
Procedure Committee: Second Report (1984-85), Second Report (1985-86), First to Fourth Reports (1986-87) and First Report (1987-88)	30 November 1988
House of Commons (Services) Committee: First Report (1987-88) and Second Report (1986-87)	2 December 1988
Energy Committee: Third Report and Third Special Report (1987-88)	13 December 1988
Treasury and Civil Service Committee: First Report (1988-89)	12 January and 9 February 1989
Social Services Committee: Third Report (1986-87)	13 January 1989
Education Committee: First Report (1988-89)	18 January 1989
Home Affairs Committee: Third Report and Third Special Report (1987-88)	8 February 1989
Environment Committee: First Report (1988-89)	24 February 1989
Defence Committee: Sixth Report (1987-88)	28 February 1989
Agriculture Committee: First Report (1988-89)	7 March 1989
Foreign Affairs Committee: Fourth Report (1987-88)	7 March 1989
Energy Committee: Third Report (1988-89)	13 April 1989
Treasury and Civil Service Committee: Fourth Report (1988-89)	25 April 1989
Social Services Committee: Fifth Report (1987-88)	11 May 1989
European Legislation Committee: First Special Report (1988-89)	18 May 1989
Defence Committee: First Report (1988-89)	8 June 1989
Environment Committee: First Report (1986-87) and First Special Report (1987-88)	15 June 1989
Home Affairs Committee: First Report, Third Report and Fourth Report (1988-89	6 July 1989
Trade and Industry Committee: First Report 1988-89)	6 July 1989
Energy Committee: Fourth Report (1988-89)	10 July 1989
Transport Committee: First Report and Third Special Report (1988-89)	10 July 1989
Foreign Affairs Committee: Second Report (1988-89)	13 July 1989
European Legislation Committee: Thirty-First Report (1988-89)	25 July 1989

[1] See also 21 July 1988.

Notes:

Statistics relating to reports of Select Committees referred to on the Order Paper for Sessions 1965-66 to 1978-79 inclusive are not readily available; the following list therefore only covers Session 1979-80 onwards. Prior to 1979 the practice of "tagging" debates when Select Committee reports were relevant was less frequently used. Practice also changed following the repeal of the Standing Order relating to Business of Supply on 19 July 1982 and its replacement by a new Standing Order relating to Consideration of Estimates, with effect from the following Session. Full information relating to the current Session will appear in the Sessional Return.

In addition there have often been debates (notably in respect of procedure, or the working of the House, but also on other matters) where reports of Select Committees have been relevant to, or mentioned in, the debate but have not been referred to on the Order Paper.

Security Passes

Mr. Tony Banks: To ask the Lord President of the Council how many Commons pass applications have been received during the summer recess in respect of overseas students working for Members; how many are still awaiting security clearance; what is the average time taken to process such applications.

Sir Geoffrey Howe: I understand that 42 pass applications were received during the summer recess in respect of Members' temporary research assistants from overseas, 33 of which are still awaiting clearance. In response to the comments made by the Services Committee in paragraph 11 of its second report, 1987-88, and the House's approval of that report on 30 January this year, new procedures have been introduced for the clearance of all overseas nationals applying for Palace of Westminster photo-identity passes. All the sponsoring organisations were warned in writing by the authorities of the House on 20 June that ample time should in future be allowed for the clearance of such applications. They were also told that it was not possible to be precise on how long the procedures would take but that, at least initially, two months should be allowed for the applications to be processed.

I regret that right hon. and hon. Members may be inconvenienced because the clearances have not yet been received, but the sponsoring organisations failed in the main to heed the warnings they were given. The Pass Office did not receive some of the completed application forms until September. I can assure the House that everything possible is being done to expedite clearance procedures; but timely submission of applications will remain essential if similar inconvenience is to be avoided in future.

Norman Shaw Buildings

Sir Eldon Griffiths: To ask the Lord President of the Council if, in view of the new security requirement that visitors to the Norman Shaw parliamentary office buildings shall use the Derby gate entrance rather than that from the Embankment, he will arrange with Westminster council, the Metropolitan police and the contractors working on the building adjoining Whitehall, to have this area cleaned and tidied and made more presentable for the reception of visitors.

Sir Geoffrey Howe *[holding answer 17 October 1989]:* The area outside Derby gate is not a matter directly for me. However, I have asked the relevant House authorities to take up the question of its cleanliness and tidyness with Westminister city council and the contractors working on the phase 1 site of the new parliamentary buildings.

EMPLOYMENT

Employment Training

Mr. Wray: To ask the Secretary of State for Employment what assessment he has made of the adequacy of the present health and safety standards in the employment training programme.

Mr. Nicholls: Health and safety statistics on employment training do not yet enable a close analysis to be undertaken. They will be kept under close review, and adjustments on employment training health and safety arrangements will be made as necessary in the light of emerging experience.

HEALTH

Rats and Cockroaches

Mr. Wray: To ask the Secretary of State for Health what urgent measures he is taking to combat dangers to public health posed by rats and cockroaches.

Mr. Freeman: Local authorities rather than health authorities are responsible under the Prevention of Damage by Pests Act 1949 for ensuring, as far as is practicable, that their areas are kept free of rats and mice.

In respect of food premises, the Food Hygiene (General) Regulations 1970 which are enforced by local authorities, require the prevention, so far as is reasonable practicable, of any risk of infestation by rats, mice or insects.

Private Health Care

Mr. Wray: To ask the Secretary of State for Health what action his Department is taking to protect the public from expensive and unreliable private health check-ups.

Mr. Freeman: The General Medical Council is responsible for the maintenance of ethical standards in the medical profession.

Mr. Wray: To ask the Secretary of State for Health what are the present regulations regarding *(a)* the establishment and implications of private clinics and *(b)* controls to ensure that the staff of those clinics are properly qualified for the functions they are called upon to perform.

Mr. Freeman: In England and Wales part II of the Registered Homes Act 1984 and its associated regulations require that relevant premises are registered and inspected at least twice a year, that the person in charge is appropriately qualified and that adequate professional, technical, ancillary and other staff are provided. In Scotland the corresponding legislation is the Nursing Homes Registration (Scotland) Act 1938 and the associated regulations. Neither Act contains powers to control health screening clinics.

Ambulance Staff

Mr. Wray: To ask the Secretary of State for Health what is for each year since 1974 the number of National Health Service ambulance staff.

Mr. Mellor: The information is given in the table. Most of the increase shown for ambulance men and women represent qualified staff.

National Health Service staff in post in England—at 30 September each year — *Whole-time equivalent*[1]

Year	*Ambulance officers and Control assistants*	*Ambulancemen/ Women*	*Total*
1974[2]	2,722	13,310	16,032
1975	3,008	14,489	17,497
1976	3,046	14,138	17,184
1977	3,130	14,272	17,402
1978	3,221	14,301	17,522
1979	3,156	13,979	17,129
1980	3,214	14,554	17,768
1981	3,293	14,928	18,221
1982	3,265	15,059	18,324

Year	Ambulance officers and Control assistants	Ambulancemen/ Women	Total
1983	3,249	15,148	18,397
1984	3,174	14,930	18,103
1985	3,139	15,049	18,188
1986	3,124	15,841	18,966
1987	3,037	15,973	19,010
1988	2,980	15,781	18,761

Source: Department of Health (SHI3) annual census of NHS non-medical manpower.

[1] Figures independently rounded to nearest whole time equivalent.
[2] Due to the effects of the 1974 NHS reorganisation figures for 1974 are not consistent with those for later years.

NHS (Pay)

Mr. Wray: To ask the Secretary of State for Health what is for each year since 1979 the average pay increase for National Health Service *(a)* ambulance staff, *(b)* nurses, *(c)* doctors and *(d)* health board managers.

Mr. Mellor: Average pay settlements are given in the table.

Year (1 August to 31 July)	Percentage pay settlement			
	Ambulance staff[1]	Nurses and midwives	Doctors and dentists	General managers[2]
1979-80	39·0	37·9	31·4	—
1980-81	7·3	6·0	6·0	
1981-82	6·0	—	6·2	—
1982-83	4·5	[3]12·3	9·7	—
1983-84	4·5	7·5	6·9	—
1984-85	[4]7·8	[5]8·6	6·3	—
1985-86	6·0	7·8	7·6	—
1986-87	5·0	9·5	7·7	5·9
1987-88	[6]5·4	17·9	7·9	5·0
1988-89	—	6·8	8·2	5·5

[1] Figures exclude ambulance officers and control assistants.
[2] Permanent arrangements for the newly created general manager posts were introduced during 1985-86.
[3] Two-year award paid wholly in 1982-83.
[4] Assumes all productivity allowances achieved; move to salaried pay structure 1 March.
[5] Staged award; final part paid with effect from 1 February 1986.
[6] In addition the standard working week was reduced by one hour.

Under-fives Provision

Mr. Andrew Bowden: To ask the Secretary of State for Health (1) at what intervals the inter-departmental consultative group on provision for under-fives meets;

(2) if he will list the membership of the inter-departmental group on provision for under-fives.

Mr. Mellor: The inter-departmental consultative group meets once a year or more frequently if appropriate.

The following Government Departments and outside organisations are represented on the group:

Department of Health
Department of Education and Science
Department of Social Security
Department of Employment
Department of the Environment
Ministry of Defence
Home Office
Cabinet Office
Welsh Office
Scottish Office
Association of County Councils
Association of Metropolitan Authorities
National Council for Voluntary Child Care Organisations
Voluntary Organisations Liaisons Council for Under Fives
Under Fives Unit of the National Children's Bureau
Commission for Racial Equality

Representatives of other organisations may be invited if there are relevant agenda items.

SOCIAL SECURITY

SF(J) Circulars

Mrs. Beckett: To ask the Secretary of State for Social Security what is the purpose of SF(J) circulars and whether he will place copies of them in the Library.

Mr. Scott: The main purpose of SF(J) circulars is to provide local office staff with administrative instructions relating to matters of financial control and security. It is therefore not departmental practice to make them publicly available.

Community Care Grants

Mr. Sillars: To ask the Secretary of State for Social Security how many young persons in Glasgow have been given community care grants in the past six months; and how many applicants were refused.

Mr. Scott: This information is not collected.

Mr. Sillars: To ask the Secretary of State for Social Security if he will publish a table showing for each office of his Department in Glasgow the amount per month disbursed in *(a)* budget loans and *(b)* community care grants, in each month since these payments came into operation.

Mr. Scott: Details of this expenditure are available in the Library.

Funerals

Ms. Harman: To ask the Secretary of State for Social Security what is the national average amount paid in social fund funeral grants.

Mr. Scott: The average social fund funeral payment for the period April to August 1989 was £525.

Social Fund

Mr. Wray: To ask the Secretary of State for Social Security how many people in *(a)* Glasgow and *(b)* the Provan constituency were refused loans by officers of the social fund on the grounds that the applicants lacked sufficient income to repay such loans.

Mr. Scott: For the 13 offices in metropolitan Glasgow, during the five-month period ending 30 September 1989, 727 applications for budgeting loans and 100 applications for crisis loans were refused on the grounds of the applicant being unable to repay. This is equivalent to 2·2 per cent. and 0·7 per cent. respectively of the number of applications processed.

In the Provan local office, there were 43 such refusals for budgeting loans and one for a crisis loan. This is equivalent to 1·1 per cent. and 0·1 per cent. respectively of the number of applications processed.

Mr. Wray: To ask the Secretary of State for Social Security how many people in the constituency of Glasgow, Provan have applied for *(a)* grants and *(b)* loans from the social fund since its inception.

Mr. Scott: Information about the number of people who make applications to the social fund is not collected.

Information about the numbers of applications processed is placed in the library.

Mr. Tony Banks: To ask the Secretary of State for Social Security how many social fund applications remained unprocessed in Newham Department of Social Security offices at the end of financial year 1988-89; how many are currently awaiting determination; and what was the underspend at each office in 1988-89.

Mr. Scott: The information requested is shown in the table. For the financial year to date, each of the offices is on target to make full use of its budget allocations.

Plaistow ILO:
Loans allocation remaining at 31 March 1989—13·3 per cent.
Grants allocation remaining at 31 March 1989—38·8 per cent.

	Applications unprocessed at 31 March 1989	*Applications unprocessed at 30 September 1989*
Budgeting loans	69	68
Crisis loans	5	13
Community Care Grants	26	5

Woodgrange Park ILO:
Loans allocation remaining at 31 March 1989—18·6 per cent.
Grants allocation remaining at 31 March 1989—32·8 per cent.

	Applications unprocessed at 31 March 1989	*Applications unprocessed at 30 September 1989*
Budgeting loans	65	87
Crisis loans	0	2
Community Care Grants	21	15

Canning Town ILO:
Loans allocation remaining at 31 March 1989—8·6 per cent.
Grants allocation remaining at 31 March 1989—38·6 per cent.

	Applications unprocessed at 31 March 1989	*Applications unprocessed at 30 September 1989*
Budgeting loans	75	60
Crisis loans	8	3
Community Care Grants	0	15

FOREIGN AND COMMONWEALTH

European Community

Mr. Dykes: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to meet his French opposite number to discuss European Community matters.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs expects to meet Mr. Dumas again at the Foreign Affairs Council on 6-7 November.

Hong Kong

Mr. Chris Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what specific judicial procedures will be used after July 1997 to resolve any disputes between the United Kingdom and the People's Republic of China over the implementation or interpretation of the joint agreement on the future of Hong Kong; and if he will make a statement.

Mr. Maude: The Sino-British joint declaration is an internationally binding agreement registered by both Governments with the United Nations. The primary means for discussing the implementation of the joint declaration, and for solving differences, is the Joint Liaison Group which will continue in being until the year 2000. The joint declaration stipulates that matters on which there is disagreement in the Joint Liaison Group shall be referred to the two Governments for solution through consultations. Should disputes nevertheless arise between the Governments, it would be open to the British Government of the day to make use of any channels, or judicial procedures, which might be available and appropriate in the circumstances.

Human Rights

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs how many regional treaties similar to the European Convention for the Protection of Human Rights and Fundamental Freedoms are now in existence; and which regions do they cover.

Mr. Sainsbury: There are two other major regional treaties. The American convention on human rights entered into force in 1978 and is interpreted and applied by the Inter-American Commission on Human Rights and (in the case of those States Parties which have recognised its jurisdiction) the Inter-American Court of Human Rights. States parties to the convention are from the Latin American and Caribbean regions. The African charter on human and peoples' rights came into force in 1986 and is interpreted and applied by the African Commission on Human and Peoples' Rights. It is open to members of the Organisation of African Unity.

Civil and Political Rights

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the present status of the optional protocol to the international covenant on civil and political rights.

Mr. Sainsbury: The United Nations General Assembly adopted the optional protocol to the international

covenant on civil and political rights on 16 December 1966. It was opened for signature on 19 December 1966 and entered into force on 23 March 1976. As at 1 August 1989, 45 states had ratified or acceded to the optional protocol.

International Court of Justice

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs who are the present members and what is their nationality, of the International Court of Justice; what salaries they are paid; what is the total cost of servicing the court; and if he will estimate the United Kingdom share of contribution to that expenditure.

Mr. Sainsbury: The present members of the International Court of Justice are:

José Maria Ruda (Argentina)
Kéba Mbaye (Senegal)
Manfred Lachs (Poland)
Taslim Olawale Elias (Nigeria)
Shigeru Oda (Japan)
Roberto Ago (Italy)
Stephen M. Schwebel (USA)
Sir Robert Jennings (United Kingdom)
Mohammed Bedjaoui (Algeria)
Ni Zhengyu (China)
Jens Evensen (Norway)
Nikolai K. Tarassov (USSR)
Gilbert Guillaume (France)
Mohammed Shahabuddeen (Guyana)
Raghunandan Swarup Pathak (India)

The annual salary of each judge is US $82,000. The budget of the ICJ for the biennium 1988-89 is US $13,250,800.

The United Kingdom pays $643,989 of this.

Guatemala

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when Her Majesty's ambassador last met members of the Commission for Human Rights of Guatemala, and what matters were discussed.

Mr. Sainsbury: Her Majesty's ambassador has not received any request to meet members of the commission. Its leaders are not resident in Guatemala. Two of them met FCO officials in London in March 1989. They discussed the human rights situation in Guatemala.

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last made representations concerning violations of human rights to the Government of Guatemala.

Mr. Sainsbury: The then Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs expressed to Guatemalan Ministers concern about the human rights situation in Guatemala during his visit there in March 1989. The Guatemalan Government are aware, from more recent contacts, of our continuing concern.

Endangered Species

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the sale by tender by the Hong Kong authorities of confiscated items permitted for commercial trade under the Convention on Trade in Endangered Species; what items were sold; to whom they were sold; and what amount was raised in each case.

Mr. Maude: There has been no sale by tender of confiscated items permitted for commercial trade under CITES since February 1988. A sale by tender, planned for January 1989, was cancelled.

Ivory

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current estimate of elephant ivory held by the Hong Kong authorities as a result of seizures and detentions.

Mr. Maude: Two thousand one hundred and ninety-two kilogrammes of ivory are held by the Hong Kong authorities as a result of seizures and detentions.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current estimate of elephant ivory held in Hong Kong; and what proposals are being considered for its disposal.

Mr. Maude: The current estimated stock of elephant ivory in Hong Kong is 670 tonnes, consisting of 500 tonnes of raw and 170 tonnes of worked ivory. It is privately owned in Hong Kong. Its disposal is currently under consideration at the CITES conference.

Whale Meat

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the country of origin of the 0·4 kg of whale meat seized in Hong Kong restaurant raids during the first six months of 1989.

Mr. Maude: The 0·4 kg of whale meat seized was claimed to have been imported from Japan.

Select Committee Report

Mr. Jack: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to respond to the report of the Select Committee on Foreign Affairs on Foreign and Commonwealth Office/Overseas Development Administration Expenditure 1989-90.

Mr. Sainsbury: The Government's response to the Select Committee report will be published today in the form of a Command Paper.

Boat People

Mr. Wolfson: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution the Government have made towards the cost of providing emergency accommodation for the Vietnamese boat people in Hong Kong.

Mr. Sainsbury: We have contributed £4·5 million for this purpose. Parliamentary approval for this new service will be sought in a supplementary supply estimate for the vote for other external relations (class II, vote 2). Pending that approval, urgent expenditure of £4·5 million was met by a repayable advance from the Contingencies Fund in August.

Poland

Mr. Thurnham: To ask the Secretary of State for Foreign and Commonwealth Affairs what provision the Government is making to provide money following the Prime Minister's announcement of the creation of a "know how" fund for Poland.

Mr. Waldegrave: The £25 million as announced by my right hon. Friend the Prime Minister is to be given over a period of five years. We estimate that the immediate costs of providing the type of training and advice the know how fund was created for will be £1·3 million. Parliamentary approval for these services will be sought in a supplementary supply estimate for the vote for other external relations (class II, vote 2). Pending that approval, urgent expenditure of £1·3 million is to be met by a repayable advance from the Contingencies Fund.

The know how fund is now getting into full swing, with more than 40 projects agreed or in the pipeline. These range from a seminar for Parliamentarians and training attachments for journalists to a conference on privatisation and a series of management training projects. At the same time the ground work is being laid for more wide-ranging assistance in the banking, financial services and industrial sectors. We believe that assistance of this kind will play a crucial role in the development of democracy and a market economy in Poland.

Foreign Affairs Council

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* a statement on the outcome of the Foreign Affairs Council held on 3 October.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, my right hon. Friend the Minister for Overseas Development and my noble Friend the Minister for Trade represented the United Kingdom at the Foreign Affairs Council in Luxembourg on 3 October.

The Council adopted the television broadcasting directive under the qualified majority voting procedure, the United Kingdom voting in favour. By providing a framework of common rules to remove barriers to trade and protect the consumer, the directive will encourage the development of cross-border broadcasting in the Community.

On the basis of proposals by the Commission, the Council discussed possible measures of assistance to Poland and Hungary, and agreed that the Commission's proposals represented an excellent basis for further action. Many of them closely reflect earlier United Kingdom suggestions. The Council encouraged the Commission to pursue its efforts both on the Community level and with other western countries. We will continue to play a leading part.

The Council also discussed the Community's trade relations with the United States, and Japan.

In the belief that the Community should respond swiftly to recent developments in Beirut, the Foreign Affairs Council ageeed a 25 mecu package of assistance aimed at rehabilitating essential services in the Lebanon (health, education, water and power supplies).

The Foreign Affairs Council took note of a draft negotiating mandate put forward by the Commission for a second stage agreement between the Community and the Gulf Co-operation Council and remitted it for detailed consideration.

The Council reviewed progress in the renegotiation of the Lomé Convention and discussed preparations for the next ACP/EC ministerial negotiating meeting on 27-29 October.

ENVIRONMENT

Housing Land

Mr. Thurnham: To ask the Secretary of State for the Environment (1) if he has any plans to amend the advice contained in planning policy guidance note PPG3 "Land for Housing" to enable local authorities to make an allowance in advance for sites of over 0·4 hectares in their housing land availability studies; and if he will make a statement;

(2) if he will issue advice to local authorities to encourage them to monitor the supply of housing built on land not previously identified as suitable for building, including on sites exceeding 0·4 hectares in size; and if he will make a statement;

(3) if he will make it his policy to support those local authorities on appeal who have refused planning permission for housing on allocated land where the supply of housing on unidentified sites is likely to breach structure plan guidelines; and if he will make a statement;

(4) if he will take steps to discourage the allocation of further housebuilding land in areas where the supply of housing on previously unidentified sites over 0·4 hectares is so large that building is likely to exceed the level agreed through the structure plan process; and if he will make a statement.

Mr. Moynihan: Revised draft guidance on land for housing, which is intended to replace the present planning policy guidance note 3, was issued for consultation on 4 October; I am sending my hon. Friend a copy. Comments are invited by 5 January 1990.

The draft guidance continues to stress the need for adequate planned provision for new housing; but it proposes changes to the method by which planning authorities carry out their regular assessments of land availability which would enable them to make fuller allowance for the emergence of previously unidentified sites where that is justified by evidence of past land supply. The draft also recognises that the emergence of large unidentified sites may have a bearing on the timing of the release of other land, for instance where the development plan includes a phasing policy.

The draft makes it clear that where there is an up-to-date local plan which is consistent with national and regional policies and with the relevant provisions of the structure plan, it will carry considerable weight, and my right hon. Friend and his inspectors will be guided by it in dealing with planning appeals.

Rural Development Commission

Dr. Thomas: To ask the Secretary of State for the Environment what plans he has to expand the Rural Development Commission to include the initiation of environmental protection schemes in the United Kingdom.

Mrs. Virginia Bottomley: We have no plans of this nature. The task of the Rural Development Commission is to help maintain a thriving and attractive countryside in England by promoting enterprise and viable communities.

London Docklands (Wind Tunnel Tests)

Ms. Gordon: To ask the Secretary of State for the Environment if he will place a copy of the wind tunnel tests on the model of the buildings at Canary wharf on the Isle of Dogs in the Library.

Mr. Moynihan: A copy of the relevant material has been placed in the Library.

Seals (Deaths)

Dr. Thomas: To ask the Secretary of State for the Environment if he will commission an assessment of the report by Professors Brouwfr, Koeman and Reijndfrs of the Agricultural University of Wagenngen, released in August, concerning the link between PCB pollution and seals' deaths in the North sea.

Mrs. Virginia Bottomley: As far as I am aware, no copies of this report have yet been received by United Kingdom Government Departments. We will look at any report on this topic with interest, although the indications so far are that pollution played no significant part in the spread of the seal virus along United Kingdom coast in 1988. The research funded by this Department at the sea mammal research unit of the Natural Environment Research Council on possible links between pollutants and seals' immune system is continuing and relevant work in all North sea states will continue to be reviewed by the International Commission for the Exploration of the Seas.

Toxic Waste

Mr. Wray: To ask the Secretary of State for the Environment if he will list all studies and research conducted or analysed by his Department regarding the treatment of toxic waste and its impact upon the health of people and the environment.

Mrs. Virginia Bottomley: The Department of the Environment has since the early seventies sponsored research and worldwide studies into the treatment of toxic waste and its impact on the environment. All such references numbering some thousands are stored on computer at the waste management information bureau in Harwell. Impact on the health of people is the responsibility of the Department of Health.

Mr. Wray: To ask the Secretary of State for the Environment what steps he is taking in order to give statutory rights of consultation to communities affected by the installation and operation of plants dealing with treatment of toxic waste.

Mrs. Virginia Bottomley: Current planning legislation in England and Wales requires that planning applications for plants handling controlled waste are advertised on site and in the local press. Adequate time must be allowed for representations. The disposal facility's licence must also be placed on a register open for public inspection.

The proposed new system for integrated pollution control in England and Wales will apply to industrial processes which among other things generate large amounts of special (dangerous or difficult) waste. Applications for authorisation under the system would be advertised and there would be third party rights to make representations about them.

Mr. Wray: To ask the Secretary of State for the Environment whether his Department will publish the information it has available on *(a)* health *(b)* the safety and *(c)* the environmental effects of substances which are (i) involved or (ii) produced by the process of incineration of toxic waste.

Mrs. Virginia Bottomley: Health, safety and environmental aspects of substances in or produced by the process of incineration of toxic waste are covered by standard textbooks and publications freely available. We monitor the adequacy of such publications and attempt to fill important gaps. For example, we have recently published a report "Dioxins in the Environment" (pollution paper No. 27).

NCC Offices (Repair and Redecoration)

Sir Nicholas Fairbairn: To ask the Secretary of State for the Environment what was the cost of repairing and redecorating the Nature Conservancy Council offices in Hope street, Edinburgh; and how many rooms were repainted in the building, how many times and at what cost.

Mr. Trippier: The headquarters of the Nature Conservancy Council in Scotland were recently repaired and redecorated to meet the needs of the existing council's increased staff and responsibilities, and to comply with current fire regulations. The final account for the work has not yet been submitted, but is expected to be in the region of £580,000.

This was the first major refurbishment of the NCC's Scottish HQ since the council occupied Hope terrace in 1949. As part of the programme, all 98 rooms were decorated. I understand that the staircase, landing and one office in the main building had to be repainted below the dado in order to meet the contract specification. This work was carried out within the overall contract price.

Local Government Finance

Dr. Cunningham: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a table showing his estimate of the amount of transitional relief to be paid in each local authority area in 1990-91.

Mr. Chris Patten: I have made no estimate of the amount of transitional relief to be paid in each local authority area in 1990-91. I estimate that about £300 million will be paid to chargepayers in England in 1990-91.

Dr. Cunningham: To ask the Secretary of State for the Environment what discussions he had before 11 October with the computer industry about the feasibility of his proposals for transitional relief.

Mr. Chris Patten: Our assessment of the feasibility of the proposals was based on the Department's knowledge of the computing arrangements for implementing the community charge, but it was necessary to wait until the scheme was announced before discussion of the specific proposals could begin. The present discussions with representatives of the computer industry will be fully taken into account in finalising the details of the scheme.

Dr. Cunningham: To ask the Secretary of State for the Environment what is his estimate of the number of persons in each local authority area who will benefit from the proposed transitional relief.

Mr. Chris Patten: I have made no estimate of the number of people in each local authority area who will benefit from transitional relief. I estimate that of the order of 6 million adults in England will benefit from transitional relief.

Dr. Cunningham: To ask the Secretary of State for the Environment what steps he is taking to monitor the implementation of *(a)* poll tax and *(b)* transitional relief; and if he will make a statement on his assessment of local authorities' present progress in setting up poll tax with particular reference to problems of interfacing poll tax soft ware with rebates software.

Mr. Chris Patten: Throughout the past year, Ministers and officials have been pursuing a programme of visits to charging authorities. Authorities were asked to provide a report of their plans at the beginning of the year and a questionnaire about progress with preparations was sent to authorities in May. A report based on the response will be placed in the Library shortly. In general authorities appear to be making good progress with implementation, including with their computing arrangements.

Dr. Cunningham: To ask the Secretary of State for the Environment whether community charge bills for persons benefiting from transitional relief will be required to show *(a)* 1990-91 community charge for spending in line with government assumptions (national community charge), *(b)* 1990-91 community charge for spending in line with standard spending assessment and *(c)* 1990-91 community charge actually levied by the charging authority.

Mr. Chris Patten: We shall be consulting very shortly the local authority associations and local authorities on the form of the community charge bill.

Dr. Cunningham: To ask the Secretary of State for the Environment whether community charge registration officers will be permitted to demand information as to whether poll tax payers are pensioners or disabled for the purposes of administering transitional relief.

Mr. Chris Patten: No. The administration of transitional relief will be a function of the charging authority, not the registration officer.

Dr. Cunningham: To ask the Secretary of State for the Environment whether he will make it his policy to discuss the feasibility of his proposals for transitional relief with the Audit Commission in order to gauge the effect of his proposals on the economy, efficiency and effectiveness of local authority financial administration.

Mr. Chris Patten: Yes.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will list the criteria to be used in defining a couple for the purpose of operating the community charge transitional relief scheme; and if he will make a statement.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will list the criteria to be used in defining a person as disabled for the purpose of making an application under the community charge transitional relief scheme; and if he will make a statement.

Mr. Blunkett: To ask the Secretary of State for the Environment what are the community charge transitional relief entitlements of those people hitherto exempt from poll tax discharged after 1 April 1990 from residential homes and hospitals and hitherto in order to be cared for in the community.

Mr. Blunkett: To ask the Secretary of State for the Environment what are the community charge transitional relief entitlements of those people who move house after 1 April 1990 *(a)* within their existing local authority area and *(b)* to another local authority area.

Dr. Cunningham: To ask the Secretary of State for the Environment what guidance has been given to general practitioners about the definition of severe mental impairment for the purposes of exemptions from poll tax.

Dr. Cunningham: To ask the Secretary of State for the Environment whether his proposals for transitional relief for two person households will apply exclusively to husbands and wives and to persons of different sex living together as husband and wife.

Mr. David Hunt *[holding answer 17 October 1989]:* The Government have issued a consultation document on community charge transitional relief, a copy of which has been placed in the library. Consultations are now taking place with the local authority associations and full details of the scheme will be published as soon as possible.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will make a statement listing *(a)* all those degenerative conditions which can now be assessed for the purpose of granting community charge exemptions, *(b)* the procedures to be followed for assessment and *(c)* the advice to be issued on this matter to community charge registration officers and general practitioners.

Mr. David Hunt *[holding answer 17 October 1989]:* It is intended to amend the provisions of paragraph 4 of Schedule 1 to the Local Government Finance Act 1988 to add attendance allowance and constant attendance allowance to the list of benefits in sub-paragraph (2). The definitions in sub-paragraph (3) will also be amended to remove the provisions limiting the exemption to those whose development of mind is arrested or incomplete, or who have suffered an injury to the brain. It will still be necessary for a registered medical practitioner to state that the individual is severely mentally impaired. Advice to registration officers and general practitioners will be issued as soon as possible.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will make a statement on the extent of his discussions with representatives of local government on the operation of the community charge transitional relief scheme before announcing the new scheme on 11 October.

Mr. David Hunt *[holding answer 17 October 1989]:* The announcement on 11 October was made first to Parliament. Discussions were held with local authority representatives immediately afterwards. Further discussions on the operational aspects of the scheme will take place shortly.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will publish a table showing for each charging authority the safety-netted community charge for 1990-91 assuming a service distribution based on 1989-90 budgets and total spending of £32·8 billion.

Mr. David Hunt *[holding answer 17 October 1989]:* This information is not at present available.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will publish a table showing the likely effects of the new community charge transitional relief scheme on *(a)* the total amount of community charge benefit to be paid in 1990-91, *(b)* the numbers of people who will be eligible for benefit and *(c)* the savings which will result in 1990-91 from calculating benefit after relief has been given.

Mr. David Hunt *[holding answer 17 October 1989]:* My right hon. Friend the Secretary of State for Social Security who is responsible for community charge benefit, will write to the hon. Member in due course about the effect of the community charge transitional relief scheme on expenditure on community charge benefit.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will publish his best estimate of the costs of administering the community charge transitional relief scheme in 1990-91, 1991-92 and 1992-93.

Mr. David Hunt *[holding answer 17 October 1989]:* My officials are discussing the costs of setting up and administering transitional relief with the local authority associations. Estimates will be made in the light of these discussions and an urgent study by consultants of the likely costs. It is the Government's intention that a reasonable level of costs will be met in full.

Water Pollution

Mr. Wray: To ask the Secretary of State for the Environment whether his announced proposals for tax on products which damage the environment will include polluted drinking water and waters which adversely affect wild-life.

Mr. Howard: Careful consideration including consultation documents on particular cost recovery charging systems, is being given to the possible use of charges of various kinds to improve the efficiency of our environmental protection policies. Proposals for specifying charges have not so far been developed, but the philosophy underlying their use has been set out in the report produced by Professor Pearce of London university and my officials are currently reviewing the use of charges and other instruments in a number of other industrialised countries.

London Docklands Development Corporation (House Sales)

Mr. Tony Banks: To ask the Secretary of State for the Environment (1) how many homes were sold on London Docklands Development Corporation land in 1988; and if he will give details of the numbers in each price range;

(2) what was the medium price pact for new homes on land owned by the London Docklands Development Corporation in 1988.

Mr. Moynihan: This information is not immediately available in the form requested. I shall write to the hon. Member shortly.

Downing Street (Railings)

Mr. Tony Banks: To ask the Secretary of State for the Environment if any proposals are being considered for the erection of railings at either end of Downing street; and if he will make a statement.

Mr. Chope: Plans are in hand to erect demountable railings at the eastern end of Downing street to replace the existing unsightly barrier. Plans were approved by Westminster City Council on 28 September.

CITES Meeting

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make a statement regarding the Convention on International Trade on Endangered Species meeting in Lausanne.

Mr. Trippier: The time for a full statement will be after the Conference is concluded at the end of this week. In the meantime, however, we very much welcome the decisive votes in favour of transferring the African elephant to appendix I and so banning trade in ivory.

Song Thrushes

Mr. Tony Banks: To ask the Secretary of State for the Environment what efforts have been made by Her Majesty's Government to secure an end to the killing of song thrushes in France; and if he will make a statement.

Mrs. Virginia Bottomley: EC directive 79/409 on the conservation of wild birds requires all member states to protect migratory and other birds, including song thrushes. It is for member states to introduce their own legislation implementing the directive, and to ensure that it is applied effectively.

The Government fully support the directive and its enforcement. It is primarily the responsibility of the EC Commission to monitor that adequate measures have been taken by each member state to comply with the terms of the directive. A dispute over these matters may be settled by the European Court of Justice.

Ivory

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has regarding the ivory imported from Zaire without licence by Mr. Shivaz Virji of Ealing, London.

Mrs. Virginia Bottomley: The information held by the Department is part of an application for a CITES re-export licence. Information contained in licence applications is regarded by the Department as confidential and cannot be released.

Crown Suppliers (Privatisation)

Mr. Favell: To ask the Secretary of State for the Environment what progress has been made in the privatisation of the Crown Suppliers.

Mr. Chris Patten: Samuel Montagu and Co. Ltd., who are advising the Government on the sale, are today writing to all organisations and buy out teams which have expressed an interest and to other major firms in the contract furnishing, vehicle hire and document delivery

sectors. These organisations, and any others which subsequently express interest, will be given the opportunity to be considered for selection for the list of those invited to bid.

Homelessness (Legislation)

Mr. David Porter: To ask the Secretary of State for the Environment if he will make a statement on his review of homeless persons legislation; and when he expects to bring forward amendments to the Homeless Persons Act 1977.

Mr. Howard *[holding answer 17 October 1989]:* My right hon. Friend the Secretary of State for the Environment is reviewing the homelessness legislation and hopes to announce conclusions shortly.

Road Schemes (Newham)

Mr. Spearing: To ask the Secretary of State for the Environment if he will tabulate the capital cost of each of the authorised road schemes completed or programmed within the area of the London Docklands development corporation in the London borough of Newham and for each state the date of actual or expected completion and his estimation of the annual cost of maintenance to a named highway authority.

Mr. David Hunt *[holding answer 17 October 1989]:* I will write to the hon. Member.

SCOTLAND

Crash Barriers

18. **Mr. Bellingham:** To ask the Secretary of State for Scotland what percentage of Scotland's motorways and rural carriageways are still without crash barriers; and if he will make a statement.

Lord James Douglas-Hamilton: Subsequent to my answering a similar question from the hon. Member on 5 July, I am pleased to announce that I have allocated a further £2·23 million to the provision of central reserve safety fencing on Scotland's trunk roads. The total expenditure is now expected to be some £3·5 million during this financial year. This will allow for the provision of approximately 29km of safety fencing on trunk road motorways and 24km on trunk road dual carriageways.

By the end of this financial year, some 57 per cent. of trunk road motorways and 61 per cent. of trunk road dual carriageways will be without central reserve safety barriers.

CBI

19. **Mr. Adams:** To ask the Secretary of State for Scotland when he next intends to visit Scotland to discuss the economic situation in Scotland with the Confederation of British Industry.

Mr. Lang: I refer the hon. Gentleman to my reply earlier today to my hon. Friend the Member for Stockport (Mr. Favell).

23. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland if he plans to meet representatives of the Scottish Confederation of British Industry to discuss the Scottish economy.

Mr. Lang: I refer the hon. Member to my reply earlier today to my hon. Friend the Member for Stockport (Mr. Favell).

Drinking Water

21. **Mr. Graham:** To ask the Secretary of State for Scotland how many drinking water supplies in Scotland will not meet the Economic Community water directive by 1991.

Lord James Douglas-Hamilton: Of all the public water supplies in Scotland present information indicates that 102 will not comply with all of the 66 parameters of the EC drinking water directive by the beginning of 1991.

The majority of those which will not comply with the EC directive by 1991 are in Strathclyde and Highland regions and about half of them are small rural supplies.

Devolution

24. **Mr. Leigh:** To ask the Secretary of State for Scotland what representations he has received from Scottish businessmen about devolution and independence.

31. **Mr. Allan Stewart:** To ask the Secretary of State for Scotland what recent discussions he has had with representatives of the Scottish business community on constitutional matters.

44. **Mr. Roger King:** To ask the Secretary of State for Scotland what representations he has received from business leaders about devolution or independence.

45. **Mr. Bill Walker:** To ask the Secretary of State for Scotland what representations he has received from businessmen about devolution and self-rule.

47. **Mr. Andy Stewart:** To ask the Secretary of State for Scotland what representations he has received from industrialists about devolution.

Mr. Lang: I have received no such representations recently, but there is evidence among top companies in Scotland of real concern at the detrimental consequences that would arise from constitutional change.

Mr. Nicholas Bennett: To ask the Secretary of State for Scotland what representations he has received from the Confederation of British Industry in Scotland about devolution.

Mr. Rifkind: I have not received any representations from the CBI. I am, however, aware of the findings of a research study by the *Scottish Business Insider* magazine which showed that there is serious concern among top companies in Scotland at the detrimental effect on the Scottish economy which constitutional change in Scotland would bring.

Community Charge

25. **Mr. Watson:** To ask the Secretary of State for Scotland what attempts he has made to quantify the effects of the industrial action taken by NALGO on the implementation and collection of the poll tax in Scotland; and what action he has taken as a consequence.

Lord James Douglas-Hamilton: The responsibility for collecting the community charges lies with local authorities.

26. **Mr. Douglas:** To ask the Secretary of State for Scotland if he will make a statement on the numbers of people who have failed to pay the poll tax and who have had served on them notices that the whole year's tax is due.

Lord James Douglas-Hamilton: The responsibility for collecting community charges and for the recovery of arrears lies with local authorities. Information on the number of people against whom action is being taken to collect arrears is not held centrally. Indications are, however, that very good progress in collection is being made, with over 90 per cent. having paid in some areas.

28. **Mr. Canavan:** To ask the Secretary of State for Scotland what is his latest estimate of the number of people in Scotland who have not yet paid at least the first instalment of the poll tax.

Lord James Douglas-Hamilton: Local authorities have reported good progress in the collection of the community charge with over 90 per cent. of payers having paid in some areas. This is very encouraging given that the community charge is a completely new tax with many more people paying it than paid domestic rates. I am confident that payment levels will continue to rise as local authorities issue their reminder letters.

43. **Mr. Steel:** To ask the Secretary of State for Scotland whether he will change the calculation of the revenue support grant from his Department to local authorities to assume no multiplier on the standard community charge.

Mr. Rifkind: I will consult the Convention of Scottish Local Authorities shortly, in the usual way, on proposals for distributing revenue support grant for next year.

51. **Mr. Tom Clarke:** To ask the Secretary of State for Scotland what consultations he has undertaken as part of policy formulation for community care in Scotland.

Mr. Lang: Sir Roy Griffiths' report on community care was drawn to the attention of local authorities and health boards when it was published and a wide range of representations was received from them and from the voluntary sector. Since my right hon. and learned Friend's statement on 12 July 1989, I have had a meeting with the social work committee of the Convention of Scottish Local Authorities. Further consultation with local authority, voluntary and private sector interests will take place as appropriate.

52. **Mr. Wallace:** To ask the Secretary of State for Scotland when he last met representatives of the Convention of Scottish Local Authorities to discuss the provision of community care in Scotland; and if he will make a statement.

Mr. Lang: I met representatives of the Convention's social work committee on 8 September 1989 to discuss the Government's proposals for the provision of community care. It was a constructive meeting at which it was agreed that further consultation would take place as appropriate.

Nirex

27. **Mr. Salmond:** To ask the Secretary of State for Scotland when he last met the managing director of Nirex; what matters were discussed; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. and learned Friend and the Secretary of State for the Environment met the managing director and other officials of the executive on 15 March 1989 to discuss their report on sites for investigation for the deep disposal of low and intermediate-level radioactive wastes.

Scottish Homes

29. **Mr. Andrew Welsh:** To ask the Secretary of State for Scotland when he last met the chairman of Scottish Homes; and what matters were discussed.

Lord James Douglas-Hamilton: My right hon. and learned Friend and I met Sir James Mellon, chairman of Scottish Homes, and board members on 4 September. Our discussions covered the range of functions and responsibilities of Scottish Homes.

Mr. Sillars: To ask the Secretary of State for Scotland how many new houses Scottish Homes expects to complete in 1989 and 1990.

Lord James Douglas-Hamilton: Scottish Homes assumed its full powers on 1 April 1989, when it also took over the responsibilities of its predecessor bodies. The figures for housing completions below relate to the first two full years of Scottish Homes' operations. The enabling programme is the housing association programme funded by Scottish Homes and the completion figures include housing totally rehabilitated by associations.

	1989-90	*1990-91*
Enabling programme	3,500	5,950
Own stock programme	550	310

Fishing Industry

30. **Mr. Kirkwood:** To ask the Secretary of State for Scotland what representations he has received from the processing and catching sectors of the Scottish fishing industry about the state of the industry and its current financial difficulties.

Mr. Lang: My right hon. and learned Friend has received a number of recent representations from various interests about the current state of the industry. My noble Friend Lord Sanderson, as the Minister responsible, is in regular contact with all sections of the industry.

Constitutional Convention

32. **Mr. Lambie:** To ask the Secretary of State for Scotland if he is willing to take steps to allow regional, district and island councils to contribute towards the funds of the Scottish Constitutional Convention; and if he will make a statement.

Lord James Douglas-Hamilton: I have already written to the hon. Member about this matter and have nothing to add.

New Towns

33. **Mr. Ingram:** To ask the Secretary of State for Scotland if he will reconsider the decision not to allow new town development corporations' tenants a choice of landlord on the dissolution of the new towns.

Mr. Lang: No such decision has been taken. The Government's White Paper (Command 711) states at paragraph 5.10 that the position in each town will be carefully considered once an order for dissolution has been made, and formal consultations will be held with the development corporations, district councils and representative tenant groups to review the position and to determine to what extent transfers might take place, be it to housing associations, co-operatives, district councils, private or other landlords. Those tenants who have not transferred to other landlords will be transferred to Scottish Homes at wind-up, with a view to pursuing further diversification with the small residual number of houses.

35. **Mr. Norman Hogg:** To ask the Secretary of State for Scotland when he last met the chairmen of the new town development corporations; and what subjects were discussed.

Mr. Lang: My right hon. and learned Friend last met the chairmen of the Scottish new town development corporations on 2 December 1988. A range of matters concerning the new towns was discussed.

British Summer Time

34. **Mr. Doran:** To ask the Secretary of State for Scotland what discussions he has had with Scottish local authorities on the question of British summer time; and if he will make a statement.

Lord James Douglas-Hamilton: None. The Government presented three options, including continuation of the present arrangements, in the Green Paper "Summer Time: A Consultation Document" (Cm 722). We shall study the responses received, including that of the Convention of Scottish Local Authorities, before reaching conclusions.

Scottish Trades Union Congress

36. **Mr. Eadie:** To ask the Secretary of State for Scotland what plans he has for meeting the Scottish Trades Union Congress; and what matters will be discussed.

Mr. Lang: My right hon. and learned Friend hopes to meet the General Council of the Scottish Trades Union Congress on 10 November to discuss matters affecting the Scottish economy.

Overseas Visits

37. **Mr. McAllion:** To ask the Secretary of State for Scotland which overseas countries he visited on official business during the parliamentary recess.

Mr. Rifkind: I paid official visits in Japan, New Zealand, Australia and Thailand.

In Japan I visited 15 companies and held meetings with the Japanese Government and with business men in Tokyo and Osaka. I was encouraged by the positive approach which companies took towards Scotland as a location for European manufacturing, and was able to announce an investment by Seiko in Livingston and an expansion of JVC's activities in East Kilbride. The links between Japan and Scotland will be further strengthened by the Japanese Government's decision to establish a consulate-general in Edinburgh, and by the Japan External Trade Organisation's proposal to set up an office in Scotland.

My meetings with Government and business men in New Zealand and Australia built on the continuing strength of Scotland's relations with both countries and provided opportunities to encourage trade and pursue inward investment.

During my brief stopover in Thailand I had a useful meeting with the Thai Minister of Finance about the problem of counterfeit Scotch whisky.

Transport

38. **Mr. McKelvey:** To ask the Secretary of State for Scotland if he plans to visit Prestwick international airport to discuss transport matters.

Lord James Douglas-Hamilton : My right hon. and learned Friend has no plans to do so at present.

Pollution (Moray Firth)

39. **Sir Russel Johnston:** To ask the Secretary of State for Scotland what representations he has received regarding pollution in the Moray firth: and if he will make a statement.

Lord James Douglas-Hamilton: Thirteen representations have been received in the last five years about pollution from the present unsatisfactory sewage outfall at Inverness, and two about the outfall at Nairn.

Fourteen representations were received in connection with Highland regional council's application to the Highland river purification board for consent to discharge screened sewage effluent from the proposed Inverness main drainage scheme long sea outfall. After the issue of consent, a further 10 representations, five of which were from previous correspondents, were received about the effects of the proposed discharge.

Highland regional council's notice of intention to develop for a headworks building generated 51 representations about the effects of the scheme. My right hon. and learned Friend directed Highland regional council on 19 May to prepare an environmental statement. When this is received further consideration will be given to the application.

The Department of Agriculture and Fisheries for Scotland received one representation from local fishermen opposed to the construction of the outfall.

Cornton Vale Women's Prison

40. **Mrs. Fyfe:** To ask the Secretary of State for Scotland when he last visited Cornton Vale women's prison; and what proposals for changes he has arising from that visit.

Lord James Douglas-Hamilton: My right hon. and learned Friend last visited HM institution Cornton Vale on 10 April 1980 when he was Parliamentary Under-Secretary of State.

Economy (Lanarkshire)

41. **Mr. Robertson:** To ask the Secretary of State for Scotland when he next expects to meet the chairman of the Scottish Development Agency to discuss the Lanarkshire economy.

Mr. Lang: My right hon. and learned Friend has no immediate plans to meet the agency chairman.

Development Agency

42. **Mr. Knox:** To ask the Secretary of State for Scotland what has been the total expenditure by the Scottish Development Agency since May 1979.

Mr. Lang: During the period from May 1979 to 30 September 1989, the Scottish Development Agency spent a total of £1,261 million.

Respite Care

46. **Mr. Wray:** To ask the Secretary of State for Scotland how much money will be allocated to Scottish local authorities in 1990-91 in order to deal with the shortage of publicly provided respite care.

Mr. Lang: The allocation of expenditure to particular services is a matter of local authorities. The aggregate exchequer grant for 1990-91, announced by my right hon. and learned Friend on 26 July, provides for a 9·7 per cent. increase over that for 1989-90. This affords authorities the scope to increase expenditure on the provision of particular services, including, for instance, respite care, in the light of their view of priorities.

Greater Glasgow Health Board

48. **Mr. David Marshall:** To ask the Secretary of State for Scotland when he last met representatives of the Greater Glasgow health board; what subjects were discussed; and when he intends to meet them again.

Mr. Michael Forsyth: My right hon. and learned Friend met Greater Glasgow health board representatives in March 1989, when he opened a new 90-bed unit at Woodilee hospital and heard of plans for further improvement to mental illness services. He has no plans for further meetings with the board in the near future.

Mr. Sillars: To ask the Secretary of State for Scotland what outside management consultant groups have been employed by Greater Glasgow health board in each of the past five years; and at what cost.

Mr. Michael Forsyth: The names of individual management consultancy groups employed by Greater Glasgow health board are not held centrally.

Ferry Services

49. **Mr. Kennedy:** To ask the Secretary of State for Scotland if he will report on progress towards *(a)* upgrading of the Caledonian MacBrayne ferry service between Kyle of Lochalsh and Kyleakin and *(b)* the provision of a bridge to Skye; and if he will make a statement.

Lord James Douglas-Hamilton: Following the recent discussions I have had with Highland regional council, I believe that private funding could provide the way forward for the provision of a bridge in the near future. It is, however, for Highland regional council to decide whether to take the project forward. I have indicated to it that it would receive the support of my officials in the Scottish Development Department in the practical processes involved should it determine to go ahead. I look forward to learning of its decision in due course.

I am aware of the pressures on the existing ferry service to Skye in the face of the increasing traffic demands. A decision on the bridge is, however, essential before a full assessment of the economic case for replacement ferries can be undertaken.

Highlands and Islands Development Board

50. **Mr. Maclennan:** To ask the Secretary of State for Scotland when he last met the chairman of the Highlands and Islands development board; what matters were discussed; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend met the chairman of the Highlands and Islands development board at a meeting of the Scottish Economic Council held on 5 May in Edinburgh where general matters relating to the Highlands and Islands were discussed.

Gynaecological Unit, Moray

53. **Mrs. Margaret Ewing:** To ask the Secretary of State for Scotland what progress has been made on option appraisals for the establishment of a specialist obstetric, maternity and gynaecological unit in Moray; and if he will make a statement.

Mr. Michael Forsyth: Grampian health board is presently carrying out the option appraisal exercise and expects to be in a position to report to the Scottish Home and Health Department in December.

Inverclyde Enterprise Zone

54. **Dr. Godman:** To ask the Secretary of State for Scotland when he last met the chief executive of the Scottish Development Agency; and whether the Inverclyde enterprise zone was discussed.

Mr. Lang: My right hon. and learned Friend last met the chief executive of the Scottish Development Agency to discuss the Inverclyde enterprise zone at the launch of the zone on 3 March 1989.

Legal Aid (Tenants)

Mr. Sillars: To ask the Secretary of State for Scotland how many applications have been received in 1988-89 for legal aid in order that a tenant may raise an action against a district council landlord.

Lord James Douglas-Hamilton: The information requested is not available.

Flat-roofed Houses

Mr. Sillars: To ask the Secretary of State for Scotland (1) how many flat-roofed houses have been demolished in the public sector in each of the past 15 years; and how many of these were constructed after 1960;

(2) how many flat-roofed houses in the public sector have been converted to pitched roofs in each of the past 15 years.

Lord James Douglas-Hamilton: The information requested is not held centrally.

Housing Co-operatives

Mr. Sillars: To ask the Secretary of State for Scotland how many housing co-operatives have been formed by district councils in the past 12 months; and what do these represent as a percentage of total district council stock.

Lord James Douglas-Hamilton: Information on housing co-operatives formed by district councils in the last 12 months is not held centrally.

Rent Officers

Mr. Sillars: To ask the Secretary of State for Scotland how many rent officers are employed at each office of the Rent Registration service.

Lord James Douglas-Hamilton: At 30 September 1989, the number of rent officers (including senior rent officers) employed at each office of the rent registration service was:

	Number
Aberdeen	4
Dundee	[1]3
Edinburgh	9
Glasgow	[2]20

[1] Plus one vacancy to be filled.
[2] Of whom one is located in Motherwell.

Television Festival

Mr. Sillars: To ask the Secretary of State for Scotland how many representatives of his Department attended sessions of the Edinburgh international television festival.

Mr. Rifkind: My Department was not represented.

Rent Assessment Committees

Mr. Sillars: To ask the Secretary of State for Scotland how many times rent assessment committees have sat in the past 12 months.

Lord James Douglas-Hamilton: One hundred and forty seven rent assessment committees were appointed to deal with over 700 appeals under the Rent (Scotland) Act 1984 between 1 October 1988 and 30 September 1989.

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish the names and show the occupations of members of the panel from which rent assessment committees are formed.

Lord James Douglas-Hamilton: A list of the members of the rent assessment panel for Scotland is held in the House of Commons Library. The membership comprises three groups: chairmen (who are lawyers), valuers (who are chartered surveyors), and lay members. Information on the occupations of the lay members is not held centrally.

Each rent assessment committee normally consists of a lawyer, a valuer and a lay member.

Mr. Sillars: To ask the Secretary of State for Scotland what is the basis of remuneration of members of rent assessment committees.

Lord James Douglas-Hamilton: Members receive a fee on each occasion they sit on a rent assessment committee or carry out other work in their capacity as members of the rent assessment panel for Scotland.

Mr. Sillars: To ask the Secretary of State for Scotland what was the total expenditure on rent assessment committee work in the year 1988-89.

Lord James Douglas-Hamilton: The figure is £97,000.

Drugs (Eviction)

Mr. Sillars: To ask the Secretary of State for Scotland if he will amend the Housing Acts so that a person found guilty by due process of dealing in drugs can be evicted from a secure or assured tenancy within one month of conviction.

Lord James Douglas-Hamilton: We have no proposals to amend the current housing legislation, which already provides that landlords may seek to evict tenants causing a nuisance or annoyance in or within the vicinity of their homes.

Housing

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table showing the number of new housing completions by district councils in the period 1977 to 1988.

Lord James Douglas-Hamilton: The information requested is set out in the table.

Local Authority completions 1977-88

District	*1977*	*1978*	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
Scotland	9,119	6,686	4,755	5,048	3,770	2,342	2,311	2,120	1,989	1,733	1,710	1,933
Borders												
Berwickshire	31	45	14	11	29	—	—	27	16	22	17	—
Ettrick and Lauderdale	41	100	34	—	—	—	—	—	—	—	—	—
Roxburgh	230	109	4	12	—	51	45	43	8	8	4	28
Tweeddale	10	30	—	56	—	10	—	—	—	—	6	54
Central												
Clackmannan	13	18	155	132	—	—	—	1	23	30	—	35
Falkirk	213	21	—	23	54	66	20	8	147	56	74	—
Stirling	21	91	9	42	168	8	18	37	—	6	—	—
Dumfries and Galloway												
Annandale and Eskdale	132	226	100	224	173	86	160	158	85	38	35	17
Nithsdale	62	44	129	78	49	18	27	6	70	80	66	74
Stewartry	37	61	74	51	49	42	44	41	23	34	40	10
Wigtown	77	48	32	77	34	120	20	86	—	40	20	26
Fife												
Dunfermline	433	74	110	129	—	83	89	26	58	60	178	132
Kirkcaldy	220	135	123	44	54	63	15	113	101	91	131	172
North East Fife	51	121	198	127	121	41	142	70	14	48	65	17

District	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988
Grampian												
Aberdeen	921	754	430	518	372	134	47	117	178	45	93	136
Banff and Buchan	697	418	175	220	227	99	128	116	154	48	67	60
Gordon	108	89	35	—	4	85	199	108	89	44	171	9
Kincardine and Deeside	81	76	56	4	53	35	60	54	22	175	41	105
Moray	477	64	87	567	111	156	139	85	75	100	34	169
Highland												
Badenoch and Strathspey	74	—	24	49	[illegible]	54	38	16	16	—	13	—
Caithness	52	127	54	68	[illegible]	—	55	20	14	23	29	24
Inverness	97	198	38	124	68	25	115	90	10	136	32	59
Lochaber	—	30	57	102	18	—	—	—	—	—	—	—
Nairn	70	55	—	—	—	—	—	—	20	24	22	—
Ross and Cromarty	365	200	89	64	96	48	31	65	8	38	46	26
Skye and Lochalsh	49	18	11	46	9	13	—	10	14	46	8	25
Sutherland	61	44	13	27	13	22	27	22	15	10	33	34
Lothian												
East Lothian	118	79	46	18	30	45	92	25	91	65	14	66
Edinburgh	167	84	199	—	117	49	8	—	—	—	63	87
Midlothian	47	5	—	47	—	—	—	—	7	—	14	—
West Lothian	—	51	—	—	—	—	2	—	—	—	8	76
Strathclyde												
Argyll and Bute	211	64	110	126	68	60	33	76	17	—	12	71
Bearsden and Milngavie	—	33	36	67	27	56	12	—	16	—	35	6
Clydebank	55	21	—	63	73	2	—	—	—	—	—	—
Clydesdale	63	6	53	32	49	18	20	18	—	30	—	24
Cumbernauld and Kilsyth	27	10	35	54	3	—	16	8	—	—	6	—
Cumnock and Doon Valley	78	133	26	47	43	6	—	14	—	2	6	2
Cunninghame	162	123	102	68	90	45	85	44	54	34	—	55
Dumbarton	26	15	6	39	—	—	—	—	—	14	18	18
East Kilbride	—	26	—	—	—	—	—	—	—	—	—	—
Eastwood	47	17	—	25	3	14	—	—	37	40	14	31
Glasgow	1,733	1,430	615	385	558	161	63	—	140	58	—	—
Hamilton	146	127	55	166	42	78	122	46	44	39	8	53
Inverclyde	153	184	4	8	—	26	—	—	—	—	64	—
Kilmarnock and Loudoun	80	52	101	62	27	—	—	33	—	—	—	—
Kyle and Carrick	109	58	136	119	56	17	91	35	71	28	47	37
Monklands	34	85	61	37	53	—	11	67	—	—	—	—
Motherwell	389	134	167	173	104	50	—	—	—	36	—	—
Renfrew	84	46	65	122	113	179	34	135	19	10	64	27
Strathkelvin	25	173	254	—	40	—	6	13	6	24	7	—
Tayside												
Angus	81	78	58	40	—	12	34	34	41	84	40	78
Dundee	128	84	221	82	163	55	80	5	57	—	—	5
Perth and Kinross	122	117	150	273	149	71	75	105	144	21	—	—
Islands Councils												
Orkney Islands	176	24	34	25	26	18	43	16	6	6	12	41
Shetland Islands	147	97	55	121	81	31	43	25	33	20	20	30
Western Isles	88	134	115	54	93	90	22	32	46	20	33	14

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table showing the total incurred per house in each year from 1979 to 1988 in loan charges debt redemption, interest and expenses for the four city district councils.

Lord James Douglas-Hamilton: Loan charges paid by district councils relate to capital borrowing for various purposes, some of which are not associated with capital expenditure on housing. Loan charges per house met from housing revenue accounts, calculated on the basis of the number of houses to which those accounts relate, are set out in the table.

Loan charges per council house (£)

Authority	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Aberdeen										
Debt redemption	43·94	50·29	55·98	63·08	69·66	81·45	84·22	90·62	100·34	114·67
Interest charges	392·19	465·83	470·54	448·83	416·07	425·39	449·30	425·57	432·40	462·82
Loan fund expenses	1·78	2·15	3·38	3·03	2·56	2·29	2·63	1·89	3·41	2·03
Dundee										
Debt redemption	38·98	42·33	46·92	50·04	58·68	68·64	79·24	94·63	123·99	179·51
Interest charges	282·21	322·15	324·92	325·80	312·10	317·21	338·15	322·74	331·78	368·08
Loan fund expenses	0·74	0·91	1·49	1·42	2·06	1·82	2·25	2·13	2·84	2·21

Authority	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Edinburgh										
Debt redemption	21·45	24·20	26·98	31·42	30·11	36·10	10·68	10·54	14·31	21·99
Interest charges	339·89	376·78	375·94	394·66	345·61	356·47	374·82	393·82	400·62	432·38
Loan fund expenses	2·02	1·78	2·80	2·28	1·95	2·11	1·87	1·63	1·63	1·88
Glasgow										
Debt redemption	42·34	49·69	58·22	67·99	73·84	87·01	95·52	111·13	114·45	145·60
Interest and other charges	361·39	447·51	486·18	491·57	479·91	498·54	520·43	512·94	533·75	596·60

Notes:
1. Figures for 1979-80 to 1986-87 are based on audited accounts.
2. Figures for 1987-88 to 1988-89 are based on authorities' near actual outturn returns.
3. The returns made by Glasgow district council do not distinguish between interest and loan fund expenses.
4. Figures are based on the number of council houses at 30 September of each year.

Mr. Sillars: To ask the Secretary of State for Scotland if his Department plans to undertake research of the effects of mixed tenure on communities arising out of council house sales.

Lord James Douglas-Hamilton: The report of research commissioned by the Scottish Development Department into the repair and maintenance of housing in areas of mixed ownership is expected to be published soon. Copies will be placed in the Library of the House. There are no immediate proposals for research into other aspects of mixed tenure.

Mr. Sillars: To ask the Secretary of State for Scotland what is his estimate of the number of families living in overcrowded conditions as defined by section 135 of the Housing (Scotland) Act 1987.

Lord James Douglas-Hamilton: The Scottish Development Department does not make such estimates.

Mr. Sillars: To ask the Secretary of State for Scotland what regulations he has made under section 60 of the Housing (Scotland) Act 1987.

Lord James Douglas-Hamilton: No such regulations have yet been made.

Post-school Day Care

Mr. Sillars: To ask the Secretary of State for Scotland what is the provision of post-school day care for children at the latest available date; and what *(a)* local authority and *(b)* central Government funding is given.

Mr. Lang: Provision for post-school day care is made at some local authority community centres by voluntary organisations but no information is held centrally about the extent of the arrangements or details of funding.

Commissioner for Local Administration

Mr. Maclennan: To ask the Secretary of State for Scotland what consideration he has given to proposals to strengthen the powers of the Commissioner for Local Administration; and if he will make a statement.

Lord James Douglas-Hamilton: Provisions in part II of the Local Government and Housing Bill considerably strengthen the powers of the Commissioner. They are also designed to increase public awareness of the recommendations in his reports, particularly in those cases where authorities have failed to act on them.

Foreign Teachers

Mr. Wray: To ask the Secretary of State for Scotland how many foreign teachers have signed contracts in Scotland in the past three months.

Mr. Lang: The information requested is not available centrally.

House Repossessions

Mr. Wray: To ask the Secretary of State for Scotland how many house repossessions there were in *(a)* Scotland, *(b)* Strathclyde, and *(c)* Glasgow for each year since 1979.

Lord James Douglas-Hamilton: The Council of Mortgage Lenders publishes statistics on the number of repossessions by building societies in the United Kingdom as a whole, but no information is available for Scotland only or any part of it; and no information is available to the Government on repossessions by other mortgage lenders in Scotland.

Vacant Teaching Posts

Mr. Wray: To ask the Secretary of State for Scotland (1) how many teachers' posts were vacant by 1 October in *(a)* Greater Glasgow, *(b)* Strathclyde and *(c)* Scotland;

(2) how many teachers were needed by 1 October in order to fill vacancies in *(a)* English, *(b)* history, *(c)* mathematics, *(d)* science and *(e)* physical education in (i) Glasgow, (ii) Strathclyde and (iii) Scotland.

Mr. Lang: The information requested is not yet available.

Recreation Facilities

Mr. Wray: To ask the Secretary of State for Scotland what measures is his Department taking in order to help local authorities to increase the number of green areas and recreation facilities in *(a)* Scotland and *(b)* Glasgow.

Mr. Michael Forsyth: It is for individual local authorities to determine their expenditure on green areas and recreation facilities in the light of their overall priorities. In order to increase local authorities' capital spending powers, the Government have removed two important constraints on their expenditure. With effect from 1 April 1990, local authorities will be able, without penalty, to finance capital expenditure from current revenue and to treat contributions from the private sector as receipts. These changes will greatly enhance local authorities' flexibility to plan and implement their expenditure programmes, including those for the provision of green areas and recreation facilities.

Prisons (Suicides)

Mr. Wray: To ask the Secretary of State for Scotland what steps will be taken to reduce suicides or suicide attempts in Scottish prisons; and if he will make a statement.

Lord James Douglas-Hamilton: Among measures already taken are an increase in the number of cells especially designed to hold inmates who are under observation and the provision of flame-retardant mattresses throughout Scottish penal establishments. In addition the prison service updates on the basis of past experience, best practice, and expert advice the procedures for minimising suicides and suicide attempts.

Although great care is taken by staff to identify, protect and treat those who are thought to be at particular risk, deaths from unpredictable and determined acts of self-destruction can never be completely eliminated.

School Numbers

Mr. Wray: To ask the Secretary of State for Scotland how many school children there were in *(a)* Scotland, *(b)* Strathclyde region and *(c)* Glasgow for each year since 1974; and how many of these received free school meals.

Mr. Lang: The information taken from annual school meals census returns is as follows:

	Scotland		*Strathclyde*		*Glasgow*	
	Number of pupils on register	*Number of pupils receiving free meals*	*Number of pupils on register*	*Number of pupils receiving free meals*	*Number of pupils on register*	*Number of pupils receiving free meals*
1974	1,037,183	130,427	526,100	73,419	not available	32,177
1975	1,036,757	121,977	521,979	71,604	164,773	33,244
1976	1,041,826	116,805	524,252	71,086	175,991	32,179
1977	1,035,804	117,790	520,188	71,390	169,601	32,726
1978	1,017,103	155,716	503,097	94,357	157,181	39,239
1979	1,003,825	142,989	485,962	84,999	146,456	37,234
1980	971,329	122,618	470,120	72,881	137,931	31,743
1981	953,683	114,713	460,676	74,565	137,081	32,913
1982	926,838	124,547	444,241	79,406	130,808	34,156
1983	899,133	132,953	427,751	85,426	124,377	36,045
1984	868,606	129,335	410,352	82,348	117,479	33,791
1985	848,417	136,669	399,568	84,096	112,266	33,947
1986	828,507	136,627	389,006	84,659	108,985	34,059
1987	813,812	143,194	381,480	87,362	104,821	34,671
1988	796,404	145,219	371,871	87,147	101,917	35,337
1989	785,687	105,232	366,126	63,905	99,226	27,053

Housing Policy

Mr. Wray: To ask the Secretary of State for Scotland if he has any plans to change his housing policies in the light of the results of the survey for East Kilbride district council that the majority of people living in new towns consider the district councils as the best landlords and want their tenancies transferred to their district councils.

Mr. Lang: No. The Government have consistently stated that they would not pre-empt any decision about future landlord choice for new town tenants without first seeking the views of tenants themselves. The position in each town will be carefully considered once an order for the dissolution of its development corporation has been made, and formal consultations will be held with the development corporations, district councils and representative tenant groups to review the position and to determine the type of transfers which will take place in the period between the making of the dissolution order and dissolution itself. The survey commissioned by East Kilbride district council was confined to the town of East Kilbride. It is not therefore representative of the views of tenants in all five Scottish new towns. The results of that survey did not confirm that "the majority of people living in the new towns" consider the district council as the "best landlord".

Public Service Salaries

Mr. Wray: To ask the Secretary of State for Scotland what is for each year since 1974 the average rate of increase in the salaries of *(a)* National Health Service ambulance staff, *(b)* teachers, *(c)* National Health Service nurses and *(d)* the police force in Scotland.

Mr. Michael Forsyth: The information is not readily available in the form requested. I shall therefore write to the hon. Member.

Infant Mortality

Mr. Wray: To ask the Secretary of State for Scotland (1) what is for each year since 1974 the number of babies born *(a)* in Scotland, *(b)* in the Strathclyde region and *(c)* in Greater Glasgow, with incurable diseases which had been the subject of pre-natal screening tests;

(2) what is for each year since 1974 the number of babies born with incurable diseases in *(a)* Scotland, *(b)* Strathclyde region and *(c)* Greater Glasgow.

Mr. Michael Forsyth: This information is not held centrally.

Conciliation Service

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Scotland if he will give the annual funding level for a conciliation service in Scotland; and whether his Department funds a director's post for this service.

Mr. Lang: The Scottish Office provides grant under the Social Work (Scotland) Act 1968 to the Scottish

Association of Family Conciliation Services, the co-ordinating body for conciliation in Scotland. Total grant payable in the current year is £48,500 and allows for a full-time director. The Department does not provide grant for local family conciliation services.

Written Answers to Questions

Thursday 19 October 1989

TRADE AND INDUSTRY

Audio Cassettes

Miss Emma Nicholson: To ask the Secretary of State for Trade and Industry, further to the reply of 15 March, *Official Report*, column *258-59*, what are the Government's plans to uphold the provision in the Copyright, Design and Patents Act 1988 rejecting the principle of levies on the sale of blank audio cassettes.

Mr. Douglas Hogg: The Government have no intention of amending the Copyright, Designs and Patents Act 1988 to introduce a levy on blank audio cassettes in the United Kingdom. They welcome and support the conclusion of the Commission of the European Communities in its Green paper "Copyright and the Challenge of Technology" that Community action to introduce or harmonise levies is not required.

DRG Company

Mr. Barry Jones: To ask the Secretary of State for Trade and Industry (1) if he will make a statement concerning Pembridge Investments of Bermuda bid for the DRG Company;

(2) if he will refer the Pembridge Investments of Bermuda bid for the DRG Company, located at Deeside industrial park and elsewhere, to the Director General of Fair Trading; and if he will make a statement.

Mr. Redwood: The proposed acquisition of DRG by Pembridge Investments is being considered by the Director General of Fair Trading who will advise my right hon. Friend the Secretary of State on whether the proposed acquisition should be referred to the Monopolies and Mergers Commission. It would not be appropriate to comment on the merits of the bid in advance of my right hon. Friend's decision. The Director General, in giving his advice, and the Secretary of State, in taking his decision on whether to refer, will give careful consideration to all relevant aspects of the proposal.

Mr. Barry Jones: To ask the Secretary of State for Trade and Industry if he will visit the DRG Company at Deeside industrial park; and if he will make a statement.

Mr. Redwood: Neither I nor my right hon. Friend the Secretary of State has any plans for such a visit.

Post Offices

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry if he will issue guidelines laying down minimum standards of accessibility for the elderly and disabled when post offices are relocated.

Mr. Forth: No. This is an operational matter for the Post Office. I understand that all new main post offices are designed to allow wheelchair access and access for disabled people is one of the factors taken into account where Crown offices are converted to agency or sub-offices. For existing buildings the Post Office aims to provide a level or suitably ramped approach wherever practicable.

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry if he will list in the *Official Report* information available to him on those post offices in the Border region which have had their opening hours reduced or other services curtailed in the last 10 years.

Mr. Forth: This is an operational matter for the Post Office board. I understand that the information requested is not immediately available, so I will ask the chairman of the Post Office board to write to the hon. Member.

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry whether he will review the consultation procedures currently adopted by Post Office counters when offices are downgraded or relocated to enable objections to be made to and heard by his Department when any such proposals for change are made.

Mr. Forth: Regrading and relocation of post offices are operational questions for the Post Office. I understand that it has agreed a code of practice on post office regrading with the Post Office Users National Council.

Knitwear and Textiles

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry when he expects to be in a position to publish the findings of the current review of the knitwear and textile industry being conducted by Professor Silberston; and if he will make a statement.

Mr. Redwood: Professor Silberston was asked, in the light of developments since 1984 when his first report was published, to assess the effects on the United Kingdom economy of import restraints under the multi-fibre arrangement (MFA) and barriers faced by the United Kingdom industry's exports in overseas markets and to examine the economic effects of proposals for the future developments of international trade in textiles and clothing. The Government would welcome the views of all interested parties, if possible by 17 November.

I am grateful to Professor Silberston for the work he has undertaken. His report surveys developments in world trade and production and the specific experience of the United Kingdom textile and clothing sector as well as the existing barriers to trade. He considers how far liberalisation of the MFA would be likely to lead to increased competition from imports and from what sources and examines the likely effects on the United Kingdom economy, particularly in terms of prices and employment. In this context he has looked at the effects on different sectors of the industry and the consequent regional implications. Finally, the report considers the likely effects of the single market and the terms on which gradual liberalisation of the MFA might be negotiated in the course of the current Uruguay round of multilateral trade negotiations.

The report represents Professor Silberston's own views. It will be helpful to the Government's further consideration of textile policy, especially as the European Community enters the detailed phase of negotiations in the Uruguay round during 1990.

In the light of Professor Silberston's findings and the comments received from industry and other parties, the Government will consider position which the Community should adopt for the further negotiations on the future of the MFA in the Uruguay round. The Government will take full account of the effect of any proposals to phase out the present arrangements, in accordance with the Uruguay round mandate, on consumers, on employment and on the economy at large.

Copies of the report have been placed in the Library.

Information Technology

Mr. Warren: To ask the Secretary of State for Trade and Industry how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Forth: All staff in grades 1 and 2 have attended specific training courses on information technology issues.

In financial years 1987-88, 1988-89 and 1989-90 to date, 13 staff at grade 3 level (25 per cent. of those in grade) attended courses specifically on information technology and 9 (17 per cent.) attended courses involving an element of information technology. The information related to all staff at grade 3 level since promotion or before 1987-88, is not available without disproportionate cost to the taxpayer.

Mr. Warren: To ask the Secretary of State for Trade and Industry how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Forth: Excluding stand-alone word processors there are currently some 5,300 computer work stations in the Department of Trade and Industry. The ratio of work stations to civil servants is about 1:2.

Mr. Warren: To ask the Secretary of State for Trade and Industry which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Forth: The day-to-day management of the Department of Trade and Industry's information technology (IT) strategy is the responsibility of officials. I am the Minister responsible for oversight of IT matters in the Department of Trade and Industry. IT is in general so integrated into the Department's business functions that to attempt to apportion specific intervals of my time to its consideration would involve a disproportionate effort.

United States-owned Companies

Mr. Macdonald: To ask the Secretary of State for Trade and Industry if he will list all United-States-owned companies presently operating in the United Kingdom.

Mr. Douglas Hogg *[holding answer 17 October 1989]:* Overseas companies are free to operate in the United Kingdom through a subsidiary incorporated in the United Kingdom or through a branch. A branch is not a legal entity separate and distinct from its holding company. All such operations are treated in exactly the same way as British-owned ones. Because there is no distinction based on ownership, no records exist within Government of either subsidiaries or branches of United States companies operating in the United Kingdom. Informal estimates put the number in excess of 2,000.

Gas Industry (Safety)

Mr. Wray: To ask the Secretary of State for Trade and Industry what impact the European Commission directives will have on the safety standards of the British gas industry.

Mr. Forth *[holding answer 18 October 1989]:* The proposed gas appliance directive, as drafted, will serve to reinforce the existing high standards of safety currently applied throughout the United Kingdom gas appliance industry. No other existing or proposed directives are expected to have a significant effect on the safety of gas appliances.

Industrial Investment

Mr. Wray: To ask the Secretary of State for Trade and Industry what is for each year since 1975 the total amount of investment in the *(a)* chemical, *(b)* electronics, *(c)* textile and *(d)* motor car industries in 1989 moneys.

Mr. Redwood *[holding answer 18 October 1989]:* The latest annual census of production for which data are available is 1987. The figures, in the following table, have therefore been given in terms of 1987 prices.

Net Capital Expenditure in the Chemical, Electronics, Textile and Motor Vehicles[1] Industries at constant 1987 prices

£ million

	Chemicals[2]	Electronics[3]	Textiles[4]	Motor Vehicles and parts[1,5]
Standard Industrial Classification (1968) (SIC(68))[6]				
1975	1,666	363	415	512
1976	1,669	331	333	486
1977	1,666	360	300	679
1978	2,045	431	354	809
1979	1,967	450	336	1,161
Standard Industrial Classification (1980) (SIC(80))[6]				
1979	1,766	491	333	1,171
1980	1,483	488	209	929
1981	1,130	491	153	640
1982	1,032	476	163	592
1983	1,022	566	168	596
1984	1,048	814	221	690
1985	1,352	854	249	721
1986	1,384	690	278	711
1987	1,504	652	271	612

Source: Annual Census of Production.

[1] Motor vehicles and parts thereof[5]. Investment information for cars cannot be separately identified.

[2] Minimum List Headings 271 to 179 of SIC(68). Class 25 of SIC(80).

[3] Minimum List Headings 338, 363, 364, 365.2, 366 and 367 of SIC(68). Class 33, Group 344 and Activity Headings 3453 and 3454 of SIC(80).

[4] Minimum List Headings 412 to 421, 423 and 429.2 of SIC(68). Class 43 of SIC(80).

[5] Minimum List Heading 381 of SIC(68). Class 35 of SIC(80).

[6] Results of the Annual Census of Production for 1978 and earlier years are available only for industries defined in terms of the Standard Industrial Classification (Revised 1968). For 1980 and later years results are available only for industries defined in

terms of the Standard Industrial Classification (Revised 1980). To provide a link between the two classifications, results for 1979 are available on both bases.

TRANSPORT

Stansted Airport

Mr. Wells : To ask the Secretary of State for Transport when the change announced in August to the Stansted airport departure route which goes to the south and west of Bishop's Stortford will come into effect; and if he will make a statement.

Mr. Mcloughlin: The change to this noise preferential route which is to be achieved by altering the route from radial 170 to radial 175, from the Barkway navigation beacon, will come into effect today. This change, which moves the route further away from Bishop's Stortford, takes acount of the views expressed by the Stansted noise preferential routes working group, the response to the public consultation carried out earlier this year and representations from my hon. Friend the Member for Hertford and Stortford.

Air Pollution (London)

Mr. Cox: To ask the Secretary of State for Transport what further steps he intends to take to reduce air pollution in London arising from transport.

Mr. Atkins: The Department is considering a wide range of measures to reduce traffic congestion in London. As well as increasing the efficiency of the transport system, lower congestion should also help to reduce the emission of certain types of pollutant. The Government are also committed to strict standards of vehicle emissions due to be introduced in the 1990s

British Rail

Mr. David Evans: To ask the Secretary of State for Transport what objectives have been set by the British Railways board for the greater use of the private sector in the provision of services; and what progress has been made to date in achieving those objectives.

Mr. Portillo: The Government set the railways board objectives in 1983 and 1986 which included broadening the participation of the private sector in the provision of services to the railway. BR has established specific programmes to meet these objectives and has made significant progress. The former BR subsidiaries of Sealink, British Transport Advertising, Travellers Fare, BREL and the Vale of Rheidol railway have been sold to the private sector. A joint venture project has been developed with the private sector for a new Heathrow express link; and major developments at stations involve private sector input of some £1 billion. Many ancillary services, such as trolley catering on trains, parcels deliveries and management of some car parks, are privately operated. All rolling stock is now bought from the private sector, and two thirds of the rail wagon fleet, excluding coal wagons, is privately owned. BR is exploring the opportunities for further collaboration with the private sector on Channel tunnel passenger and freight services and contracting out civil engineering and signalling work.

Passenger Aircraft

Mr. Nellist: To ask the Secretary of State for Transport if he will meet the chairman of the Civil Aviation Authority to discuss the safety standards of passenger aircraft in service with United Kingdom operators; and if he will make a statement.

Mr. McLoughlin: My right hon. Friend frequently meets the chairman of the Civil Aviation Authority to discuss matters of mutual interest.

Road Construction

Mr. Cran: To ask the Secretary of State for Transport how much has been spent by the Government on road construction since 1979.

Mr. Atkins: The amount spent by the Government on the construction and improvement of motorways and other trunk roads in England, Scotland and Wales in the period April 1979 to March 1989 was £7,120 million.

North Devon Link Road

Mr. Speller: To ask the Secretary of State for Transport what conditions he will require to be fulfilled in order to provide funding to dual the North Devon link road from Tiverton to Barnstaple.

Mr. Atkins: I am satisfied that the present single carriageway road will be adequate for a long time to come. Predictions prepared using the Department's recently published national road traffic forecasts indicate that it will be many years before the economic benefits of dualling, calculated using our standard 30-year assessment period, would exceed the cost of such improvement. The economic assessment takes into account reductions in accidents and the benefits of reduced congestion.

Information Technology

Mr. Warren: To ask the Secretary of State for Transport how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Atkins: Eleven officials have attended courses or training specifically on information technology since promotion to grade 3. A further five have attended courses containing an element of information technology. These represent 41 per cent. and 19 per cent. respectively of those at grade 3 and above in the Department of Transport.

Mr. Warren: To ask the Secretary of State for Transport how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such stations to civil servants.

Mr. Atkins: There are some 5,130 computer work stations of all types excluding stand-alone word processors in the Department of Transport, giving a ratio of one work station to every 2·9 members of staff.

Mr. Warren: To ask the Secretary of State for Transport which Minister in his Department is responsible

for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Atkins: No Minister is responsible for day-to-day management of the Department's information technology strategy. This is the task of a grade 5 civil servant.

WALES

Ysgol Cwm Rhymni

Mr. Ron Davies: To ask the Secretary of State for Wales whether he has any plans to visit Ysgol Cwm Rhymni, Bargoed; and if he will make a statement.

Mr. Wyn Roberts: I have made arrangements to visit Ysgol Cwm Rhymni on Friday 3 November.

DRG Company

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit the DRG Company, Deeside industrial park; and if he will make a statement.

Mr. Peter Walker: I have no present plans to visit the DRG Company.

Information Technology

Mr. Warren: To ask the Secretary of State for Wales which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Peter Walker: My Department reports directly to me on information technology matters, and I devote as much of my time to these issues as is necessary.

Mr. Warren: To ask the Secretary of State for Wales how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Peter Walker: There are currently 320 computer work stations in my Department, excluding stand-alone word processors. The ratio of work stations to civil servants is 1:7.

Mr. Warren: To ask the Secretary of State for Wales how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Peter Walker: Ten officers have attended a course specifically on information technology since promotion to grade 3. One other has attended a course containing an element of information technology. These represent 77 per cent. and 8 per cent. respectively of staff at grade 3 and above in the Welsh Office.

OVERSEAS DEVELOPMENT

Elephants

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will discuss with the Governments of Kenya and Tanzania what levels of external support they require to assist with programmes of elephant protection.

Mrs. Chalker: We are in regular and close touch with both Governments to determine priorities for the aid programme, and we are always ready to consider requests for help in conservation.

In Kenya we have been providing such help for many years, and fund three expatriate staff in the Kenya wildlife department. We have also provided 19 British Army Bedford trucks for use in anti-poaching efforts, and we are helping with a review of the wildlife department's radio communications requirements.

Following a request from the Government of Tanzania we are about to appoint consultants to look at possible ways of helping with wildlife conservation.

ATTORNEY-GENERAL

Camelford

Dr. Cunningham: To ask the Attorney-General if he will make a statement on the progress of the investigation of the Director of Public Prosecutions into the Camelford incident; and when the investigation will be complete.

The Attorney-General: I understand that police inquiries have been completed and the Director is awaiting a final advice from counsel before making a decision.

HOME DEPARTMENT

Information Technology

Mr. Warren: To ask the Secretary of State for the Home Department how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Hurd: Eleven officials at grade 3 level and above have since attaining that grade attended a course specifically on information technology. Four of those 11, plus a further four, have attended a course containing an element of information technology. These figures represent 41 per cent. and 30 per cent. respectively of staff in those grades.

Mr. Warren: To ask the Secretary of State for the Home Department how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Hurd: At present there are some 3,200 computer work stations in the Department. This represents about one terminal for every 13 staff in post or, excluding the prison service (which accounts for some 3 to 4 of the

Department's complement) one for every four staff. "Work station" is here taken to include linked terminals and stand-alone microcomputers (including those used partly for word-processing) but to exclude dedicated word-processors and other portable text processors.

Mr. Warren: To ask the Secretary of State for the Home Department which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Hurd: The Home Office, because of the heterogeneous nature of its business, does not have one single IT strategy but a number of strategies geared to the needs of different businesses or areas of the office. Ministers overseeing particular areas of the office concern themselves, as part of that responsibility, with the application of IT to them. It is not practicable to apportion the part of ministerial time specifically devoted to IT aspects of the work.

Television Stations

Mr. Worthington: To ask the Secretary of State for the Home Department if under existing Government proposals for ownership of television stations, the 15 current independent television franchise areas could be owned by eight non-British companies.

Mr. Renton: In line with our Treaty of Rome obligations the present, and proposed, prohibition of foreign control of United Kingdom broadcasting services does not extend to other EC countries. Applicants for regional channel 3 franchises, whether or not other EC companies are involved, will not pass the quality threshold unless they can satisfy the ITC that they will provide regional programmes, including programmes produced in the region.

Salman Rushdie

Mr. Dykes: To ask the Secretary of State for the Home Department whether he intends to cease public financial support for the protection of Salman Rushdie, his publishers and associates.

Mr. Hurd: The decision to provide protection is one for the police, who will have regard to the threat and all other relevant circumstances.

Trusts

Mr. Ron Davies: To ask the Secretary of State for the Home Department what is the number of *(a)* charitable land trusts, *(b)* public benefit trusts and *(c)* maintenance funds presently in existence in England and Wales.

Mr. John Patten: This information is not available.

THE ARTS

Museums and Galleries Commission

Mr. Maclennan: To ask the Minister for the Arts whether he has received the annual report of the Museums and Galleries Commission; and if he will make a statement.

Mr. Luce: I have read the Museum and Galleries Commission's annual report and discussed issues arising from it with the Commission's chairman, who I meet quite frequently. This most recent report featured an account of the most valuable and exciting work of the travelling exhibitions unit, which I have seen in person and support enthusiastically.

Book Storage

Mr. John Marshall: To ask the Minister for the Arts if he will make a statement about the annual cost of storing books received under the Copyright Act.

Mr. Luce: I have responsibility for only one of the copyright libraries, the British Library. In 1987-88 the library received around 50,400 books under the legal deposit regulations, and the annual cost of storing each book was approximately £1.

EDUCATION AND SCIENCE

Information Technology

Mr. Warren: To ask the Secretary of State for Education and Science how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mrs. Rumbold: The figures are as follows:

	Grade 1		*Grade 2*		*Grade 3*	
	Number	*Percentage of grade*	*Number*	*Percentage of grade*	*Number*	*Percentage of grade*
Information technology courses	2	100	5	100	10	62
Courses with an information technology element	Nil	—	1	20	Nil	—

Mr. Warren: To ask the Secretary of State for Education and Science how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Alan Howarth: On 3 October 1989 there were 1,578 computer work stations in the Department including Her Majesty's inspectorate of schools. This includes portable computers and 175 personal computers used by typists for word processing.

At that date the total number of staff in the Department, including Her Majesty's inspectors and all support staff, was 2,567. The ratio of computer work stations to staff was therefore 1:1·6.

Mr. Warren: To ask the Secretary of State for Education and Science which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Alan Howarth: The day-to-day management of the Department's information technology (IT) strategy is the responsibility of officials. I am responsible for oversight of IT matters in the Department. IT is in general so integrated into the Department's business functions that it would involve a disproportionate effort to attempt to apportion specific intervals of my time to this matter.

School Buildings

Mr. Pawsey: To ask the Secretary of State for Education and Science when the National Audit Office report on school buildings will become available.

Mr. Alan Howarth: This is the responsibility of the Comptroller and Auditor General.

Rothera Point (Airstrip)

Mr. Yeo: To ask the Secretary of State for Education and Science, pursuant to his reply on 21 December 1988 to the hon. Member for South Suffolk, *Official Report*, columns 283-85, whether the Natural Environment Research Council has yet published the final report on its comprehensive environmental evaluation of the proposed new British Antarctic Survey airstrip at Rothera Point; and if he will make a statement.

Mr. MacGregor: The Natural Environment Research Council (NERC) has recently published the final comprehensive environmental evaluation of the proposed new British Antarctic Survey airstrip at Rothera Point. Copies have been placed in the Libraries of both Houses.

My right hon. Friend the Foreign Secretary circulated the draft of this report to consultative parties to the Antarctic treaty; copies were also made available to various non-governmental organisations. The helpful comments received were taken into account by the NERC in preparing the final report.

I commend this thorough report to hon. Members as further evidence of the Government's continuing concern for the environment.

National Curriculum

Mr. Winnick: To ask the Secretary of State for Education and Science if he will make a statement on his proposals for the national curriculum on the teaching in secondary schools of the history of the last war, and of the reasons why Britain declared war on Nazi Germany.

Mrs. Rumbold: My right hon. Friends the Secretaries of State for Education and Science and for Wales are awaiting the final report of the national curriculum history working group, which they expect to receive by the end of the year. They will then publish their proposals for the history curriculum.

Student Loans

Mr. Straw: To ask the Secretary of State for Education and Science what assumptions as to real and nominal interest rates have been made in his calculations of the cost of the student loans scheme.

Mr. MacGregor: The costings set out in annex E of Cm. 520 are expressed in constant prices, and are accordingly not affected by interest rate assumptions.

FOREIGN AND COMMONWEALTH AFFAIRS

Environmental Protection

188. **Ms. Walley:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his ministerial colleagues in G7 to discuss measures to protect the environment.

189. **Mr. Gareth Wardell:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his ministerial colleagues in G7 to discuss measures to protect the environment.

190. **Mr. Michael Welsh:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his ministerial colleagues in G7 to discuss measures to protect the environment.

191. **Mr. Wall:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his ministerial colleagues in G7 to discuss measures to protect the environment.

Mr. Waldegrave: Environmental issues were among the subjects discussed when the G7 countries met in Paris for the economic summit on 14 to 16 July 1989. The Chancellor of the Exchequer and the then Secretary of State for Foreign and Commonwealth Affairs accompanied the Prime Minister to that meeting.

Information Technology

Mr. Warren: To ask the Secretary of State for Foreign and Commonwealth Affairs how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Sainsbury: Seven such officials have attended courses specifically on information technology: this represents 23 per cent. of those relevant grades serving in both the diplomatic service and Overseas Development Administration wings of the Foreign and Commonwealth Office. Other officers in these grades have undertaken courses containing an element of information technology, but this information is not readily available.

Mr. Warren: To ask the Secretary of State for Foreign and Commonwealth Affairs how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Sainsbury: In both the diplomatic service and Overseas Development Administration wings of the Foreign and Commonwealth Office, at home and abroad, there is an approximate total of 2,800 work stations (computer terminals), excluding stand-alone work processors. The ratio of these to United Kingdom civil servants is three civil servants to one terminal, but many of the

overseas terminals are used by locally engaged staff and the ratio (including both United Kingdom and locally engaged staff) is 5:1

Mr. Warren: To ask the Secretary of State for Foreign and Commonwealth Affairs which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Sainsbury: The day-to-day management of the Foreign and Commonwealth Office's information technology (IT) strategy is the responsibility of officials. The Ministers with overall responsibility for IT matters in the Foreign and Commonwealth Office are my noble Friend Lord Brabazon of Tara in the diplomatic service wing, and my right hon. Friend the Minister of State for Overseas Development. It would not be practicable to calculate what specific portion of a Minister's time is devoted to IT issues, since IT is now so well integrated into the Department's general business functions.

Porpoises

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Japanese Government in protest at the slaughter of 40,000 porpoises by Japanese fishermen in 1988.

Mr. Sainsbury: We have, through the International Whaling Commission made the Japanese Government fully aware of our view that there should be better international protection for porpoises and other species of small cetacea. We are investigatng reports of the slaughter to which the hon. Member refers.

NATIONAL FINANCE

Balance of Payments

12. **Mr. Sillars:** To ask the Chancellor of the Exchequer what is his latest estimate of the expected balance of payments deficit in the current year.

Mr. Lilley: A revised forecast will be published at the time of the Autumn Statement.

Mr. Wareing: To ask the Chancellor of the Exchequer what plans he has to reduce the deficit in the United Kingdom's balance of payments.

Mr. Norman Lamont: Tighter monetary policy is already slowing the growth of demand, and this will eventually lead to a reduction in the current account deficit. However, my right hon. Friend the Chancellor has always made clear that the current account would be one of the last indicators to respond to the tightening of monetary policy.

52. **Mr. George:** To ask the Chancellor of the Exchequer what was the United Kingdom's balance of payments deficit in the first quarter and second quarter of 1989.

56. **Mr. Ted Garrett:** To ask the Chancellor of the Exchequer what was the United Kingdom's balance of payments deficit in the first quarter and second quarter of 1989.

157. **Mr. Bermingham:** To ask the Chancellor of the Exchequer what was the United Kingdom's balance of payments deficit in the first quarter and second quarter of 1989.

184. **Mr. John Garrett** To ask the Chancellor of the Exchequer what was the United Kingdom's balance of payments deficit in the first quarter and second quarter of the current year.

Mr. Norman Lamont: The deficit on the current account was £4·8 billion in the first quarter and £4·9 billion in the second quarter of 1989.

67. **Mr. Simon Hughes:** To ask the Chancellor of the Exchequer whether he has revised the forecast for the balance of payments in 1989 and 1990 since the Budget.

Mr. Norman Lamont: A revised forecast will be published at the time of the Autumn Statement.

Public Sector Debt

13. **Mr. Hague:** To ask the Chancellor of the Exchequer what is his estimate of the effect on debt interest costs of the public sector debt repayments over the last two years.

Mr. Norman Lamont: The Government have made a net public sector debt repayment of £17·9 billion over the last two years, saving over £1½ billion a year in debt interest costs.

86. **Mr. Couchman:** To ask the Chancellor of the Exchequer what is his estimate of the effect on debt interest costs of the public sector debt repayments over the last two years.

111. **Mr. Riddick:** To ask the Chancellor of the Exchequer what is his estimate of the effect on debt interest costs of the public sector debt repayments over the last two years.

Mr. Ryder: I refer my hon. Friends to the reply my right hon. Friend the Chief Secretary gave earlier today to my hon. Friend the Member for Richmond, Yorks (Mr. Hague).

Output

14. **Mr. Stevens:** To ask the Chancellor of the Exchequer what are the latest figures for output per hour worked in *(a)* the United Kingdom, *(b)* Japan and *(c)* Germany.

99. **Mr. Charles Wardle:** To ask the Chancellor of the Exchequer what are the latest figures for output per hour worked in *(a)* United Kingdom, *(b)* Japan and *(c)* Germany.

Mr. Ryder: Recent estimates show that output per hour worked in the United Kingdom economy in 1986 was about 50 per cent. higher than in Japan and only 5 per cent. lower than in Germany.

Public Expenditure

15. **Mr. Snape:** To ask the Chancellor of the Exchequer what is the public spending outturn for *(a)* health and *(b)* education.

143. **Mr. Soley:** To ask the Chancellor of the Exchequer what is the public spending outturn for *(a)* health and *(b)* education.

147. **Mr. Steinberg:** To ask the Chancellor of the Exchequer what is the public spending outturn for *(a)* health and *(b)* education.

171. **Mr. Spearing:** To ask the Chancellor of the Exchequer what is the public spending outturn for *(a)* health and *(b)* education.

Mr. Norman Lamont: Estimates of outturn for 1989-90 will be published in the Autumn Statement.

18. **Mr. Cohen:** To ask the Chancellor of the Exchequer what steps the Treasury is taking to ensure adequate levels of efficiency and value for money in Her Majesty's Government's public expenditure programmes.

74. **Mr. Ronnie Campbell:** To ask the Chancellor of the Exchequer what steps the Treasury is taking to ensure adequate levels of efficiency and value for money in Her Majesty's Government's public expenditure programmes.

82. **Mr. Tom Clarke:** To ask the Chancellor of the Exchequer what steps the Treasury is taking to ensure adequate levels of efficiency and value for money in Her Majesty's Government's public expenditure programmes.

Mr. Norman Lamont: Improving efficiency and value for money in public expenditure is a major Treasury objective, and the measures we have introduced have so far achieved estimated savings approaching £3 billion.

46. **Mr. Rowlands:** To ask the Chancellor of the Exchequer what is the public spending planning total for 1989-90.

54. **Mr. Sheerman:** To ask the Chancellor of the Exchequer if he will make a statement on the public spending planning total.

87. **Ms. Ruddock:** To ask the Chancellor of the Exchequer if he will make a statement on the public expenditure planning total.

185. **Mr. Ernie Ross:** To ask the Chancellor of the Exchequer what is the public spending planning total for 1989-90.

186. **Mr. Rogers:** To ask the Chancellor of the Exchequer what is the public spending planning total for 1989-90.

Mr. Norman Lamont: I refer the hon. Members to the answer I gave earlier today to the hon. Member for Coventry, North-West (Mr. Robinson).

47. **Mr. Buckley:** To ask the Chancellor of the Exchequer what representations he has received from the Confederation of British Industry and the Trades Union Congress about the level of public expenditure.

97. **Dr. Bray:** To ask the Chancellor of the Exchequer what representations he has received from the Confederation of British Industry and the Trades Union Congress about the level of public expenditure.

124. **Mr. Ron Brown:** To ask the Chancellor of the Exchequer what representations he has received from the Confederation of British Industry and the Trades Union Congress about the level of public expenditure.

Mr. Norman Lamont: My right hon. Friend receives representations from the CBI and the TUC from time to time concerning the level of public expenditure.

109. **Mr. Jim Marshall:** To ask the Chancellor of the Exchequer what is the planning total for public spending in each of the next three years.

163. **Mrs. Mahon:** To ask the Chancellor of the Exchequer what is the planning total for public spending in each of the next three years.

168. **Mr. David Marshall:** To ask the Chancellor of the Exchequer what is the planning total for public spending in each of the next three years.

179. **Mr. Michael J. Martin:** To ask the Chancellor of the Exchequer what is the planning total for public spending in each of the next three years.

Mr. Norman Lamont: The public expenditure planning totals published in the 1989 public expenditure White Paper in January were £179·4 billion for 1990-91 and £191·6 billion for 1991-92; no planning total was set for 1992-93. Plans for all three years will be given in my right hon. Friend the Chancellor of the Exchequer's forthcoming Autumn Statement.

127. **Mr. McLeish:** To ask the Chancellor of the Exchequer what is the public spending outturn for 1989-90.

140. **Mr. Martlew:** To ask the Chancellor of the Exchequer what is the public spending outturn for 1989-90.

153. **Mr. Madden:** To ask the Chancellor of the Exchequer what is the public spending outturn for 1989-90.

155. **Mr. Robertson:** To ask the Chancellor of the Exchequer what is the public spending outturn for 1989-90.

Mr. Norman Lamont: An estimate of outturn for 1989-90 will be published in the Autumn Statement.

138. **Mr. Robert Hughes:** To ask the Chancellor of the Exchequer when he last met representatives of the Equal Opportunities Commission concerning priorities for public expenditure in 1990-91.

180. **Mr. Sean Hughes:** To ask the Chancellor of the Exchequer when he last met representatives of the Equal Opportunities Commission concerning priorities for public expenditure in 1990-91.

Mr. Norman Lamont: My right hon. Friend has never met the Equal Opportunities Commission to discuss public expenditure.

New Businesses

19. **Mr. Brandon-Bravo:** To ask the Chancellor of the Exchequer what was the increase in the number of weekly net business start-ups in 1988-89 over 1987-88.

Mr. Lawson: In 1988, the number of new businesses started up, net of closures, averaged 1,200 a week, the highest level ever. The comparable figure for 1987 was 800 a week. In 1978, the last year of the last Labour Government, closures exceeded start-ups at the rate of 100 a week.

80. **Mr. Walden:** To ask the Chancellor of the Exchequer what was the increase in the number of weekly net business start-ups in 1988-89 over 1987-88.

158. **Mr. Leigh:** To ask the Chancellor of the Exchequer what was the increase in the number of weekly net business start-ups in 1988-89 over 1987-88.

Mr. Norman Lamont: I refer my hon. Friend to the reply given earlier today by my right hon. Friend the Chancellor of the Exchequer to my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo).

Tax Rates

20. **Mr. Oakes:** To ask the Chancellor of the Exchequer how many bands of marginal income tax rates exist *(a)* in the United Kingdom and *(b)* in other G7 countries.

61. **Mr. Maxton:** To ask the Chancellor of the Exchequer how many bands of marginal income tax rates exist *(a)* in the United Kingdom and *(b)* in other G7 countries.

121. **Mr. Nellist:** To ask the Chancellor of the Exchequer how many bands of marginal income tax rates exist *(a)* in the United Kingdom and *(b)* in other G7 countries.

125. **Mr. Murphy:** To ask the Chancellor of the Exchequer how many bands of marginal income tax rates exist *(a)* in the United Kingdom and *(b)* in other G7 countries.

Mr. Lilley: The United Kingdom has two bands of income tax rates. The number of bands in the other Group of Seven countries ranges from two to 12. With permission, I will place details in the *Official Report*.

Following is the information:

Table of Income tax rate bands

Country	*Number of bands*
Canada	[1]3
France	12
Federal Republic of Germany	[2]3
Italy	7
Japan	5
United States of America	[3]2

[1]Plus provincial tax: Quebec 5 bands, others 3 bands.
[2]The middle band is a gradually rising rate according to a table which has 2,260 stages.
[3]With an additional marginal rate band for some. Plus state income tax: e.g. California 6 bands, New York 5 bands.

Interest Rates

22. **Mr. James Lamond:** To ask the Chancellor of the Exchequer what is the current short-term United Kingdom interest rate; and what are the interest rates of each of the G7 countries.

Mr. Norman Lamont: On 18 October three-month money market rates were 15 per cent. in the United Kingdom, 8·6 per cent. in the United States, 6·4 per cent. in Japan, 8·3 per cent. in Germany, 10 per cent. in France, 13 per cent. in Italy, and 12·3 per cent. in Canada.

27. **Mr. Knox:** To ask the Chancellor of the Exchequer if he will make a statement about the current level of interest rates.

102. **Mr. Wilson:** To ask the Chancellor of the Exchequer if he will make a statement on the current level of interest rates.

Mr. Ryder: Bank base rates are 15 per cent.

30. **Mr. O'Brien:** To ask the Chancellor of the Exchequer what the United Kingdom base rate was in May 1988; and what is is today.

31. **Mr. Patchett:** To ask the Chancellor of the Exchequer what the United Kingdom base rate was in May 1988; and what it is today.

57. **Mr. Parry:** To ask the Chancellor of the Exchequer what was the United Kingdom base rate in May 1988; and what it is today.

Mr. Ryder: The base rate in the United Kingdom was 8 per cent. at the beginning of May 1988 and fell to 7½ per cent. on 18 May of that year. The base rate is currently 15 per cent.

41. **Mr. Janner:** To ask the Chancellor of the Exchequer what is the current short-term interest rate in *(a)* the United Kingdom and *(b)* Germany.

135. **Mr. Illsley:** To ask the Chancellor of the Exchequer what is the current short-term interest rate in *(a)* the United Kingdom and *(b)* Germany.

149. **Mr. Martyn Jones:** To ask the Chancellor of the Exchequer what is the current short-term interest rate in *(a)* the United Kingdom and *(b)* Germany.

Mr. Ryder: I refer the hon. Members to the reply I gave earlier today to the hon. Member for Cunninghame, South (Mr. Lambie).

85. **Mr. Leadbitter:** To ask the Chancellor of the Exchequer, what is the current short-term United Kingdom interest rate; and what are the interest rates of each of the G7 countries.

95. **Mr. Lewis:** To ask the Chancellor of the Exchequer what is the current short-term United Kingdom interest rate; and what are the interest rates of each of the G7 countries.

130. **Mr. Leighton:** To ask the Chancellor of the Exchequer what is the current short-term United Kingdom interest rate; and what are the interest rates of each of the G7 countries.

Mr. Ryder: I refer the hon. Members to the reply my right hon. Friend the Chief Secretary gave earlier today to the hon. Member for Oldham, Central and Royton (Mr. Lamond).

105. **Mr. Battle:** To ask the Chancellor of the Exchequer, when he next expects to meet representatives of the Building Societies Association to discuss the level of United Kingdom interest rates.

118. **Mr. Bell:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Building Societies Association to discuss the level of United Kingdom interest rates.

120. **Mr. Bidwell:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Building Societies Association to discuss the level of United Kingdom interest rates.

Mr. Ryder: My right hon. Friend has no such plans.

110. **Mr. Cryer:** To ask the Chancellor of the Exchequer whether he will make a statement on the prevailing level of interest rates and the effect on manufacturing industry.

Mr. Ryder: Inflation is the greatest threat to the prosperity of all manufacturing firms. They will, therefore, benefit greatly from the Government's determination to keep interest rates as high as necessary for as long as necessary as part of its firm anti-inflationary policy.

114. **Mr. Dykes:** To ask the Chancellor of the Exchequer if he will make a statement on the effect to date of the high interest rate policy on countering inflation.

Mr. Ryder: There are clear signs that the Government's tight monetary policy is countering inflationary pressures. The housing market has cooled in all areas of the country and retail sales show the lowest recorded annual increase since June 1982.

116. **Mr. David Young:** To ask the Chancellor of the Exchequer how many letters he has received from members of the public on the level of interest rates or their impact on the cost of mortgages.

129. **Mrs. Wise:** To ask the Chancellor of the Exchequer how many letters he has recieved from members of the public on the level of interest rates or their impact on the cost of mortgages.

Mr. Ryder: I refer the hon. Members to the answer my right hon. Friend the Chancellor gave earlier today to the hon. Member for Clydebank and Milngavie (Mr. Worthington).

156. **Mr. Foulkes:** To ask the Chancellor of the Exchequer what representations he has received from the National Federation of Self Employed and Small Businesses Ltd. about the level of the United Kingdom's interest rates.

164. **Mr. Flynn:** To ask the Chancellor of the Exchequer what representations he has received from the National Federation of Small Businesses and the self-employed about the level of United Kingdom interest rates.

166. **Mr. Flannery:** To ask the Chancellor of the Exchequer what representations he has received from the National Federation of Self Employed and Small Businesses Ltd. about the level of United Kingdom interest rates.

182. **Mr. Fisher:** To ask the Chancellor of the Exchequer what representations he has received from the National Federation of Self Employed and Small Businesses Ltd. about the level of United Kingdom interest rates.

Mr. Ryder: My right hon. Friend and I have received a number of representations on this subject.

Contingency Reserve

23. **Mr. Blunkett:** To ask the Chancellor of the Exchequer if he will make a statement on allocations from the contingency reserve in the current financial year.

68. **Mr. Boateng:** To ask the Chancellor of the Exchequer if he will make a statement on allocations from the contingency reserve in the current financial year.

76. **Mr. Boyes:** To ask the Chancellor of the Exchequer if he will make a statement on allocations from the contingency reserve in the current financial year.

92. **Mr. Bradley:** To ask the Chancellor of the Exchequer if he will make a statement on allocations from the contingency reserve in the current financial year.

Mr. Norman Lamont: Allocations from the reserve are made as the need arises.

Income Tax

24. **Mr. Nicholas Bennett:** To ask the Chancellor of the Exchequer if he will make a statement on his policy objectives for income tax.

Mr. Lilley: My right hon. Friend's objective is to reduce the basic rate of income tax to 20 per cent. as soon as it is prudent and sensible to do so.

Quotas

25. **Mr. Alan W. Williams:** To ask the Chancellor of the Exchequer what is the Government's response to the International Monetary Fund's proposals by Mr. Michael Camdessus for a quota increase.

Mr. Ryder: I refer the hon. Member to the reply given earlier today by my right hon. Friend the Chancellor of the Exchequer to the right hon. Member for Swansea, West (Mr. Williams).

Private Sector Investment

26. **Mr. Amos:** To ask the Chancellor of the Exchequer what has been the total value of United Kingdom private sector investment over the last three years as a percentage of gross domestic product.

Mr. Norman Lamont: Private sector fixed investment, in 1985 prices, as a percentage of gross domestic product (at factor cost) was 15·6 per cent. in 1986, 16·8 per cent. in 1987 and 19 per cent. in 1988. The share of private sector investment in GDP was a record in 1988, surpassing the previous record in 1987.

Value Added Tax

28. **Dr. Reid:** To ask the Chancellor of the Exchequer what plans he has to broaden the value added tax base.

73. **Ms. Primarolo:** To ask the Chancellor of the Exchequer what plans he has to broaden the value added tax base.

83. **Mr. Ray Powell:** To ask the Chancellor of the Exchequer what plans he has to broaden the value added tax base.

Mr. Ryder: My right hon. Friend has no current plans to broaden the value added tax base.

34. **Mr. Mullin:** To ask the Chancellor of the Exchequer how much value added tax for a family on average male earnings with two children represented as a percentage of their gross earnings in 1978-79; and what percentage it represents at the latest available date.

59. **Ms. Mowlam:** To ask the Chancellor of the Exchequer how much value added tax for a family on average male earnings with two children represented as a percentage of their gross earnings in 1978-79; and what percentage it represents at the latest available date.

65. **Mr. John Morris:** To ask the Chancellor of the Exchequer how much value added tax for a family on average male earnings with two children represented as a percentage of their gross earnings in 1978-79; and what percentage it represents at the latest available date.

72. **Mr. Alfred Morris:** To ask the Chancellor of the Exchequer how much value added tax for a family on average male earnings with two children represented as a percentage of their gross earnings in 1978-79; and what percentage it represents at the latest available date.

Mr. Ryder: A married man on average male earnings with two children would have paid approximately 2·7 per cent. of his earnings in value added tax in 1978-79 and will pay 5 per cent. in 1989-90.

Taxation

29. **Mr. Butterfill:** To ask the Chancellor of the Exchequer how much indirect taxation has increased as a proportion of disposable income in real terms since 1984.

Mr. Ryder: It is estimated that indirect taxes—excluding rates—will be equivalent to 11·9 per cent. of gross national disposable income in 1989 compared with 11·8 per cent. in 1984.

77. **Mr. Knapman:** To ask the Chancellor of the Exchequer if he will make a statement on progress towards the introduction of independent taxation in April 1990.

Mr. Lilley: Preparations are well in hand for the introduction of independent taxation in April 1990.

Third World Debt

32. **Mr. Jack Thompson:** To ask the Chancellor of the Exchequer when he last met ministerial colleagues in the G7 to discuss Third world debt.

40. **Mr. Strang:** To ask the Chancellor of the Exchequer when he last met ministerial colleagues in the G7 to discuss Third world debt.

48. **Mr. Turner:** To ask the Chancellor of the Exchequer when he last met ministerial colleagues in the G7 to discuss Third world debt.

132. **Mr. Hinchliffe:** To ask the Chancellor of the Exchequer when he last met with the managing director of the International Monetary Fund and the president of the World Bank to discuss Third world debt.

146. **Mr. Henderson:** To ask the Chancellor of the Exchequer when he last met with the managing director of the International Monetary Fund and the president of the World Bank to discuss Third world debt.

178. **Mr. Haynes:** To ask the Chancellor of the Exchequer when he last met the managing director of the International Monetary Fund and the president of the World Bank to discuss Third world debt.

Mr. Ryder: I refer the hon. Members to the answer my right hon. Friend the Chancellor of the Exchequer gave earlier today to the hon. Member for Dewsbury (Mrs. Taylor).

Inflation

33. **Mrs. Maureen Hicks:** To ask the Chancellor of the Exchequer what recent steps he has taken to control the rate of inflation.

Mr. Ryder: Since the signs of emerging inflationary pressures appeared last year, the Chancellor has tightened monetary policy by raising interest rates. This is the right way to bring inflation down.

36. **Mr. Alton:** To ask the Chancellor of the Exchequer what is the present rate of inflation in the United Kindom and in each other European Community country.

Mr. Ryder: Inflation rates for United Kingdom and all other EC countries are as follows. The figures exclude estimates of owner-occupier housing costs, putting them on a more comparable basis.

	Latest[1] *inflation rate*
Germany	2·8
France	3·4
United Kingdom	5·8
Italy	6·6
Spain	7·4
Netherlands	0·8
Belgium	3·2
Portugal	13·7
Greece	13·6
Denmark	4·9
Ireland	3·7
Luxembourg	3·4

[1] Latest figures are September for Italy and the United Kingdom, August for France, Germany, Belgium, Denmark, Greece, Luxembourg and Portugal, May for Ireland and July for the remaining countries.

Source: OECD HMT and national sources.

44. **Mr. Bill Michie:** To ask the Chancellor of the Exchequer what was the forecast used for inflation for 1989-90 and 1990-91 in the 1989 "Public Expenditure Survey"; and what are his latest estimates for inflation in these periods.

Mr. Meale: To ask the Chancellor of the Exchequer what was the forecast used for inflation for 1989-90 and 1990-91 used in the 1989 public expenditure survey; and what are his latest estimates for inflation in these periods.

126. **Mr. Michael:** To ask the Chancellor of the Exchequer what was the forecast used for inflation for 1989-90 and 1990-91 used in the 1989 public expenditure survey; and what are his latest estimates for inflation in these periods.

Mr. Ryder: Estimates from the 1989 public expenditure survey will appear in the Autumn Statement. The statement will also present the latest general economic forecast, which includes projections for inflation.

Manufacturing Investment

35. **Mr. Quentin Davies:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of British manufacturing industry.

113. **Mr. Harris:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of British manufacturing industry.

181. **Mr. Roger King:** To ask the Chancellor of the Exchequer what is his latest information on the investment intentions of British manufacturing industry.

Mr. Norman Lamont: The latest Department of Trade and Industry investment intentions survey, published in June, projected manufacturing investment in constant prices to rise by 15 per cent. in 1989 on a year earlier, with a further, smaller, increase indicated for 1990.

Corporation Tax

37. **Mr. Gill:** To ask the Chancellor of the Exchequer what consideration he has given to exempting non-quoted companies from corporation tax.

Mr. Lilley: My right hon. Friend has no plans to exempt non-quoted companies from corporation tax.

Business Investment

38. **Mr. Hind:** To ask the Chancellor of the Exchequer if he will make a statement on the level of business investment for the latest full year for which figures are available.

167. **Mr. Wood** To ask the Chancellor of the Exchequer if he will make a statement on the level of business investment for the latest full year for which figures are available.

Mr. Norman Lamont: Business investment, in constant prices, as a percentage of gross domestic product was 14·9 per cent. in 1988, the highest level recorded.

Debt Reduction

39. **Ms. Gordon:** To ask the Chancellor of the Exchequer what progress has been made in implementing the debt reduction plan of United States Treasury Secretary, Mr. Nicholas Brady.

Mr. Ryder: The IMF has agreed programmes allowing for officially supported debt reduction with Mexico, Venezuela, Costa Rica and the Philippines; and these countries are currently in discussion with the commercial banks on the terms of possible debt relief.

55. **Dr. Gilbert:** To ask the Chancellor of the Exchequer what progress has been made in implementing the debt reduction plan of United States Treasury Secretary, Mr. Nicholas Brady.

Mr. Lawson: I refer the right hon. Member to the reply which my hon. Friend the Economic Secretary gave earlier today to the hon. Member for Bow and Poplar (Ms. Gordon)

Trade Deficit

42. **Mr. Faulds:** To ask the Chancellor of the Exchequer what was the deficit in visible trade in the first and second quarters of 1989.

91. **Mr. Fatchett:** To ask the Chancellor of the Exchequer what was the deficit in visible trade in the first and second quarters of 1989.

94. **Mr. Terry Fields:** To ask the Chancellor of the Exchequer what was the deficit in visible trade in the first and second quarters of 1989.

101. **Mr. Frank Field:** To ask the Chancellor of the Exchequer what was the deficit in visible trade in the first and second quarters of 1989.

Mr. Norman Lamont: The deficit on visible trade was £6 billion in the first quarter and £5·9 billion in the second quarter of 1989.

93. **Mr. Eadie:** To ask the Chancellor of the Exchequer what was the deficit in manufacturing trade in the first and second quarters of 1989.

103. **Mr. Harry Ewing:** To ask the Chancellor of the Exchequer what was the deficit in manufacturing trade in the first and second quarter of the current year.

106. **Mr. Eastham:** To ask the Chancellor of the Exchequer what was the deficit in manufacturing trade in the first and second quarters of 1989.

Mr. Norman Lamont: The information was published on 26 September 1989 in table 16 of the monthly press notice on the current account of the balance of payments, a copy of which is available in the Library.

Negative Transfers

43. **Mr. Grocott:** To ask the Chancellor of the Exchequer what has been the negative transfer of financial resources from the 17 most heavily indebted countries since 1983 to the latest available year.

134. **Mr. Hardy:** To ask the Chancellor of the Exchequer what has been the negative transfer of financial resources from the 17 most heavily indebted countries since 1983 to the latest available year.

Mr. Ryder: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Tottenham (Mr. Grant).

Disposable Income

45. **Mr. Hunter:** To ask the Chancellor of the Exchequer what are the latest figures for the growth of real personal disposable income for the latest year for which figures are available.

Mr. Norman Lamont: In the four quarters up to the second quarter of 1989, real personal disposable income is estimated to have been 4·8 per cent. higher than in the year up to the second quarter of 1988.

Investment

49. **Mr. Marlow:** To ask the Chancellor of the Exchequer what has been the average annual increase in total investment in the United Kingdom in the 1980s; and what are the equivalent figures for the other European Community countries.

88. **Mr. David Davis:** To ask the Chancellor of the Exchequer what has been the average annual increase in total investment in the United Kingdom in the 1980s; and what are the equivalent figures for the other European Community countries.

172. **Mr. Key:** To ask the Chancellor of the Exchequer what has been the average annual increase in total investment in the United Kingdom in the 1980s; and what are the equivalent figures for the other European Community countries.

177. **Mr. Hayward:** To ask the Chancellor of the Exchequer what has been the average annual increase in total investment in the United Kingdom in the 1980s; and what are the equivalent figures for the other European Community countries.

Mr. Ryder: The information is as follows:

Percentage increase in Total Gross Fixed Capital Formation 1980–88

	Annual average percentage change
Germany	0·5
France	0·8
United Kingdom	4·5
Italy	1·3
Belgium	0·4
Luxembourg	−0·1
Netherlands	2·0
Denmark	1·3
Ireland	−1·6
Spain	3·7
Portugal	2·5
Greece	−1·4

Source: CSO for United Kingdom. OECD National Accounts Volume 1, 1980-87. 1988 figures from OECD Economic Outlook June 1989.

Manufacturing Output

50. **Mr. Robert G. Hughes:** To ask the Chancellor of the Exchequer what are the latest figures for growth of manufacturing output.

150. **Mr. Allan Stewart:** To ask the Chancellor of the Exchequer what are the latest figures for the growth of manufacturing output.

Mr. Norman Lamont: The latest figures show that in the three months to August manufacturing output was 4 per cent. higher than a year earlier.

Footwear and Leather

51. **Mr. Vaz:** To ask the Chancellor of the Exchequer what fiscal assistance he is proposing to give to the footwear and leather industries.

Mr. Lilley: My right hon. Friend has no plans to introduce any special fiscal assistance for the footwear and leather industries.

Economic Growth

53. **Sir David Price:** To ask the Chancellor of the Exchequer what was the average annual rate of real economic growth in the United Kingdom through the 1980's.

69. **Mr. David Martin:** To ask the Chancellor of the Exchequer what was the average annual rate of economic growth in the United Kingdom in the 1980s.

Mr. Norman Lamont: Gross domestic product is estimated to have grown on average by 2¼ per cent. per annum since 1980. The seven years to 1988 have seen a combination of strong and steady growth not matched since the war.

Employee Share Ownership

58. **Mr. Ian Taylor:** To ask the Chancellor of the Exchequer what evidence he has of the amount of use being made by companies of employee share ownership plans as a result of the measures announced in his March Budget.

Mr. Lilley: The employee share ownership measures included in this year's Finance Act were generally welcomed, and we are confident that they will contribute to the continuing success of our initiatives in this field. While it is too early to assess their impact, the Inland Revenue has received a number of inquiries concerning the establishment of employee share ownership plans (ESOPs).

Personal Equity Plans

60. **Mr. Sumberg:** To ask the Chancellor of the Exchequer what evidence he has of the level of take-up of personal equity plans as a result of the measures announced in his March Budget.

187. **Mr. French:** To ask the Chancellor of the Exchequer if he will estimate how many personal equity plans have been taken out in the period since the 1989 Budget; and how many were taken out in the corresponding period last year.

Mr. Lilley: About 130,000 plans were started between the Budget and the end of September 1989 compared with about 35,000 for the corresponding period in 1988.

Bank of England

62. **Mr. McCrindle:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England; and what was discussed.

Mr. Ryder: My right hon. Friend meets the Governor of the Bank of England from time to time to discuss a variety of matters.

Child Poverty

63. **Mr. Dunnachie:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Child Poverty Action Group to discuss child poverty.

75. **Mr. Corbyn:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Child Poverty Action Group to discuss child poverty.

142. **Ms. Abbott:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Child Poverty Action Group to discuss child poverty.

Mr. Norman Lamont: I refer the hon. Members to the reply my hon. Friend the Financial Secretary gave earlier today to the hon. Member for Derby, South (Mrs. Beckett).

Imports and Exports

64. **Mr. Pendry:** To ask the Chancellor of the Exchequer what is the rate of growth of exports over the last 10 years; and what has been the rate of growth of imports.

70. **Ms. Quin:** To ask the Chancellor of the Exchequer what is the rate of growth of exports over the last 10 years; and what has been the rate of growth of imports.

71. **Mr. Randall:** To ask the Chancellor of the Exchequer what is the rate of growth of exports over the last 10 years; and what has been the rate of growth of imports.

Mr. Norman Lamont: On a balance of payments basis, United Kingdom export volume in 1988 is estimated to have been 39 per cent. higher than in 1978. The corresponding estimate of the growth of imports is 70 per cent.

Directors (Pay)

66. **Mr. Morley:** To ask the Chancellor of the Exchequer if, in his discussions with the Director-General of the Confederation of British Industry, he has raised the subject of pay rises awarded to directors of companies in 1989.

78. **Mr. Morgan:** To ask the Chancellor of the Exchequer if, in his discussions with the Director-General of the Confederation of British Industry, he has raised the subject of pay rises awarded to directors of companies in 1989.

Dr. Moonie: To ask the Chancellor of the Exchequer if, in his discussions with the Director-General of the Confederation of British Industry, he has raised the subject of pay rises awarded to directors of companies in 1989.

123. **Mr. Austin Mitchell:** To ask the Chancellor of the Exchequer if, in his discussions with the Director-General of the Confederation of British Industry, he has raised the subject of pay rises awarded to directors of companies in 1989.

Mr. Norman Lamont: Pay is a matter for the parties involved to decide and it is not for the Government to intervene. This applies no matter whose pay is involved. But the Chancellor has made it clear that he will neither directly nor indirectly bail out employers who concede excessive wage settlements.

Privatisation

79. **Mr. Corbett:** To ask the Chancellor of the Exchequer what recent representations he has received from institutions in the City on privatisation issues.

89. **Mr. Cousins:** To ask the Chancellor of the Exchequer what recent representations he has received from institutions in the City on privatisation issues.

144. **Mr. Coleman:** To ask the Chancellor of the Exchequer what recent representations he has received from institutions in the City on privatisation issues.

Mr. Lilley: My right hon. Friend receives a number of representations from time to time from institutions in the City on privatisation issues.

84. **Mr. Allen McKay:** To ask the Chancellor of the Exchequer what is the latest estimate of privatisation revenue.

122. **Mr. McKelvey:** To ask the Chancellor of the Exchequer what is the latest estimate of privatisation revenue.

Mr. Lilley: I refer the hon. Members to the reply I gave earlier today to the hon. Member for Dumbarton (Mr. McFall).

International Debt

81. **Mr. Skinner:** To ask the Chancellor of the Exchequer when he next intends to discuss international debt with other finance ministers; and if he will make a statement.

Mr. Ryder: My right hon. Friend the Chancellor of the Exchequer is regularly in contact with Finance Ministers from other countries. I refer the hon. Member to my answer earlier today to the hon. Member for Derbyshire, North-East (Mr. Barnes).

Manufacturing Profitability

90. **Mr. Ward:** To ask the Chancellor of the Exchequer what is his estimate of the increase in manufacturing profitability during the latest full year for which figures are available.

148. **Mr. Cash:** To ask the Chancellor of the Exchequer what is his estimate of the increase in manufacturing profitability during the latest full year for which figures are available.

Mr. Norman Lamont: The net real rate of return on capital employed for manufacturing companies is estimated to be 9 per cent. in 1987, compared with 7½ per cent. in 1986.

IMF Meeting

96. **Mr. Andrew Mitchell:** To ask the Chancellor of the Exchequer if he will make a statement on his recent meeting in Washington with the International Monetary Fund.

131. **Mr. Tony Banks:** To ask the Chancellor of the Exchequer what was the outcome of the recent annual meeting of the International Monetary Fund and the World Bank; and if he will make a statement.

Mr. Ryder: Finance Ministers of the major industrialised countries reaffirmed their support for economic policy co-operation, leading to low inflation and exchange rate stability. Strong support was given for plans to establish open, market-based economies, particularly in eastern Europe.

Ministers endorsed the strengthened debt strategy, developed by the fund and bank since the spring interim and development committee meetings, and welcomed the first cases of debt reduction which have been agreed.

No agreement was reached on the IMF's quota review: a decision is envisaged by the end of 1989.

Copies of the meeting communiqués have been placed in the Library.

154. **Mr. Ashley:** To ask the Chancellor of the Exchequer what was the outcome of the recent annual meeting of the International Monetary Fund and the World Bank; and if he will make a statement.

Mr. Lawson: I refer the right hon. Member to the answer my hon. Friend the Economic Secretary gave earlier today to my hon. Friend the Member for Gedling (Mr. Mitchell).

Investment and Consumption

98. **Mr. Ian Bruce:** To ask the Chancellor of the Exchequer what has been the growth of *(a)* total investment and *(b)* total consumption over the past seven years.

136. **Mr. Heddle:** To ask the Chancellor of the Exchequer what has been the growth of *(a)* total investment and *(b)* total consumption over the past seven years.

Mr. Norman Lamont: Total investment grew by 76 per cent. in volume terms between 1981 and 1988. Over the same period, the volume of total domestic final consumption grew by 26 per cent. These estimates are derived from information in the CSO's "United Kingdom National Accounts", 1989 edition.

Labour Statistics

100. **Mr. Franks:** To ask the Chancellor of the Exchequer by how much total employment has risen since 1983.

Mr Norman Lamont: Total employment has increased by 2,793,000 since March 1983.

115. **Mr. Patrick Thompson:** To ask the Chancellor of the Exchequer by how much adult unemployment has fallen over the last three years.

139. **Mr. Mans:** To ask the Chancellor of the Exchequer by how much adult unemployment has fallen over the last three years.

183. **Mr. Pawsey:** To ask the Chancellor of the Exchequer by how much adult unemployment has fallen over the last three years.

Mr. Bellingham: To ask the Chancellor of the Exchequer by how much adult unemployment has fallen over the last three years.

Mr. Norman Lamont: Adult seasonally adjusted unemployment fell by 1,419,300 during the three years to September 1989.

Mr. Cran: To ask the Chancellor of the Exchequer what is the latest figure for the total number of people in work; and what was the figure 10 years ago.

Mr. Norman Lamont: The latest figures, released this morning, show that the total number of people in work in the United Kingdom was 26,357,000 in June 1989. This is a new record. In June 1979 total employment was 24,987,000.

Tax Cuts

108. **Mr. McAvoy:** To ask the Chancellor of the Exchequer what is the economic impact of top rate tax cuts.

112. **Mr. McAllion:** To ask the Chancellor of the Exchequer what is the economic impact of top rate tax cuts.

117. **Mr Loyden:** To ask the Chancellor of the Exchequer what is the economic impact of top rate tax cuts.

119. **Mr. McCartney:** To ask the Chancellor of the Exchequer what is the economic impact of top rate tax cuts.

Mr. Norman Lamont: The economic impact of top rate tax cuts, like that of any cuts in income tax, is to promote enterprise, discourage tax avoidance and retain talent in this country.

World Bank Meetings

128. **Mr. Harry Barnes:** To ask the Chancellor of the Exchequer what was the outcome of the recent annual meeting of the International Monetary Fund and the World Bank; and if he will make a statement.

133. **Mr. Wells:** To ask the Chancellor of the Exchequer if he will make a statement on his recent meeting in Washington with the World Bank.

Mr. Ryder: I refer the hon. Members to the communiqués issued by the interim committee of the IMF and the joint development committee of the IMF and the World Bank, which can be found in the Library of the House.

OECD

137. **Mr. Clelland:** To ask the Chancellor of the Exchequer which countries have overtaken the United Kingdom in the Organisation for Economic Co-operation and Development's list of the leading industrial economies in the last three years.

169. **Mrs. Clwyd:** To ask the Chancellor of the Exchequer which countries have overtaken the United Kingdom in the Organisation for Economic Co-operation and Development's list of the leading industrial economies in the last three years.

174. **Mr. Clay:** To ask the Chancellor of the Exchequer which countries have overtaken the United Kingdom in the Organisation for Economic Co-operation and Development's list of the leading economies in the last three years.

Mr. Ryder: I refer the hon. Members to the reply I gave to the hon. Member for Leyton (Mr. Cohen) on 27 July 1989 at column *1125*.

151. **Mr. Fraser:** To ask the Chancellor of the Exchequer what was the United Kingdom's position in the Organisation for Economic Co-operation and Development ranking of the largest industrial economies in december 1988 and in June 1989.

152. **Mrs. Fyfe:** To ask the Chancellor of the Exchequer what was the United Kingdom's position in the Organisation for Economic Co-operation and Development ranking of the largest industrial economies in December 1988 and in June 1989.

175. **Mr. Galbraith:** To ask the Chancellor of the Exchequer what was the United Kingdom's position in the Organisation for Economic Co-operation and Development ranking of the largest industrial economies in December 1988 and in June 1989.

176. **Mr. Galloway:** To ask the Chancellor of the Exchequer what was the United Kingdom's position in the

Organisation for Economic Co-operation and Development ranking of the largest industrial economies in December 1988 and in June 1989.

Mr. Ryder: From June 1989 the United Kingdom is sixth in the OECD's ranking of the leading industrial economies after Italy. The OECD ordering is based on GDP in an earlier year converted at market exchange rates. On the basis of a GDP comparison using OECD estimates of purchasing power parities, the United Kingdom would come before Italy in both 1987 and 1988.

Workplace Nurseries

141. **Mr. John Hughes:** To ask the Chancellor of the Exchequer whether he has any plans to meet representatives of the workplace nurseries campaign.

161. **Dr. Kim Howells:** To ask the Chancellor of the Exchequer whether he has plans to meet representatives of the workplace nurseries campaign.

173. **Mr. Hoyle:** To ask the Chancellor of the Exchequer whether he has plans to meet representatives of the workplace nurseries campaign.

Mr. Lilley: My right hon. Friend has no plans to do so.

162. **Mr. Denis Howell:** To ask the Chancellor of the Exchequer whether he has plans to meet representatives of the workplace nurseries campaign.

Mr. Lawson: I have no plans to do so.

Gross Domestic Product

145. **Mr. Richard Shepherd:** To ask the Chancellor of the Exchequer what are his latest figures for the growth of gross domestic product on an output basis; and what are the comparable figures for other members of the European Community.

Mr. Ryder: Not all EC countries publish GDP on an output basis. The output measure of GDP at constant factor cost for the United Kingdom increased by 4·7 per cent. in 1988. GDP at constant prices grew more quickly in only two other EC countries, Luxembourg and Spain.

Funding Policy

159. **Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer if he will make a statement about the Government's present funding policy.

Mr. Ryder: The Government's funding policy is set out in paragraph 2.23 to 2.26 of the 1989-90 "Financial Statement and Budget Report".

Economic Policy

160. **Ms. Armstrong:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Confederation of British Industry to discuss United Kingdom economic policy.

170. **Mr. Anderson:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Confederation of British Industry to discuss United Kingdom economic policy.

Mr. Norman Lamont: My right hon. Friend meets representatives of the CBI from time to time, and a wide range of subjects are discussed.

165. **Mr. Archer:** To ask the Chancellor of the Exchequer when he next expects to meet representatives of the Confederation of British Industry to discuss United Kingdom economic policy.

Mr. Lawson: I refer the right hon. and learned Member to the answer given earlier today by my right hon. Friend the Chief Secretary to the hon. Member for Durham, North-West (Ms. Armstrong).

Information Technology

Mr. Warren: To ask the Chancellor of the Exchequer how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Ryder: Since promotion to the level of grade 3, two Treasury officials have attended courses exclusively on information technology (IT) and 13 have attended courses containing IT sessions. This represents attendance rates of 4·4 per cent. and 31 per cent. respectively.

Mr. Warren: To ask the Chancellor of the Exchequer how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Ryder: The Treasury which includes the Central Computer and Telecommunications Agency, Chessington computer centre and the Civil Service Catering Organisation, has 1,430 computer work stations. The overall ratio of work stations to staff is about 1:2·2. This figure includes all terminals and microcomputers, but excludes stand-alone dedicated work processors.

Drug Seizures

Mr. Barry Field: To ask the Chancellor of the Exchequer if he will list the latest quantities of cannabis and crack seized by Customs cutters and waterguard officers.

Mr. Ryder: The provisional figures for the six-month period comencing 1 April 1989, uniformed officers on preventive duties (formerly known as the Waterguard) seized 13,385[1] kilos of Cannabis, mostly cannabis resin, out of a total of 18,951[1] kilos seized by Customs.

The cutter service was involved in three large seizures of cannabis, one of 1,200 kilos and two of 100 kilos each.

"Crack" is a compound of cocaine hydrochloride mixed with baking soda/ammonia/amphetamine, and although Customs made no commercial quantity seizures of it, they did seize 118[1] kilos of the main ingredient Cocaine.

[1] All figures are provisional.

Civil Service Dispersal

Mr. Hind: To ask the Chancellor of the Exchequer if he has any plans to relocate any executive agencies or parts of Government Departments in the north-west of England; and if he will make a statement.

Mr. Ryder: Under the policy announced by my right hon. Friend, the then Paymaster General on 31 March 1988, all Government Departments, including executive

agencies, are required to review the location of their work in accordance with clear guidelines, with a view to finding locations offering easier labour markets, value for money and increased operational efficiency. It is for departmental Ministers to announce their own decisions on significant relocations on completion of the essential processes of assessment and consultation. So far this year, decisions have been taken to relocate around 775 Department of Employment posts to Runcorn; 260 Department of Social Security posts to Wigan; 250 Office of Population Censuses and Surveys posts to Southport; 200 Customs and Excise posts to Liverpool and around 80 Inland Revenue posts to Bootle.

HEALTH

Information Technology

Mr. Warren: To ask the Secretary of State for Health how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Freeman: Twenty-seven (55 per cent.) of the 49 officials at grade 3 or above have attended courses specifically on information technology since their promotion to the level of grade 3. Of the remaining 22 officials, three (6 per cent.) have attended courses with an element of information technology.

Mr. Warren: To ask the Secretary of State for Health how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Freeman: The Department of Health has 1,032 work stations in use. The ratio of work stations to staff is 1 for every 3·13 staff.

Mr. Warren: To ask the Secretary of State for Health which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Freeman: The day-to-day management of the Department of Health's information technology (IT) strategy is the responsibility of officials. I am responsible for oversight of IT matters in the Department of Health. IT is in general so integrated into the Department's business functions that to attempt to apportion specific intervals of my time to its consideration would involve a disproportionate effort to obtain.

Tranquillisers

Mr. Fearn: To ask the Secretary of State for Health what plans he has to increase the amount of moneys available to health authorities specifically for the development of services for those experiencing problems with drugs, including prescribed drugs such as tranquillisers.

Mr. Freeman: Allocations for regional health authorities specifically earmarked for the development of services for drug misusers including those dependent on prescribed tranquillisers have increased each year since the initial allocation of £5 million in 1986-87.

Regional allocations in 1989-90 for this purpose totalled £14·8 million, an increase of £5·3 million over the sum allocated in 1988-89.

Decisions on allocations to health authorities for 1990-91 have yet to be taken.

Benzodiazepines

Mr. Fearn: To ask the Secretary of State for Health how many prescriptions for benzodiazepines were issued by community pharmacists in the United Kingdom during 1988.

Mr. Mellor: The number of prescriptions for benzodiazepines dispensed by community pharmacists in Great Britain in 1988 was 23·2 million. This was 9 per cent. fewer than in 1987.

Mr. Fearn: To ask the Secretary of State for Health what response he has made to the report by the Association of Community Health Councils on benzodiazepines.

Mr. Freeman: We are aware of the report on benzodiazepines produced by the association. The report succinctly and usefully summarises the problems associated with tranquilliser dependence and suggests some solutions.

The Department shares the association's concern about long-term benzodiazepine dependence. It is tackling the problem both by ensuring doctors have all the guidance they need for careful prescribing of these drugs and by allocating additional resources for the expansion of services for drug misusers including those dependent on prescribed tranquillisers.

Teaching Hospitals

Mr. Hardy: To ask the Secretary of State for Health if the costs of London area teaching hospitals have been excluded from the normal financing of their health authorities; if the costs of teaching hospitals outside London have been included; and what is the comparative value of this arrangement to the London authorities.

Mr. Freeman: A contribution to the costs of teaching hospitals is provided in addition to main allocations, to all regional health authorities with teaching hospitals. This contribution is enhanced for the four Thames regions to take account of the costs of London weighting and other additional London costs. The total sum protected in 1989-90 in respect of the excess costs of teaching hospitals was £316·4 million of which £11·7 million was for additional London areas costs.

It is a matter for regional health authorities to decide how to allocate these protected sums to districts with teaching hospitals.

Health Authorities (Funding)

Mr. Hardy: To ask the Secretary of State for Health what additional funding will be given to health authorities to ensure that the national growth range of between 1·25 and 1·75 per cent. is maintained in view of the higher level of inflation than that forecast at the time of this commitment.

Mr. Freeman: The range of 1·25 per cent. to 1·75 per cent. to be assumed for real terms growth nationally in 1990-91, published in "Resource Assumptions and Planning Guidelines" (HC(89) 24), was provided to assist authorities in their short-term planning; the figures form a largely technical part of the planning process and are to be used as a basis for cautious and prudent planning. Actual allocations for 1990-91 have yet to be decided and are dependent on the outcome of this year's public expenditure survey.

Organ Transplants

Mr. Pawsey: To ask the Secretary of State for Health what action his Department intends to take to improve the number of kidneys and other organs available for transplantation.

Mr. Freeman: Following advice from the conference of medical colleges, in December 1988 we issued guidance to health authorities on the provision of donor organs for transplantation; this is contained in health circular HC(88) 63. We have also substantially increased the proportion of the Department's publicity budget which is devoted to organ donation.

In November I will be hosting a seminar at which an invited group of experts and interested parties will discuss what further action may be needed.

Community Health Councils

Mr. Pawsey: To ask the Secretary of State for Health what is the estimated annual cost for each of the last five years of community health councils.

Mr. Freeman: The expenses of community health councils are met by and form part of the total expenditure of the health authorities concerned. The latest information available derived from health authorities' annual accounts is shown in the table.

Year	*£*
1983-84	6,098,626
1984-85	6,341,305
1985-86	6,784,064
1986-87	7,164,552
1987-88	7,506,998

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food, further to his reply of 25 May, *Official Report*, column *744*, concerning the cost of the common agricultural policy, whether he will publish in the *Official Report* his estimate of the increase in the cost of agricultural support to the average consumer in 1988 compared with the year taken by the National Consumer Council in "Consumers and the Common Agricultural Policy" published by Her Majesty's Stationery Office in 1988.

Mr. Curry: The National Consumer Council report referred to several assessments of consumer costs of the common agricultural policy undertaken by different researchers. As far as I am aware, only OECD has published estimates for 1988. Provisional estimates for Consumer Subsidy Equivalent's (CSE) for the European Community are shown up on pages 96 and 161 of "Agricultural Policies, Markets and Trade: Monitoring and Outlook" (OECD, 1989), available in the Library of the House. The consumer cost, as measured by the CSE for the European Community, fell by around one fifth between 1986 and 1988.

The OECD estimates take no account of the possible increases in world prices if agricultural support in the European Community, and throughout the world, were dismantled: to this extent they are likely significantly to overstate consumer costs.

The Government's aim is to achieve lower levels of agricultural support worldwide, thereby reducing the costs borne by consumers and taxpayers and establishing fair competition between producers.

CAP Products

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1970, 1979 and 1988, United Kingdom production of each of the principal common agricultural policy products, including bacon, rice and cotton, together with the quantities imported from and exported to *(a)* the European Economic Community and *(b)* the rest of the world; and if he will include the average 1988 price of the imports and exports in each case together with the common agriculture policy price.

Mr. Curry: Information on production and trade for the earlier years is shown in the "Annual Review of Agriculture" White Papers (the 1981 review, Cmnd 8132, provides averaged data for the years 1969-71 and the 1984 review, Cmnd 9137, covers 1979). Forecasts for 1988 were published in "Agriculture in the United Kingdom 1988", ISBN 011 242 8665. Production estimates for 1988 will be available in the 1989 edition (to be published early in the new year). Provisional data on overseas trade in 1988 is to be found in the December 1988 edition of the "Overseas Trade Statistics of the United Kingdom", ISBN 011 728 2642.

EC institutional prices, together with their sterling equivalents, are given each year in the note on the annual price fixing deposited in the Library of the House.

Agriculture Council

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Brussels Agriculture Council held on 25 and 26 September.

Mr. Gummer: The Council of Agriculture Ministers met on 25 and 26 September 1989. Together with my hon. Friend the Parliamentary Secretary, the hon. Member for Skipton and Ripon (Mr. Curry), I represented the United Kingdom at this meeting.

The Council adopted the legal text confirming its provisional agreement in July to a revised sheepmeat regime, including arrangements for phasing out variable premium in Great Britain between 1990 and 1992.

The Council also agreed new arrangements for New Zealand butter and lamb imports. Imports of New Zealand butter will be set at 64,500 tonnes in 1989, falling to 55,000 tonnes in 1992, with a substantial reduction in the import levy. With the agreement of the New Zealand

Government imports of New Zealand lamb have been set at 205,000 tonnes; this includes a maximum of 6,000 tonnes of chilled meat in 1989 rising to 10,500 tonnes by 1992. The import duty will be reduced from 10 per cent. to 0. These arrangements follow the terms negotiated some months ago between the Commission and New Zealand.

The Council agreed to changes in the system for reimbursement from the Community budget of national expenditure on set-aside. Under these, the Community will fund 60 per cent. of payments up to 300 ecus (£212) and 25 per cent. of payments between 300 and 600 ecus (£424) per hectare. The overall level of set-aside payment in the United Kingdom is not affected.

The Council discussed again the Commission proposal to permit all member states to issue an extra 1 per cent. of national quota to certain categories of producers and to make other changes to the milk quota system, designed to bring down the volume of production in excess of quota. No decisions were reached, and the Council will return to this subject on 23 and 24 October.

The Commission again came under strong pressure to make a determination of the Community cereals harvest so that the definitive level of the additional co-responsibility levy for the current marketing year could be set. The Commission indicated that it intended to make such a determination in the course of October. The Commission presented to the Council a proposal that would permit any inaccurate provisional determination of the Community harvest to be corrected; any error in the rate of the additional co-responsibility levy arising from an inaccurate provisional determination would be corrected in the following year. This proposal will be considered further on 23 and 24 October.

Information Technology

Mr. Warren: To ask the Minister of Agriculture, Fisheries and Food which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Curry: The day-to-day management of the Ministry's information technology (IT) strategy is the responsibility of officials. I am the Minister responsible for oversight of IT matters in the Department. IT is in general so integrated into the Department's business functions that to attempt to apportion specific intervals of a Minister's time to its consideration would involve a disproportionate effort to obtain.

Mr. Warren: To ask the Minister of Agriculture, Fisheries and Food how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Curry: Our formal records show that two officials in this Department at grade 3 and above have, since promotion to the level of grade 3, attended courses specifically on information technology. Thirteen have attended courses containing an element of information technology. This represents 6 per cent. and 38 per cent. of all the staff in those grades in the Department. In addition a number of senior officials have attended a selection of seminars/training sessions specifically on information technology, if appropriate to the area of work on which they are engaged. Attendances at these sessions is not formally recorded.

Many staff are, of course, already trained on information technology before achieving promotion to grade 3.

Mr. Warren: To ask the Minister of Agriculture, Fisheries and Food how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Curry: The Ministry currently has about 2,100 work stations (excluding stand-alone word processors) in use. This represents a 1:5 ratio of work stations to civil servants.

Commercial Whaling

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to support a continuation of the moratorium on commercial whaling beyond 1990.

Mr. Curry: The International Whaling Commission will review the moratorium next year in the light of the comprehensive scientific review of whale stocks which it is undertaking at present. The moratorium will continue indefinitely unless there is a three quarters majority decision to revoke it. We will need to see what the scientists say before taking a firm view on this matter. In line with our general policy if there are doubts we will err on the side of conservation.

Small Cetaceans

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if Her Majesty's Government intend to endorse the decision of the Parliamentary Assembly of the Council of Europe to seek an extension of the powers of the International Whaling Commission to small cetaceans.

Mr. Curry: We have consistently argued that the International Whaling Commission should be regarded as having the power to regulate catches of all species of cetacea, from whales to dolphins and porpoises.

Fisheries Conservation

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to adopt economic sanctions against those countries which undermine international fisheries conservation agreements; and if he will make a statement.

Mr. Curry: The Government do not consider that they should promote the idea of economic sanctions. Rather we shall continue to work vigorously through the relevant forum of the International Whaling Commission to ensure that whales are properly conserved. It is widely recognised that we have had much success with this policy.

Salmon Fishing

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food whether he is yet in a position to publish the findings of the review of the effects of the offshore driftnet salmon fishing on stocks; and if he will make a statement.

Mr. Curry: Work on the statutory review of the salmon net fisheries off the north-east of England and eastern Scotland is under way. Scientists from both my Department and the Department of Agriculture and Fisheries for Scotland are currently collecting and co-ordinating a wide range of scientific information.

Ministers are required by section 39 of the Salmon Act 1986 to lay a report on the review before Parliament as soon as practicable after 6 November this year. Once completed, we will clearly need time to consider this extensive review carefully before we are in a position to present a full report to Parliament. I can confirm that it is our intention to do so as soon as possible.

ENVIRONMENT

Water Privatisation

199. **Mr. Denzil Davies:** To ask the Secretary of State for the Environment what are the costs to the Treasury of advertising the sale of the water authorities.

200. **Mr. Doran:** To ask the Secretary of State for the Environment what are the costs to the Treasury of advertising the sale of the water authorities.

201. **Mr. Ron Davies:** To ask the Secretary of State for the Environment what are the costs to the Treasury of advertising the sale of the water authorities.

203. **Mr. Darling:** To ask the Secretary of State for the Environment what are the costs to the Treasury of advertising the sale of the water authorities.

Mr. Howard: The costs of the flotation, including the advertising, will be released to Parliament in the usual way after the sale.

202. **Mr. Cox:** To ask the Secretary of State for the Environment what are the costs to the Treasury of the underwriting for the sale of the water authorities.

204. **Mr. Stott:** To ask the Secretary of State for the Environment what are the costs to the Treasury of the underwriting for the sale of the water authorities.

205. **Mr. Cummings:** To ask the Secretary of State for the Environment what are the costs to the Treasury of the underwriting for the sale of the water authorities.

206. **Mr. Cunliffe:** To ask the Secretary of State for the Environment what are the costs to the Treasury of the underwriting for the sale of the water authorities.

Mr. Howard: It is too early to say what the costs of underwriting will be, but these and the other costs of privatising the water industry will be reported to Parliament in due course in the normal way.

Dr. Cunningham: To ask the Secretary of State for the Environment if he will *(a)* give details of overseas marketing and advertising campaigns paid for by his Department and organised by overseas advisers on water privatisation to attract investment in the flotation of the water industry and *(b)* state how much money has been spent and is proposed to be spent in each case.

Mr. Chris Patten: Shares will be marketed in Japan, Canada, the United States of America and several countries in Europe through presentations made to institutional investors by representatives of the water companies. In Japan only, factual information about the offers will be placed in a limited number of newspapers and there will be a mail shot of information about the offer to a number of private investors. The cost of all marketing, both United Kingdom and overseas, will be presented to Parliament in the usual way after flotation.

Dr. Cunningham: To ask the Secretary of State for the Environment when he will be in a position to state for each country the size of the share offer in the water industry to be made.

Mr. Chris Patten: When the prospectus is published in late November.

Sea Pollution

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list by water holding company area the number of sewage outfalls to the sea; and, of those, how many include primary treatment works.

Mr. Chris Patten: This information is available on National Rivers Authority registers but is not held centrally.

Committee Statistics

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list the composition of *(a)* each regional rivers advisory committee, *(b)* each regional flood defence committee and *(c)* each regional fisheries advisory committee, showing for each member their age, sex and background leading to their being appointed to the committee; and which interests they represent.

Mr. Patten: The regional rivers advisory committees and the regional fisheries advisory committees are committees of the National Rivers Authority, and appointment to them are not made by Ministers but by the National Rivers Authority. I shall write to the hon. Member with information about the appointments that have been made so far.

The regional flood defence committees in England are a matter for my right hon. Friend the Minister of Agriculture, Fisheries and Food, who appoints the chairman and some members of the committees; the majority of appointments are made by the local authorities in the regions, and two members of each committee are appointed by the National Rivers Authority.

Water Quality

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list the numbers of staff and their grades so far appointed to the technical assessors of water quality within his Department; and what proportion this represents of the final number to be appointed.

Mr. Patten: No appointments have been made yet, but the nucleus of a new inspectorate should be in place by 1 January 1990 when the Water Supply (Water Quality) Regulations 1989 come fully into force.

Pollution Inspectorate

Dr. Cunningham: To ask the Secretary of State for the Environment if he will give details of progress in reorganising Her Majesty's inspectorate of pollution; and if he will make a statement.

Mr. Patten: My hon. Friend the Minister for Housing, Environment and Countryside announced on 2 October that significant progress has been made in reorganising Her Majesty's inspectorate of pollution to integrate its regulatory activities. The inspectorate will now operate on a regionalised basis. Full details are available in the Library. I am delighted with the progress made to date. This will ensure that we can secure the benefits of integrated pollution control as quickly as possible.

Dr. Cunningham: To ask the Secretary of State for the Environment (1) if he will list the total number of professional staff employed within the pollution inspectorate;

(2) if he will list the number of vacancies for professionals within the pollution inspectorate, showing in each case the grade and salary scale.

Mr. Chris Patten: HMIP employs 103 professional staff; an additional 28 professional posts are currently vacant. We shall shortly be advertising vacancies at a new grade of pollution inspector. A new salary scale has been proposed to staff representatives ranging from £20,238 to £26,910 (including London weighting). At the minimum of the scale this represents an increase of the 17·3 per cent. against current rates and of 28·5 per cent. against rates offered at the last recruitment exercise.

Dr. Cunningham: To ask the Secretary of State for the Environment what mechanism has been set up within his Department for liaison between the National Rivers Authority and Her Majesty's inspectorate of pollution.

Mr. Chris Patten: A series of discussions has been held by my Department, involving both organisations, to define the basis of their future working relationship. Both the inspectorate and the National Rivers Authority recognise the need for close co-ordination at the interface between their respective responsibilities and will be drawing up a memorandum of understanding to cover these matters.

Information Technology

Mr. Warren: To ask the Secretary of State for the Environment how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Chris Patten: Ten officials in the Department at grade 3 and above have attended a course specifically on information technology; and a further seven have attended a course containing an element of information technology. This represents respectively 18 per cent. and 12 per cent. of all staff in those grades in the Department.

Mr. Warren: To ask the Secretary of State for the Environment how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Patten: About 1,950 in the Department of the Environment (excluding the Property Services Agency); a ratio of one work station to three members of staff. The figure includes all terminals, microcomputers, word processors (excluding stand-alone word processors) and portable text processors.

In the Property Services Agency (including the Crown Suppliers) there are some 2,370 work stations representing one for every 6·6 members of staff.

Mr. Warren: To ask the Secretary of State for the Environment which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Patten: The day-to-day management of the information strategy in the Department of the Environment (Central) is undertaken by an information technology steering group. The chairman of this committee (a grade 3 civil servant) consults me or my ministerial colleagues as appropriate.

My hon. Friend the Parliamentary Under-Secretary of State, the hon. Member for Southampton, Itchen (Mr. Chope) is kept in touch with developments in the Property Services Agency, for which he is responsible.

Assured Tenancies

Mr. Winnick: To ask the Secretary of State for the Environment (1) how many assured shorthold tenancies in the privately rented sector have been taken up in *(a)* the Greater London area and *(b)* the rest of the country since the legislation came into effect this year;

(2) how many new assured tenancies in the privately rented sector have been taken up in *(a)* the Greater London area and *(b)* the rest of the country since the legislation came into effect.

Mr. Chope: We intend in due course to undertake a full evaluation of the impact of the new private letting regime, and this should provide some information as to the number of assured and assured shorthold tenancies that have been created. At present, however, such information is not available.

Endangered Species

Mr. Tony Banks: To ask the Secretary of State for the Environment what contributions have been made by Her Majesty's Government to the CITES ivory unit in each year since 1985.

Mrs. Virginia Bottomley: In 1986 and each succeeding year the United Kingdom contributed £5,000 towards the running of the CITES monitoring unit for trade in raw ivory.

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has regarding payments made by ivory traders to the CITES ivory unit; and if he will make a statement.

Mrs. Virginia Bottomley: I refer the hon. Member to the answer I gave on 25 May 1989, *Official Report*, Vol. 153, col. *677-78*. Contributions to the ivory trade monitoring unit from ivory traders are made in response to a resolution passed at the 6th CITES conference held in July

1987, which urged Governments, non-governmental organisations, trade groups and other appropriate agencies to contribute to the secretariat for ivory trade control co-ordination activities.

Mr. Peter Hardy: To ask the Secretary of State for the Environment what information he has on payments received by the organisations concerned with the convention on trade in endangered species secured from the sale of illegally or improperly acquired species; and if he will support the call for an investigation of those allegations and of the organisations concerned.

Mrs. Virginia Bottomley: None. It is not therefore possible to say whether or not any such investigation would be appropriate.

Puffins

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has regarding the current British population of puffins; and if he will make it his policy to institute a ban on sand-eel fishing to encourage the breeding of puffins.

Mrs. Virginia Bottomley: The current British population of puffins is estimated to be in excess of 500,000 breeding pairs. My right hon. and learned Friend the Secretary of State for Scotland, has already taken action to limit sand-eel fishing.

Environment Council

Mr. Nicholas Baker: To ask the Secretary of State for the Environment if he will make a statement on the outcome of the Environment Council on 19 September.

Mr. Chris Patten: I represented the United Kingdom at this meeting.

The Council gave broad support to a proposal to establish a European Environment Agency, with many member states, including the United Kingdom, offering to host it. Detailed work on technical, administrative and legal aspects of the proposal will now proceed urgently.

Political agreement was reached on a directive concerning the deliberate release to the environment of genetically modified organisms. The directive requires member states to establish systems for the national regulation of such releases where they are for the purposes of research and development and establishes a Community-wide information exchange scheme between national authorities. It also establishes a system for the review and clearance of products containing genetically modified organisms so that conditions can be established for their marketing throughout the Community. The principles embodied in the directive of review and clearance in advance of all releases are broadly compatible with the Department of Environment's consultation paper on future domestic legislation and the conclusions reached by the Royal Commission on environmental pollution in its report on the subject.

I am pleased to say that the United Kingdom received wide support for its call for industrialised nations to become self-sufficient in their waste disposal operations, with the aim of bringing to an end environmentally unjustified transfrontier movement of waste. There was general agreement on the need for Community action on waste, but a number of important issues in the draft framework directive, including scope and treaty base, remain to be resolved.

As a result of joint United Kingdom and Presidency pressure for early discussion of the subject, the Council considered the positive environmental labelling of consumer products. I am pleased to say that the Council agreed conclusions asking the Commission to bring forward proposals for a Community scheme of environmental labelling as quickly as possible.

The Council endorsed the proposal to list the African Elephant on appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and agreed the arrangement for reaching the common positions of member states for the 7th meeting of the conference of the parties to the convention at Lausanne on 9-20 October.

An exchange of views took place on a Commission communication analysing the causes and consequences of tropical deforestation and presenting options for a Community strategy for the conservation of tropical forests. The Council welcomed the communication and agreed conclusions supporting certain forms of Community action in this field and calling for further examination of the communication.

The Council adopted a resolution aimed at preventing natural hazards and reducing dangers from potentially hazardous industrial activities and from transport of dangerous substances. The resolution called on the Commission to undertake studies and initiate measures to improve the prevention of such hazards within the Community.

The United Kingdom warmly supported Germany in strongly pressing the Commission to come forward with long-overdue proposals to curb emissions from diesel heavy goods vehicles.

Community Charge

Dr. Cunningham: To ask the Secretary of State for the Environment what is his estimate of the cost of administering transitional relief, showing separately costs falling in *(a)* 1989-90, *(b)* 1990-91 and *(c)* later years.

Mr. Chris Patten *[holding answer 18 October 1989]:* I refer the hon. Member to the reply given by my hon. Friend the Minister for Local Government to the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 18 October, *Official Report*, Vol. 158, col. *155*.

ENERGY

BNFL Sellafield

Dr. Thomas: To ask the Secretary of State for Energy for how many individual facilities at BNFL Sellafield have *(a)* a facility attachment and *(b)* particular safeguards provisions been completed, in conjunction with *(a)* Euratom and *(b)* the International Atomic Energy Agency; when such arrangements were entered into force for each facility; and for what time period the arrangements are in force.

Mr. Michael Spicer: Four particular safeguard provisions for facilities at BNFL Sellafield are currently in force and will continue indefinitely. A further four are very close to implementation. The remainder are in various stages of consultation.

A facility attachment for one facility at Sellafield was agreed in 1980 and discussions have recently taken place on facility attachments for two other facilities.

Nuclear Plants (Accidents)

Dr. Thomas: To ask the Secretary of State for Energy if he has recently taken, or plans to take, any policy decision on the collaboration of the United Kingdom with European Community partners to share knowledge and assistance in the circumstances of an accident involving radiation plants, nuclear fuel fabrication and enrichment plants, and in research reactors.

Mr. Michael Spicer: The Government are currently involved in discussions within the Council of the European Communities on measures to increase co-operation and assistance between member states in the event of a nuclear accident or radiological emergency. These proposals are detailed in European Community Document COM (89) 25 Final. On 26 June 1989, I signed an explanatory memorandum about the proposals which was placed in the Vote Office.

Nuclear Power (Human Reliability)

Dr. Thomas: To ask the Secretary of State for Energy if his Department will be participating in the conference on human reliability in nuclear power, to be held on 19 and 20 October.

Mr. Michael Spicer: Although my Department will not be participating in the conference directly, both the Health and Safety Executive's nuclear installations inspectorate and the United Kingdom Atomic Energy Authority, who advise the Secretary of State for Energy on nuclear matters, will be represented.

Pressurised Water Reactors

Dr. Thomas: To ask the Secretary of State for Energy if his Department will be represented at the conference on "The PWR—the present and future of Europe's Nuclear Energy" to be held on 6 and 7 November.

Mr. Michael Spicer: No departmental officials will attend the conference. I understand that officials of the United Kingdom Atomic Energy Authority and the Health and Safety Executive's nuclear installations inspectorate are intending to attend.

Environmental Protection

Dr. Thomas: To ask the Secretary of State for Energy what European Community directives and regulations on environmental protection in regard to the energy sector have not been implemented since May 1979; and what is the reason in each case for the non-implementation.

Mr. Wakeham: Responsibility for implementating EC directives and regulations on environmental protection rests with my right hon. Friend the Secretary of State for the Environment. However, I am advised that the only directive relating mainly to environmental protection in regard to the energy sector not implemented since May 1979 is the Large Combustion Plants Directive (88/609/EEC). This was adopted by the European Community on 24 November 1988 and is to be implemented by 30 June 1990. On 31 August the Department of the Environment published the Government's proposals for implementing this directive.

Contaminated Soil (Harwell)

Dr. Thomas: To ask the Secretary of State for Energy what work was undertaken over the summer to remove radioactivity contaminated soil from Harwell.

Mr. Michael Spicer: None.

Information Technology

Mr. Warren: To ask the Secretary of State for Energy how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Wakeham: There are 15 staff employed in the Department of Energy at grade 3 level and above. Of these, four have received training specifically on information technology since promotion, and three (including two of the four already mentioned) have attended courses containing an element of information technology. These figures represent 27 per cent. and 20 per cent. respectively of the total.

Mr. Warren: To ask the Secretary of State for Energy how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Wakeham: My Department currently has about 400 computer work stations, including stand-alone micro computers not entirely devoted to word processing, giving a ratio of 1:2·5 civil servants.

Mr. Warren: To ask the Secretary of State for Energy which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month to Friday 13 October.

Mr. Wakeham: I am satisfied that my Department's information technology strategy is appropriate to its circumstances and that its implementation does not require the day-to-day involvement of Ministers.

Nuclear Reactors

Dr. Thomas: To ask the Secretary of State for Energy if he will make a statement on the current operational difficulties with *(a)* Magnox and *(b)* advanced gas-cooled reactors.

Mr. Michael Spicer: This is an operational matter for the Central Electricity Generating Board. I have asked the chairman to write to the hon. Member.

Oil Consumption

Mr. Meacher: To ask the Secretary of State for Energy what was the level of *(a)* world oil consumption and *(b)* United Kingdom oil consumption in each year since 1960; what has been the percentage annual growth in each case; and what levels are predicted to be reached by 2000.

Mr. Peter Morrison: Data on United Kingdom and non-Communist world oil consumption between 1960 and 1988 are shown in the table, together with annual percentage changes in each case.

Predictions of world and United Kingdom oil consumption over the next 10 years remain uncertain and will depend upon many different factors.

Oil consumption

	United Kingdom		*Total non-communist world*	
	million tonnes	*Percentage change*	*million tonnes*	*Percentage change*
1960	49·7	—	920·3	—
1961	52·6	5·8	976·1	6·1
1962	56·8	8·0	1,042·6	6·8
1963	61·7	8·6	1,127·6	8·2
1964	67·3	9·1	1,213·6	7·6
1965	74·2	10·3	1,298·3	7·0
1966	79·5	7·1	1,396·5	7·6
1967	85·3	7·3	1,500·4	7·4
1968	90·4	6·0	1,630·5	8·7
1969	97·3	7·6	1,774·7	8·8
1970	103·6	6·5	1,916·1	8·0
1971	104·3	0·7	2,013·2	5·1
1972	110·5	5·9	2,142·7	6·4
1973	113·2	2·4	2,319·0	8·2
1974	105·3	−7·0	2,234·2	−3·7
1975	92·0	−12·6	2,166·8	−3·0
1976	91·4	−0·7	2,310·6	6·6
1977	92·0	0·7	2,376·3	2·8
1978	94·0	2·2	2,450·1	3·1
1979	94·5	0·5	2,489·4	1·6
1980	80·8	−14·5	2,356·1	−5·4
1981	74·7	−7·5	2,255·5	−4·3
1982	75·6	1·2	2,166·8	−3·9
1983	72·5	−4·1	2,151·1	−0·7
1984	89·6	23·6	2,194·5	2·0
1985	77·4	−13·6	2,176·4	−0·8
1986	77·4	0·0	2,245·6	3·2
1987	75·2	−2·8	2,285·1	1·8
1988	80·0	6·4	2,373·6	3·9

Note.—Oil consumption is defined as inland demand plus international aviation and marine bunkers, and refinery fuel and loss. Oil includes NGLs.

Sources: BP Statistical Review of World Energy, July 1989 (for years 1965-88).
Our Industry Petroleum, BP 1977 (for years 1960-64).

SOCIAL SECURITY

Earnings Rule (Abolition)

192. **Sir George Young:** To ask the Secretary of State for Social Security if he will make a statement on the implications of the abolition of the earnings rule.

Mrs. Gillian Shephard: Abolition of the earnings rule on 1 October means greater choice and flexibility for pensioners. Women aged 60 to 64, and men aged 65 to 69 no longer have their state pension reduced on account of earnings over £75 a week. They may now earn as much as they wish, work as many hours as they wish and still claim their full entitlement to the state pension. The removal of this disincentive to carry on working is expected to benefit approximately 200,000 people who previously deferred their state pension, as well as a further 200,000 who earn less than £75 a week and who may now choose to earn more.

National Insurance

193. **Mr. Irvine:** To ask the Secretary of State for Social Security whether he has any further plans for reforming the structure of national insurance contributions.

194. **Mr. Yeo:** To ask the Secretary of State for Social Security if he will make a statement on the implementation of the reform of national insurance.

Mr. Scott: The changes in the structure of national insurance contributions, announced by my right hon. Friend the Chancellor of the Exchequer in his Budget Statement, came into effect on Thursday 5 October 1989. Some 19 million employees will pay less in contributions as a result of these reforms. We have no current plans for further reform of the contributions system.

EC Labour and Social Affairs Council

Mr. Andrew Mitchell: To ask the Secretary of State for Social Security if he will make a statement on the European Community Labour and Social Affairs Council held in Brussels on 29 September.

Mrs. Gillian Shephard: I attended this Council on behalf of the United Kingdom. The meeting was very constructive. Ministers exchanged views on a number of wide-ranging items, including family policies and the possibility of a co-ordinated approach to the problems of disability. Agreement was reached on a resolution on possible measures for combating the social exclusion of disadvantaged groups. There was also some discussion of the social security provisions for workers moving between member states and of the need for extension of social protection schemes in fields such as occupational pensions.

Ministers agreed to support European Community study of the practicalities of introducing a durable plastic card version of form E111 (to obtain emergency health care in the EC).

Proposals for amending the family benefit provisions of the regulations (1408/71) dealing with social security benefits for migrant workers in the light of the European Court of Justice judgment in the Pinna case were agreed by 11 member states including the United Kingdom, but Italy maintained a reserve on the proposal, which needed unanimity. The issue was, therefore, deferred for further consideration.

Information Technology

Mr. Warren: To ask the Secretary of State for Social Security how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mrs. Gillian Shephard: Since their promotion to grade 3, nine people at grades 3 and above have attended a course specifically on information technology and six people have attended a course containing an element of information technology. This represents 53 per cent. and 35 per cent. respectively of all the staff in those grades.

Mr. Warren: To ask the Secretary of State for Social Security how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mrs. Gillian Shephard: There are currently 3,985 work stations installed within the Department as part of the operational strategy to computerise benefit payments. The

ratio of work stations to civil servants is 1:20. The number of work stations will rise as the programme for the computerisation of benefits is introduced into more offices during national rollout.

Mr. Warren: To ask the Secretary of State for Social Security which Minister in his Deprtment is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Newton: The day-to-day management of the Department of Social Security's information technology (IT) strategy is the responsibility of officials. The Minister responsible for oversight of IT matters in the Department of Social Security is the Parliamentary Under-Secretary of State, my hon. Friend the Member for Norfolk, South-West (Mrs. Shephard). IT is in general so integrated into the Department's business functions that to attempt to apportion specific intervals of my hon. Friend's time to its consideration would involve a disproportionate effort to obtain.

NORTHERN IRELAND

Road Accidents, Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many road accidents there have been on the road between Shaw's bridge and the Milltown junction with the dual carriageway in the borough of Castlereagh in each of the past five years; and if he will make a statement.

Mr. Cope: There has been a total of 54 road accidents reported to the police in which injuries have been sustained on this stretch of road between 1 January 1984 and 3 July 1989. The figures for each year are:

	Number
1984	12
1985	10
1986	8
1987	7
1988	7
1989[1]	10

[1] To 3 July 1989.

No record is kept of road accidents in which there have been no injuries.

Information Technology

Mr. Warren: To ask the Secretary of State for Northern Ireland how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Cope: The number of staff at grade 3 and above in Northern Ireland Office and Northern Ireland Departments who, since promotion to grade 3, have attended a course specifically on information technology is 14; and the number who have attended a course containing an element of information technology is five. These figures represent 28 per cent. and 10 per cent. respectively of the total number of staff in these grades.

Mr. Warren: To ask the Secretary of State for Northern Ireland how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Cope: The number of work stations, excluding stand-alone word processors, in the Northern Ireland Office and Northern Ireland Departments is 3,670. The ratio of work stations to non-industrial civil servants is 1:5·6.

Mr. Warren: To ask the Secretary of State for Northern Ireland which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Cope: While each Minister has departmental responsibilities which include information technology, I have specific responsibility for the Northern Ireland service-wide aspects of the Government's information technology strategy which are co-ordinated by the Department of Finance and Personnel.

A detailed record is not maintained of the time that I spend on my various responsibilities.

Grant-aided Schools

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on how many occasions in each of the past 10 years the Department of Education exercised its power of direction in the case of managers of grant-aided schools for acting or proposing to act unreasonably in the discharge of their functions under the Education and Libraries (Northern Ireland) Orders.

Dr. Mawhinney: Two such directions have been issued to education and library boards in their capacity as the managers of controlled schools. No such directions have been issued to managers of voluntary grant-aided schools.

PRIME MINISTER

South Hams

Q19. **Mr. Steen:** To ask the Prime Minister if she will pay an official visit to South Hams.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has no plans to do so.

NATO

Q28. **Mr. Cash:** To ask the Prime Minister if she has received recent representations regarding NATO.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister regularly receives representations regarding NATO.

Skills Training

Q29. **Mr. Boswell:** To ask the Prime Minister what recent representations she has received concerning skills training.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister receives representations from time to time. The Government, through their Training Agency, invest almost £3 billion in funding training. However, training is primarily the responsibility of employers, who are investing more than ever before in the skills of their employees—some £18 billion a year.

Fishing Vessels (Safety)

Q34. **Dr. Godman:** To ask the Prime Minister if Her Majesty's Government have any proposals to change the safety regulations relating to the occupational safety of fishermen and the safe working of United Kingdom registered fishing vessels; and if she will make a statement.

Sir Geoffrey Howe: I have been asked to reply.

The Fishing Vessel (Safety Provisions) Rules 1975 are currently under review. The review will take into account the provisions of the Torremolinos international convention for the safety of fishing vessels 1977 and any subsequent variations thereto which may be necessitated by the protocol to that convention which is currently under consideration by the International Maritime Organisation. Regulations made under the Safety at Sea Act 1986 to introduce safety training for entrants into the industry came into force during March this year.

West Yorkshire

Q40. **Mr. Kirkhope:** To ask the Prime Minister if she will visit West Yorkshire.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has no plans to do so.

Somerset

Q57. **Mr. David Nicholson:** To ask the Prime Minister if she will visit Somerset.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has no plans to do so.

A1/M1 (Delays)

Q71. **Mr. Holt:** To ask the Prime Minister what reports have been made to her of delays when travelling by ministerial car on the A1/M1 road during the last six months.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has not received any such representations. But my right hon. Friend is aware of the concern in the north-east about the upgrading of the A1. The White Paper "Roads for Prosperity" includes among the schemes set out, proposals to a value of £700 million to improve over half the length of the A1 between the M25 and Tyneside. When all schemes are completed, all the sections from the M18 to Tyneside will be motorway or near motorway throughout.

Black Country

Q76. **Mrs. Hicks:** To ask the Prime Minister if she will visit the black country.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has no plans to do so.

GATT

Q118. **Mr. John Browne:** To ask the Prime Minister if she has received recent representations regarding the General Agreement on Tariffs and Trade.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of representations relating to the General Agreement on Tariffs and Trade from foreign Government and United Kingdom interests.

OECD

Q119. **Mr. Cyril D. Townsend:** To ask the Prime Minister is she has received recent representations regarding the Organisation for Economic Co-operation and Development.

Sir Geoffrey Howe: I have been asked to reply.

No. But the Government value the information and exchange of views which the OECD makes possible.

RAF

Q123. **Mr. Leigh:** To ask the Prime Minister is she has received recent representations regarding the Royal Air Force.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister regularly receives representations regarding the Royal Air Force.

Higher Education

Q127. **Mr. Alexander:** To ask the Prime Minister is she has received recent representations regarding higher education.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister receives many representations on education matters, including the Government's policies for higher education which are helping to take this autumn's student numbers above 1 million for the first time, and pave the way for yet greater participation in the years ahead.

Greenhouse Effect

Q142. **Sir Hugh Rossi:** To ask the Prime Minister if she has received recent representations regarding the greenhouse effect.

Sir Geoffrey Howe: I have been asked to reply.

The House of Commons Select Committee on Energy has recently reported on the energy policy implications of the greenhouse effect. The Government are currently studying the report and will reply shortly.

Transport Museum, Low Moor

Q147. **Mr. Cryer:** To ask the Prime Minister when she next expects to pay an official visit to the site of the Transport museum at Low Moor, Bradford.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has no plans to do so.

Army

Q151. **Mr. Mallins:** To ask the Prime Minister if she has received recent representations regarding the Army.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister regularly receives representations regarding the Army.

Crime

Q161. **Mr. Marland:** To ask the Prime Minister if she has received recent representations regarding the level of crime.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of such representations. The continuing fall in the overall level of recorded crime shown in the statistics for the year ending 30 June 1989 is encouraging, though the figures are still too high.

Bank of England

Q162. **Sir Anthony Grant:** To ask the Prime Minister if she has received recent representations regarding the Bank of England.

Sir Geoffrey Howe: I have been asked to reply.

No.

Employment

Q167. **Mr. William Powell:** To ask the Prime Minister if she has received recent representations regarding the level of employment.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of representations about the level of employment. The work force in employment in the United Kingdom now stands at 26,357,000. That level is the highest ever recorded and is an increase of 2,793,000 since March 1983. It is 872,000 more than the previous peak in employment in December 1979.

Motor Industry

Q173. **Mr. Page:** To ask the Prime Minister if she has received recent representations regarding the motor industry.

Sir Geoffrey Howe: I have been asked to reply.

The motor industry is one of Britain's major industries and my right hon. Friend the Prime Minister often receives representations about it.

Nuclear Deterrent

Q174. **Mr. Fishburn:** To ask the Prime Minister if she has received recent representations regarding the nuclear deterrent.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of letters from individuals and organisations.

Merchant Fleet

Q206. **Sir David Price:** To ask the Prime Minister in view of the ninth report of the Select Committee on Defence entitled "The Availability of Merchant Shipping for Defence Purposes: July 1989", what steps she intends to take to reverse the decline in British merchant ships available for defence purposes.

Sir Geoffrey Howe: I have been asked to reply.

The Government have already introduced a number of measures to help the merchant shipping industry. The effects of the Government's measures depend to a large extent on the practical response of the industry, which the Government await with interest.

Government Advertising

Mr. Wray: To ask the Prime Minister whether she will take steps to ensure that all Government Departments and offices apply the same standards as used by local authorities when dealing with Government advertising.

Sir Geoffrey Howe: I have been asked to reply.

Advertising by Government Departments is already subject to conventions as stringent as those applied to local authority advertising. Consolidated guidance was issued by the Cabinet Office to Departments earlier this year, and a copy has been placed in the Library.

Conservative Party Conference

Mr. Winnick: To ask the Prime Minister if she will list those civil servants and their Departments officially present at the Conservative party conference, including those from her private office.

Sir Geoffrey Howe: I have been asked to reply.

A private secretary and a typist were present at the Conservative party conference to assist the Prime Minister in her official duties. In addition, three members of the No. 10 Policy Unit (who are special advisers) were present. Information about attendances at the conference by officials in other Departments is not available centrally.

Second World War (History Teaching)

Mr. Winnick: To ask the Prime Minister what representations she has received on the teaching in secondary schools of the history of the last war; what response she has made; and if she will make a statement.

Sir Geoffrey Howe: I have been asked to reply.

The Government have received no representations specifically on the teaching of the history of the last war. Some have been received about the proposals for the teaching of history made in the interim report of the national curriculum working group. The group is expected to make its final report to my right hon. Friends the Secretary of State for Education and Science and for Wales before Christmas.

Labour Party Policies (Costings)

Mr. Winnick: To ask the Prime Minister which Departments have been involved in asking civil servants to cost the Labour party's policies; which ones have actually undertaken this costing; and if she will make a statement.

Sir Geoffrey Howe: I have been asked to reply.

Officials stand ready to estimate the cost of proposals for expenditure if asked to do so by their Ministers. A number of departmental Ministers have asked their officials to estimate the cost of specific proposals which are

thought to be endorsed by the Labour party. The provision of factual material of this sort by civil servants is consistent with the practice of previous Governments, and with the Cabinet Office rules on propriety.

Members' Correspondence

Mr. Pawsey: To ask the Prime Minister (1) if she will issue guidance to departmental Ministers that four to six weeks is a reasonable time scale for correspondence to be answered and that, in the exceptional cases where it is not, an answer should be sent to the hon. Member originating the correspondence advising him of the circumstances which prevent a definitive reply being sent within this time scale;

(2) what she assesses as a reasonable time for a Department to respond to correspondence from an hon. Member.

Sir Geoffrey Howe: I have been asked to reply.

Ministers normally seek to provide answers within the timescale mentioned by my hon. Friend or to send interim replies when this is not possible.

Engagements

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 19 October.

Mr. Nicholas Bennett: To ask the Prime Minister if she will list her official engagements for Thursday, 19 October.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday, 19 October.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister is attending the Commonwealth Heads of Government meeting in Kuala Lumpur.

Chequers

Mr. Tony Banks: To ask the Prime Minister what was the charge to public funds of decoration and furnishings at Chequers during 1988-89 and the estimated costs in 1989-90

Sir Geoffrey Howe: I have been asked to reply.

The maintenance of Chequers is the responsibility of the Chequers Trust. The trust receives an annual grant-in-aid from public funds to meet the deficiency between its income and the total maintenance cost of Chequers. The amount of the grant-in-aid in 1989-90 is £238,000, the same as 1988-89.

EMPLOYMENT

Workplace Nurseries

195. **Mr. Hood:** To ask the Secretary of State for Employment what discussions he has held with the Equal Opportunities Commission to discuss the provision of workplace nurseries.

196. **Mr. Home Robertson:** To ask the Secretary of State for Employment what discussions he has held with the Equal Opportunities Commission to discuss the provision of workplace nurseries.

197. **Mr. Nigel Griffiths:** To ask the Secretary of State for Employment what discussions he has held with the Equal Opportunities Commission to discuss the provision of workplace nurseries.

198. **Mr. Norman Hogg:** To ask the Secretary of State for Employment what discussions he has held with the Equal Opportunities Commission to discuss the provision of workplace nurseries.

Mr. Nicholls: I have had discussions on childcare with the chair of the Equal Opportunities Commission at meetings of the Advisory Committee on Women's Employment, which I chair. Workplace nurseries are among the matters discussed.

Public Bodies

Mr. Sillars: To ask the Secretary of State for Employment if he will publish a list of non-departmental public bodies appointed by him showing the salaries paid in each individual case; and what is the total public expenditure involved in running these organisations in a full year.

Mr. Nicholls: The table gives the information in respect of bodies sponsored by the Department. Appointment of members to the Employment Appeal Tribunal are made by Her Majesty The Queen and appointments of chairmen of industrial tribunals are made by the Lord Chancellor. Appointments to other bodies are made either directly by my right hon. friend or by the appropriate executive body. The total annual public expenditure involved in running these organisations was £3,622 million as at 1 April 1989.

Employment Department Group
Non-Departmental Public Bodies

	Remuneration		
	Chairman	*Deputy*	*Members*
Executive etc. Bodies			
Advisory Conciliation and Arbitration Service	£72,000		£869 per annum +£86 per day
British Tourist Authority	£36,000		£5,030
Commissioner for the Rights of Trade Union Members	£179 per day		
Co-operative Development Agency	£11,235		
English Tourist Board	£21,600		£5,030
National Council for Vocational Qualifications	£10,000		
National Dock Labour Board	£22,644	£19,869	£1,100

	Remuneration		
	Chairman	*Deputy*	*Members*
Remploy Ltd.			£33,910-£55,000
Wages Councils	£103 or £129 per day		£66 or £82 per day
Health and Safety Commission	£72,000		£869 per annum +£86 per day
Health and Safety Executive	—	—	—
Training Agency	£27,400		£828 per annum +£82 per day
Training Agency Bodies			
Industrial Training Boards:			
Clothing and Allied Products Industry Training Board	£12,432		
Construction Industry Training Board	£18,648	£8,549	
Engineering Training Board	£15,540		
Hotel and Catering Training Board	£12,432		
Offshore Petroleum Industry Training Board	£9,324		
Plastics Processing Industry Training Board	£9,324		
Road Transport Industry Training Board	£12,432		
Advisory Bodies (unpaid)			
Advisory Committee on Women's Employment			
Civil Service Arbitration Tribunal			
Race Relations Employment Advisory Group			
Retail Prices Index Advisory Committee			
Employment Service Bodies:			
Employment and Training Advisory Committee for the Resettlement of Ex-Regulars			
Committees for the Employment of Disabled People			
National Advisory Council on Employment of Disabled People			
Sheltered Employment Consultative Group			
Health and Safety Commission Bodies:			
Advisory Committee on Dangerous Pathogens			
Advisory Committee on Dangerous Substances			
Advisory Committee on Genetic Manipulation			
Advisory Committee on the Safety of Nuclear Installations			
Advisory Committee on Toxic Substances			
British Approvals Service for Electrical Equipment in Flammable Atmospheres Advisory Council			
Certification Board for Diver Training			
Certification of Electrical Equipment for Mining Advisory Council			
Industry Advisory Committees			
Mining Qualifications Board			
Non-Agricultural Pesticides Panel			
Occupational Health Advisory Committee			
Safety in Mines Research Advisory Board			
Tribunals etc.			
Central Arbitration Committee	£19,240	£161 per day	£103 per day
Employment Appeal Tribunal	—	—	£129 per day
Industrial Tribunals	£37,500 to £50,900	—	£82 per day
Levy Exemption Referees	£161 per day	—	£66 per day

Self-employment

Mr. Sillars: To ask the Secretary of State for Employment what is his assessment of the change in the numbers of self-employed in the next 12 months.

Mr. Nicholls: The Department does not make forward projections of the self-employed.

Between March 1981 and March 1989 self-employment was estimated to increase by 985,000, and now stands at 3,079,000.

Information Technology

Mr. Warren: To ask the Secretary of State for Employment how many officials in his Department at grade 3 and above have, since promotion to the level of

grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Eggar: The information requested is given in the table:

	Number of staff who have attended courses specifically on information technology	*Percentage of staff in the grade*	*Number of staff who have attended courses with an element of information technology*	*Percentage of staff in the grade*
Grade 1	1	50	1	50
Grade 2	4	100	1	25
Grade 3	11	41	13	48

Mr. Warren: To ask the Secretary of State for Employment how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Eggar: Excluding stand-alone word processors, there are 19,420 work stations currently installed in the Employment Department group; a ratio of 1:2·8 civil servants.

Mr. Warren: To ask the Secretary of State for Employment which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Eggar: The day-to-day management of the Employment Department group's information technology (IT) strategy is the responsibility of officials. I am the Minister responsible for IT matters in the Employment Department group. IT is in general so integrated into the Department's business functions that to attempt to apportion specific intervals of a Minister's time to its consideration would involve a disproportionate effort.

Closed Shop

Mr. Meacher: To ask the Secretary of State for Employment if he will give the breakdown by industry and region of the 1·3 million workers now covered by the pre-entry closed shop.

Mr. Fowler: The Green Paper "Removing Barriers to Employment" (CM 655), published on 20 March 1989, referred to a survey carried out by NOP Market Research Ltd between 22 February and 6 March 1989 which indicated that the number of people covered by pre-entry closed shop arrangements was of the order of 1·3 million. The pre-entry closed shop was most extensive in manufacturing, energy and water supply, and transport and communication. Among manufacturing industries, publishing and printing was the sector with the highest incidence. Membership of both pre-entry and post-entry shops was above average in the central and northern regions of Britain and below average in the south.

A full analysis of the data obtained in the survey will be published in an article in the November issue of the *Employment Gazette*.

Construction Industry

Mr. Wareing: To ask the Secretary of State for Employment how many *(a)* deaths and *(b)* injuries occurred in the construction industry in each of the last five years; and how many such deaths and injuries occurred among workers employed by a firm in possession of a 714 certificate.

Mr. Nicholls: The available information is given in the table. It is not possible to identify those injuries occurring to workers employed by a firm in possession of a 714 certificate.

Number of reported[1] occupational injuries in the construction industry in Great Britain

Year	*Employees*			*Self employed*			*Other persons[2]*	
	Fatal	*Major[3]*	*Over 3 day*	*Fatal*	*Major[3]*	*Over 3 day*	*Fatal*	*Major[3]*
1984	100	2,288	..	17	70	..	7	75
1985	104	2,239	..	22	113	..	13	78
1986 Q1[4]	24	579	..	2	29	..	1	24
1986-87[5]	99	2,570	16,260	26	412	687	14	594
1987-88[5]	102	2,633	16,418	40	521	744	16	563
1988-89p[5]	99	2,701	15,963	35	715	953	13	630

p – provisional.
.. – not available.

[1] Reported to HSE's Factory and Agricultural Inspectorates and all other relevant enforcing authorities, under the Notification of Accidents and Dangerous Occurrences Regulations, 1980 (NADOR) FOR 1984—March 1986 and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1985 (RIDDOR) for later years.

[2] For 1984 to March 1986 refers to injuries to members of the public. For later years, also includes a number of injuries to employed persons.

[3] Major injuries 1984–March 1986 are as defined in NADOR. The definition of a major injury employed for later years is given in RIDDOR and is wider than that specified under NADOR. Figures for major injuries reported under RIDDOR are, therefore, not comparable with those for earlier years.

[4] First quarter (January to March).

[5] Years begining 1 April.

Health and Safety

Mr. Janner: To ask the Secretary of State for Employment whether he will now introduce legislation under section 79 of the Health and Safety at Work Etc. Act 1974, requiring directors' reports to contain information on health and safety policy.

Mr. Nicholls: I refer the hon. Member to my answer in the *Official Report* on 24 July 1989 at column *484*.

Factory and Agriculture Inspectors

Mr. Strang: To ask the Secretary of State for Employment why he has not yet replied to the letter of 27 June from the hon. Member for Edinburgh, East concerning his undertaking of 2 December 1987 to increase the number of factory and agriculture inspectors by 40 by 31 March 1989.

Mr. Fowler: A reply was sent on 18 October 1989.

Employment Training

Mr. Meacher: To ask the Secretary of State for Employment how many local authorities who originally participated in employment training have now withdrawn; how many who acted as training agents have been dropped; in each case what was the reason; and what was the political control of the council and the date in each instance.

Mr. Nicholls: Seven local authorities have withdrawn from employment training. No local authority acting as a training agent has been dropped from the programme. Details are given in the following table:

Local authorities who have withdrawn	*Political control*	*Date withdrew*	*Reason*
Barrow Borough Council	Labour	4 November 1988	Political opposition
Rochdale Metropolitan Borough Council	Labour	24 February 1989	Political opposition
Wolverhampton Metropolitan Borough Council	Labour	End August 1989	Political opposition
Nottinghamshire County Council	Labour	End December 1988	Political opposition
London Borough of Merton	Conservative	19 May 1989	Operational difficulties
London Borough of Barnet	Conservative	31 March 1989	Operational difficulties
Cleveland County Council	Labour	3 September 1989	Political opposition

Mr. Hardy: To ask the Secretary of State for Employment what consideration he has given to the report on employment training commissioned by the Training Agency which reviewed the position within the south Yorkshire area; and if he will make a statement.

Mr. Nicholls: This particular survey was carried out in February and March. It was commissioned by one of the Training Agency's area offices to help them and their training agents and training managers address a number of teething problems encountered in the first six months of employment training in that area.

Mr. Wray: To ask the Secretary of State for Employment what are the methods used by his Department to assess *(a)* the quality of the training given through the employment training programme and *(b)* its results in terms of both skills learned by the trainees and their subsequent full-time employment.

Mr. Nicholls *[holding answer 18 October 1989]:* The main methods used to assess the quality of training in employment training are:

An examination of providers against specific criteria leading to the award of approved status; and ongoing and comprehensive annual review to measure progress and ensure that quality training programmes continue to be delivered.

In addition, from next April the remit of the independent Training Standards Advisory Service will be extended to cover the inspection of employment training providers.

The skills learned by trainees and their subsequent full-time employment will be assessed through information contained on leavers' certificates completed by training managers when a trainee leaves the programme and through a questionnaire sent to trainees three months after they have left employment training.

SCOTLAND

Schools Inspectors

Mr. Sillars: To ask the Secretary of State for Scotland if he will list the visits and reports of Her Majesty's inspectors of schools in Govan constituency, over the past two years.

Mr. Lang: One nursery school, Rosehall nursery school (1987), two primary schools, Greenfield primary school (1988) and Drumoyne primary school (1989) and one secondary school, St. Gerard's secondary school (1988) have been fully inspected and reports published over the past two years.

In addition, visits have been paid to two other primary schools, Copeland Road primary school and Elderpark primary school and two other secondary schools, Bellahouston academy and Govan secondary school, for more limited purposes.

Public Bodies

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a list of non-departmental public bodies appointed by him; if he will list the names and employment of each member, showing salaries paid; and what is the total public expenditure involved in running these organisations in a full year.

Mr. Rifkind: The list of non-departmental public bodies to which I make appointments is contained in the Cabinet

Office publication "Public Bodies", a copy of which is available in the Library. The list includes information about the numbers of appointments, the remuneration paid to members, the cost of administration and the public expenditure for which the body is responsible.

One major public body has been set up since the publication of "Public Bodies 1988". This is Scottish Homes, to which I have appointed a chairman (remuneration £28,980 per annum) and eight members (£3,964 per annum).

A list (correct at 5 December 1988) of all the members of the Scottish bodies in "Public Bodies 1988" was placed in the Library in response to a question from the hon. Member for East Lothian (Mr. Home Robertson) answered on 7 December 1988 at column *211*.

Housing

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table by district council showing the number of district council Scottish Homes, housing association and private sector houses; and if he will show each category as a percentage of the total stock.

Lord James Douglas-Hamilton: The available information, as recorded on the valuation roll at 31 March 1989, is shown in the table. A breakdown of the privately owned total into housing association and others is not available. Scottish Homes did not begin operating until 1 April 1989; the figures provided relate to the Scottish Special Housing Association (SSHA).

Domestic subjects on the Valuation Roll, by tenure
31 March 1989

Area	Local authority		SSHA		New town		Privately owned (including HA other than SSHA)		All domestic subjects
	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number
Scotland	807,615	38·4	75,710	3·6	44,166	2·1	1,175,804	55·9	2,103,295
Borders									
Berwickshire	2,416	27·7	6	0·1	—	—	6,301	72·2	8,723
Ettrick and Lauderdale	3,952	26·5	669	4·5	—	—	10,279	69·0	14,900
Roxburgh	5,339	33·2	822	5·1	—	—	9,933	61·7	16,094
Tweeddale	1,442	21·2	177	2·6	—	—	5,171	76·2	6,790
Central									
Clackmannan	8,490	45·2	1,542	8·2	—	—	8,733	46·5	18,765
Falkirk	28,781	49·9	2,382	4·1	—	—	26,558	46·0	57,721
Stirling	11,774	36·9	335	1·1	—	—	19,762	62·0	31,871
Dumfries and Galloway									
Annandale and Eskdale	4,741	31·4	114	0·8	—	—	10,240	67·8	15,095
Nithsdale	7,081	30·6	426	1·8	—	—	15,617	67·5	23,124
Stewartry	2,266	22·0	14	0·1	—	—	8,023	77·9	10,303
Wigtown	4,237	33·6	—	—	—	—	8,368	66·4	12,605
Fife									
Dunfermline	19,535	39·4	3,590	7·2	—	—	26,440	53·3	49,565
Kirkcaldy	23,043	37·4	2,256	3·7	7,230	11·7	29,027	47·2	61,556
North East Fife	6,671	23·5	19	0·1	—	—	21,640	76·4	28,330
Grampian									
Aberdeen	35,175	38·3	2,251	2·4	—	—	54,465	59·3	91,891
Banff and Buchan	11,438	33·5	673	2·0	—	—	22,044	64·5	34,155
Gordon	5,387	18·8	241	0·8	—	—	23,077	80·4	28,705
Kincardine and Deeside	3,584	17·8	345	1·7	—	—	16,206	80·5	20,135
Moray	10,009	29·0	321	0·9	—	—	24,129	70·0	34,459
Highland									
Badenoch and Strathspey	1,030	19·3	—	—	—	—	4,312	88·7	5,342
Caithness	3,822	34·1	189	1·7	—	—	7,202	64·2	11,213
Inverness	6,693	26·9	1,098	4·4	—	—	17,080	68·7	24,071
Lochaber	3,021	35·7	247	2·9	—	—	5,188	61·4	8,456
Nairn	1,067	25·3	119	2·8	—	—	3,027	71·8	4,213
Ross and Cromarty	6,141	30·4	416	2·1	—	—	13,666	67·6	20,223
Skye and Lochalsh	852	15·0	—	—	—	—	4,824	85·0	5,676
Sutherland	1,751	25·7	—	—	—	—	5,056	74·3	6,887
Lothian									
East Lothian	14,032	40·4	1,096	3·2	—	—	19,578	56·4	34,706
Edinburgh	47,165	24·0	1,780	0·9	—	—	147,751	75·1	196,696
Midlothian	10,763	35·8	3,002	10·0	—	—	16,317	54·2	30,082
West Lothian	19,514	35·7	2,832	5·2	9,485	17·4	22,791	41·7	54,622
Strathclyde									
Argyll and Bute	7,643	24·8	348	1·1	—	—	22,851	74·1	30,842
Bearsden and Milngavie	1,689	11·5	50	0·3	—	—	12,936	88·1	14,675
Clydebank	11,004	56·9	2,792	14·4	—	—	5,541	28·7	19,337
Clydesdale	9,558	43·1	1,156	5·2	—	—	11,470	51·7	22,192
Cumbernauld and Kilsyth	4,220	18·6	55	0·2	8,634	38·1	9,732	43·0	22,641
Cumnock and Doon Valley	9,127	54·5	1,982	11·8	—	—	5,625	33·6	16,734
Cunninghame	20,688	36·8	2,336	4·2	4,940	8·8	28,292	50·3	56,256

Area	Local authority		SSHA		New town		Privately owned (including HA other than SSHA)		All domestic subjects
	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number
Dumbarton	12,107	38·9	1,730	5·6	—	—	17,315	55·6	31,152
East Kilbride	1,581	5·1	—	—	13,877	44·8	15,551	50·1	31,009
Eastwood	1,745	7·9	20	0·1	—	—	20,199	92·0	21,964
Glasgow	162,199	52·9	16,061	5·2	—	—	128,093	41·0	306,353
Hamilton	20,907	52·0	1,313	3·3	—	—	18,009	44·0	40,229
Inverclyde	17,584	46·5	3,008	8·0	—	—	17,243	45·6	37,035
Kilmarnock and Loudoun	15,877	48·7	1,717	5·3	—	—	15,007	46·0	32,601
Kyle and Carrick	17,359	37·8	1,058	2·3	—	—	27,498	59·9	45,915
Monklands	27,919	72·8	1,107	2·9	—	—	9,303	24·3	38,329
Motherwell	39,305	71·2	1,833	3·3	—	—	14,097	25·5	55,235
Renfrew	35,120	43·2	6,351	7·8	—	—	39,878	49·0	81,349
Strathkelvin	10,370	33·9	662	2·2	—	—	19,586	64·0	30,618
Tayside									
Angus	12,490	31·5	1,622	4·1	—	—	25,534	64·4	39,646
Dundee	37,128	47·6	3,168	4·1	—	—	37,782	48·4	75,078
Perth and Kinross	14,340	27·3	208	0·4	—	—	37,884	72·3	52,432
Island Councils									
Orkney Islands	1,421	17·4	4	0·0	—	—	6,752	82·6	8,177
Shetland Islands	2,633	29·2	131	1·5	—	—	6,253	69·3	9,017
Western Isles	2,389	18·4	36	0·3	—	—	10,560	81·3	12,985

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish details of research projects in the field of housing fully or partly funded by his Department in each of the past 10 years.

Lord James Douglas-Hamilton: Information on social research in the housing field is contained in the "Register of Research" which is published each year by the central research unit of the Scottish Development Department and placed in the House of Commons Library. The Scottish Development Department also funds building research in the housing field, and I shall write to the hon. Member with such information as is available about this research.

Water Authorities

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table showing the capital allocation to Scottish water authorities in each of the past 10 years at constant prices.

Lord James Douglas-Hamilton: Capital allocations for water are not made separately. They are included in the allocations to authorities in Scotland for their water and sewerage programmes. Allocations, all at 1989 prices, are given in the table. At cash prices, the allocation for 1989-90 is 14 per cent. greater than the initial allocation for the previous year.

Capital allocation for water and sewerage programmes

Year	£ million
1980-81	147·7
1981-82	149·5
1982-83	139·6
1983-84	126·5
1984-85	113·6
1985-86	112·0
1986-87	116·7
1987-88	116·8
1988-89	[1]115·6
1989-90	121·5

[1] Excludes a supplementary allocation of £5·9 million made late in the year.

Child Care

Mr. Sillars: To ask the Secretary of State for Scotland what discussions he has had with the CBI on employer-contribution to meeting the needs of single parents for child care facilities during the parental work-day.

Mr. Lang: None. With the Government's encouragement, more employers are now considering measures, including provision of child care facilities, to recruit and retain staff with family responsibilities.

Security

Mr. Sillars: To ask the Secretary of State for Scotland what is his estimate of the amount spent from within district council housing budgets on security provisions in the year 1988-89 or the latest year for which data are available.

Lord James Douglas-Hamilton: This information is not held centrally.

Homelessness

Mr. Sillars: To ask the Secretary of State for Scotland what is his estimate of the number of homeless people in Scotland as a whole, and for each of the four city district councils.

Lord James Douglas-Hamilton: The Scottish Development Department does not make estimates of the numbers of homeless people.

Details of the numbers of households who have applied to local authorities under the homelessness provisions of the Housing (Scotland) Act 1987 are shown in table 21 of the Scottish Development Department's statistical bulletin HSU No. 7 published in July 1989, copies of which are available in the House of Commons Library.

Mr. McAllion: To ask the Secretary of State for Scotland what were the numbers registered as homeless in *(a)* Dundee and *(b)* Scotland in each of the last 10 years for which figures are available.

Lord James Douglas-Hamilton: The numbers of applicant households assessed as homeless by local authorities under the homelessness legislation are set out in the table:

	Dundee	*Scotland*
1978-79	210	7,490
1979-80	199	7,443
1980-81	155	7,024
1981-82	165	8,268
1982-83	171	8,665
1983-84	185	8,094
1984-85	399	9,912
1985-86	602	11,022
1986-87	565	10,557
1987-88	363	9,419

Greater Glasgow Health Board

Mr. Sillars: To ask the Secretary of State for Scotland what is the full year expenditure on public relations by Greater Glasgow health board.

Mr. Michael Forsyth: This information is not held centrally and is not separately identified in the annual accounts.

Housing Legislation

Mr. Sillars: To ask the Secretary of State for Scotland what statutory measures the Government have taken to amend housing legislation where reference to rateable value of a dwelling house helped define tenancy, in the light of the abolition of domestic rates.

Lord James Douglas-Hamilton: Schedule 10 of the Housing (Scotland) Act 1987 defined tenancies for which a landlord had a statutory basic repairing obligation by means of rateable value. The Housing (Scotland) Act 1988 amended that provision to empower the Secretary of State instead to set a rent level up to which the statutory repairing obligation would apply. The Landlord's Repairing Obligations (Specified Rent) (Scotland) (No. 2) Order 1988, (SI 1988 No. 2155) which came into force on 2 January 1989, set that rent level at £300 per week. This means that the landlord will have these repairing obligations if the rent is less than that figure.

Rateable value is also used to define certain tenancies which are not protected under the Rent (Scotland) Act 1984. However, the rateable value in these cases is historic —the value appearing on the valuation roll on 23 March 1965 (except where the house appeared on the roll for the first time later). Accordingly there is no need to amend those provisions.

Flat-roofed Housing

Mr. Sillars: To ask the Secretary of State for Scotland what studies have been undertaken by his Department of possible links between flat-roofed housing and dampness.

Lord James Douglas-Hamilton: My Department has not undertaken any studies of possible links between flat-roofed housing and dampness. The Building Research Establishment, however, has a continuing programme of research to monitor the performance of flat roofing products and the design of flat roofs.

Damp

Mr. Sillars: To ask the Secretary of State for Scotland when his Department last conducted a study or survey of dampness in local authority housing.

Lord James Douglas-Hamilton: It is for local authorities themselves to assess the state of their own housing stocks. Nevertheless, the Scottish Development Department carried out a survey of dampness in housing in 1980 and published the results in 1981 in the "Condensation Study Report". The Department also added a Scottish trailer to the EC labour force survey in 1983 which included questions on condensation, dampness and mould growth. An analysis of the results of this survey was carried out in 1984 and published as "Condensation in Housing".

Lithotriptor Centre

Mr. Sillars: To ask the Secretary of State for Scotland when SHHD made its decision to instruct the Scottish lithotriptor centre to charge health boards for services; and when the official notice of this change in policy was sent to clinicians.

Mr. Michael Forsyth: Following a meeting with general managers on 22 February, the Scottish Home and Health Department wrote to all health boards on 13 March formally advising them that resources available for lithotripsy would be distributed to all boards in 1989-90. Detailed arrangements for the invoicing of referrals were contained in a further letter dated 29 June. Informing clinicians of these arrangements was a matter for health boards.

Law Commission

Mr. Sillars: To ask the Secretary of State for Scotland which matters are currently under examination by the Scottish Law Commission.

Lord James Douglas-Hamilton: The Commission's annual reports detail the matters under examination. The report for the year to 15 June 1989 is to be published shortly. A copy will be available in the Library.

Bracken

Mrs. Ray Michie: To ask the Secretary of State for Scotland (1) what is his Department's policy towards alerting members of the public about the possible dangers of contact with bracken; and what specific notices have been put up in Scotland;

(2) whether his Department intends to take any steps to reduce the risk and incidence of cancer from carcinogenic substances in bracken.

Mr. Michael Forsyth: There is no evidence at present to suggest that any cancers in humans are attributable to carcinogen sources in bracken. Scientific research in this field is closely monitored and appropriate action to warn the public would be taken if any statistical evidence of a link between bracken spores and cancer in humans was established.

Information Technology

Mr. Warren: To ask the Secretary of State for Scotland how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a

course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Rifkind: Fourteen officials at grade 3 and above have attended a course specifically on information technology representing 42 per cent. of staff in those grades; seven have attended courses containing an element of information technology, representing 21 per cent.

Mr. Warren: To ask the Secretary of State for Scotland how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Rifkind: At present there are 1,334 computer work stations installed in the Scottish Office, excluding the minor departments and the Scottish prison service. This represents one work station for every 4·5 members of staff. This figure includes linked terminals and both linked and stand-alone microcomputers but excludes all stand-alone word processors.

Mr. Warren: To ask the Secretary of State for Scotland which Minister in his Department is responsible for day-to-day managment of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Rifkind: Ministerial responsibility for matters arising from the day-to-day management of the Scottish Office's information technology strategy lies with me. No matters requiring my attention arose in the month up to Friday 13 October.

A90 (Signs)

Sir Nicholas Fairbairn: To ask the Secretary of State for Scotland what was the cost of the three metal and concrete signs recently erected on the A90 between Inverkeithing and the Forth road bridge; and what is their purpose.

Lord James Douglas-Hamilton: The tender price for the three A90 Gantry structures was £144,856, and that for providing and installing the equipment within the gantries was £260,427.

The purpose of the gantries when fitted with signalling equipment will be to control, divert or stop traffic approaching the bridge when the bridge is closed for any reason, lane closures are in operation (for accidents, maintenance or breakdowns) or special vehicles are being escorted across the bridge. This is part of a complete signalling system expected to be operational early in the new year.

Mentally Handicapped People

Mr. Maclennan: To ask the Secretary of State for Scotland if he will list in the *Official Report (a)* the number of people living within Highland region who are over the age of 18 years and who are registered as mentally handicapped on the joint health and social work register and *(b)* the number of people living within Highland region who have been exempted from community charge liability on the ground of mental handicap.

Mr. Lang: The number of people aged over 18 years in Highland region who are listed in the joint health board and social work register as mentally handicapped total 640, of whom 140 are known to be accommodated in hospital at present.

On the basis of information supplied by the community charges registration officer for Highland region, 280 people were exempt from the personal community charge in Highland on the ground of severe mental impairment as at the beginning of September.

Housing (Strathclyde)

Mr. Worthington: To ask the Secretary of State for Scotland if, in the light of the evidence submitted by district councils and the Strathclyde regional liaison committee on the question of housing land targets in the Strathclyde structure plan 1986 update, he will make it his policy to ensure that his proposed modifications to the 1988 update will not have a significant effect on the green belt.

Lord James Douglas-Hamilton: My right hon. and learned Friend hopes to announce his decision on the 1988 update shortly, and I cannot anticipate his conclusions on this issue.

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made of the staffing consequences in planning authorities of the proposed quarterly roll-on of private sector housing demand contained in his draft decision letter on the Strathclyde structure plan 1988 update.

Lord James Douglas-Hamilton: A number of planning authorities have commented on this issue in responding to my right hon. and learned Friend's draft modifications, and he will take these comments into account in reaching his decision.

Mr. Worthington: To ask the Secretary of State for Scotland what research he has conducted into builders' assessment of their need for residential building land in Strathclyde; and if he will publish the result.

Lord James Douglas-Hamilton: My right hon. and learned Friend has commissioned a number of pieces of research on the subject of housing land in Scotland in recent years, all of which have been or will be published, but none of them relates specifically to Strathclyde.

Water Supply

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list in the *Official Report* all those areas in the Borders region where the existing public supply of water does not conform to European Community standards, indicating in each case the cause of the breach of the EC regulation.

Lord James Douglas-Hamilton: Public water supplies in Borders region comply with the terms of the EC drinking water directive, with the exception of five supplies which are the subject of applications for delays in terms of article 20. These are listed with the parameters where the standards are not met.

Borders region—Areas where water fails to meet EC parameter standards

Area	*Supply*	*Parameter*
Carlops	Carlops	Microbiological[1]
Parts of central Borders	Wantonwalls	Aluminium
Ettrickbridge	Ettrickbridge	Iron

Area	Supply	Parameter
Parts of East Berwickshire	Rawburn	Iron
Parts of central Borders	Roberton	Aluminium

[1] Will comply this year.

Mr. Kirkwood: To ask the Secretary of State for Scotland what plans he has to increase capital resources in Scotland to ensure that the quality of water in areas including the Borders conforms to European Community standards; and how long he estimates it will take to achieve these standards throughout the Borders region.

Lord James Douglas-Hamilton: Resources have been increased already. The 1989-90 capital provision for water and sewerage services is £126 million, a 14 per cent. increase over the previous year's planned provision. Regional and islands councils have been asked to provide details of costed action programmes to achieve full compliance with the EC drinking water directive. These will be taken into account when setting next year's allocations.

In Borders region most supplies already meet EC standards. Only one small treatment works will not produce water complying within the next year and in two other supply areas improvements to iron mains will be phased over a few years. Planned expenditure for the next three years is concentrated on further improvement of water treatment works and distribution mains to ensure that the standards continue to be met in the future.

Health Councils

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will now publish his detailed conclusions on the recent review of the management of health councils in Scotland; and if he will make a statement.

Mr. Michael Forsyth: I am at present giving active consideration to the arrangements which are likely to ensure the most effective consumer representation in the National Health Service, and I hope to make an announcement soon.

Primary Roads

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will place in the Library copies of all the technical working papers commissioned and received in preparation for the recently published consultation document on primary road routes south of Edinburgh.

Lord James Douglas-Hamilton: It is not our practice to place copies of detailed technical reports on road studies in the Library. I have lodged copies of the consultation document in the Library, however, and I will arrange to append to them a series of short technical papers which provide further details on specific aspects of the study.

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will publish in the *Official Report* the terms of reference used to instruct those preparing the recently published consultation document on primary road routes south of Edinburgh, listing any outside independent experts or professionals involved in the exercise.

Lord James Douglas-Hamilton: The brief for the study which led to the consultation document was:

"To assess the effectiveness of the existing trunk road network in meeting the national and local objectives as regards current and future traffic demands between Edinburgh and its environs and the South, including in particular the motorway and trunk road network in England and Wales, and as regards strategic road links to and from the Borders Region.

To evaluate the alternative route options including, as necessary, roads which are not at present trunk roads.

To recommend a future route strategy".

Consulting civil engineers Scott Wilson Kirkpatrick and Partners were appointed to undertake the study and the market research team of the MVA Consultancy were employed to carry out a series of interviews with road users.

Education Working Parties

Mr. McAllion: To ask the Secretary of State for Scotland how many persons from the independent sector were invited by the SCC and SEB to be part of the working parties and short-life working groups for standard grade and revised higher.

Mr. Lang: Three.

Examinations

Mr. McAllion: To ask the Secretary of State for Scotland if he has any plans to allow choice of examinations in the state sector by ending the monopoly of the SEB.

Mr. Lang: Presenting centres are free to enter candidates for examinations of their choice, subject to the policy of their education authority.

Housing Revenue Accounts

Mr. McAllion: To ask the Secretary of State for Scotland if he will publish in the *Official Report* the percentages of housing revenue accounts constituted by rate and revenue fund contributions and the actual levels of revenue fund contributions in *(a)* Dundee district council and *(b)* all Scottish district councils in each of the past 10 years for which figures are available.

Lord James Douglas-Hamilton: The amounts of rate fund contributions made to local authority housing revenue accounts by Dundee district council and by district councils in Scotland as a whole are shown in the table, together with the expression of these amounts as a percentage of total housing revenue account income:

	Dundee		*Scotland*	
	Contributions £ million	*Percentage of income Per cent.*	*Contributions £ million*	*Percentage of income Per cent.*
1979-80	1·485	7·3	72·924	14·1
1980-81	—	—	79·403	12·9
1981-82	5·438	22·9	106·275	17·3
1982-83	6·081	25·5	124·708	18·5
1983-84	6·976	28·5	123·196	18·5
1984-85	8·057	29·9	139·019	19·9
1985-86	6·754	24·1	98·393	14·1
1986-87	3·962	13·9	75·704	10·4
1987-88	2·252	7·4	41·049	5·5
1988-89	1·042	2·9	24·076	3·0

Note: Figures are based on the gross contributions made to housing revenue accounts from rate funds; these have not been netted against contributions made to rate funds from housing revenue accounts.

Source: Audited financial returns for 1979-80 to 1986-87; provisional outturns for 1987-88 and 1988-89.

Mr. McAllion: To ask the Secretary of State for Scotland what were the levels of outstanding debt on the housing revenue accounts of *(a)* Dundee district council and *(b)* all Scottish district councils in each of the past 10 years for which figures are available.

Lord James Douglas-Hamilton: The amounts of outstanding capital debt relating to local authority housing revenue accounts at 31 March of each year are shown in the table:

£ million

Year	*Dundee district council*	*Scotland*
1980	96·4	2,578·7
1981	101·7	2,738·2
1982	103·9	2,848·2
1983	107·2	2,945·6
1984	111·2	3,026·3
1985	112·1	3,073·0
1986	114·8	3,164·2
1987	119·2	3,297·2
1988	127·0	3,475·3
1989	129·2	3,580·2

Source: Audited financial returns for 1980 to 1987; provisional outturns for 1988 and 1989.

TVEI

Mr. McAllion: To ask the Secretary of State for Scotland what provision has been envisaged for pupils studying standard grade subjects in which the minimum time of four times 40 minutes per week for two years cannot be found because of time required to complete the residential and work experience elements of TVEI.

Mr. Lang: The guidelines on curriculum design in secondary education issued by the SCCC with the approval of my right hon. and learned Friend in July take full account of the requirements of TVEI, and no such problem as the hon. Member envisages should arise.

Young Homeless

Mr. McAllion: To ask the Secretary of State for Scotland what record he maintains of those under 18 who are homeless; and if he will publish in the *Official Report* the statistics showing the level of homeless among *(a)* 16-year-olds and *(b)* 17-year-olds in (i) Dundee and (ii) Scotland in each of the past 10 years.

Lord James Douglas-Hamilton: The information requested is not available. Information is collected centrally, based on returns from local authorities, on households which apply to local authorities under the homelessness legislation, but the age of applicants is not included.

School Curriculum

Mr. McAllion: To ask the Secretary of State for Scotland what was the cost of the activities of the Scottish Central Council on the curriculum in each year since 1985.

Mr. Lang: The information requested is as follows:

Year	*£000*
1985-86	831
1986-87	961
1987-88	963
1988-89	1,068

Council Rents

Mr. McAllion: To ask the Secretary of State for Scotland what were the average council rents in *(a)* Dundee and *(b)* Scotland in each of the past 10 years for which figures are available.

Lord James Douglas-Hamilton: The information requested is set out in the table:

Average annual local authority standard rent as at 30 September

	Dundee £	*Scotland £*
1979	263·91	255·61
1980	307·18	305·73
1981	307·12	400·07
1982	377·38	469·03
1983	419·45	512·56
1984	457·42	543·94
1985	510·59	600·53
1986	604·63	675·49
1987	707·62	758·03
1988	843·84	842·38

Housing Support Grant

Mr. McAllion: To ask the Secretary of State for Scotland what were the levels of housing support grant allocated to *(a)* Dundee district council and *(b)* all Scottish district councils in each of the past 10 years for which figures are available.

Lord James Douglas-Hamilton: The information requested is shown in the table:

£ million

Year	*Dundee*	*Scotland*
1979-80	7·7	213·4
1980-81	8·6	228·2
1981-82	5·3	161·9
1982-83	1·8	104·6
1983-84	—	72·1
1984-85	—	67·2
1985-86	—	64·2
1986-87	—	44·5
1987-88	—	41·9
1988-89	—	54·6
1989-90	—	60·4

Housing

Mr. McAllion: To ask the Secretary of State for Scotland what were the numbers of houses completed in *(a)* Dundee and *(b)* Scotland by (i) district councils, (ii) housing associations, (iii) the private sector and (iv) the housing co-operatives in each of the past 10 years for which figures are available.

Lord James Douglas-Hamilton: The available information is set out in the table.

House completions 1979-88

	District councils		Housing associations		Private sector	
	Dundee	Scotland	Dundee	Scotland	Dundee	Scotland
1979	221	4,755	9	544	261	15,175
1980	82	5,048	79	881	244	12,242
1981	163	3,770	74	1,928	160	11,021
1982	55	2,342	100	1,167	162	11,529
1983	80	2,311	34	1,271	469	13,178
1984	5	2,120	101	2,076	470	14,118
1985	57	1,989	127	1,148	250	14,445
1986	0	1,733	83	1,466	179	14,812
1987[1]	0	1,710	193	1,169	179	13,798
1988[1]	5	1,933	235	1,278	269	14,063

[1] Private sector figures based on incomplete returns.

Sites of Special Scientific Interest

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list by district the proportion of land in Scotland designated as sites of special scientific interest or otherwise protected.

Lord James Douglas-Hamilton *[holding answer 20 July 1989]:* The following table lists by district the proportion of land in Scotland designated as sites of special scientific interest. This information has been provided by the Nature Conservancy Council.

District	SSSI area (HA)	SSSI proportion per cent.
Aberdeen	41	0·2
Angus	7,418	3·6
Annan and Eskdale	20,004	12·8
Argyll and Bute	45,838	6·9
Badenoch and Strathspey	63,583	26·9
Banff and Buchan	3,097	2·0
Bearsden and Milngavie	57	1·5
Berwickshire	2,033	2·3
Caithness	19,384	10·7
Clackmannan	465	2·9
Clydebank	1	0·0
Clydesdale	4,863	3·7
Cumbernauld and Kilsyth	14	0·1
Cumnock and Doon Valley	521	0·6
Cunninghame	14,639	16·6
Dumbarton	4,672	8·8
Dundee	845	3·6
Dunfermline	1,031	3·4
East Kilbride	11	0·0
East Lothian	4,660	6·5
Eastwood	53	0·4
Edinburgh	1,223	4·6
Ettrick and Lauderdale	10,678	7·8
Falkirk	1,451	4·8
Glasgow	150	0·7
Gordon	5,465	2·5
Hamilton	415	3·1
Inverclyde	138	0·9
Inverness	24,952	8·6
Kilmarnock and Loudoun	0	0·0
Kincardine and Deeside	35,274	13·7
Kirkcaldy	118	0·5
Kyle and Carrick	3,486	2·6
Lochaber	62,693	13·5
Midlothian	1,008	2·8
Monklands	159	0·9
Moray	16,092	6·9
Motherwell	16	0·1
Nairn	5,105	12·0
Nithsdale	2,370	1·6
North East Fife	5,035	6·6
Orkney	19,888	19·7
Perth and Kinross	48,964	9·1
Renfrew	781	2·5
Ross and Cromarty	90,882	17·6
Roxburgh	4,768	3·1
Shetland	15,645	10·7
Skye and Lochalsh	28,617	10·5
Stewarty	8,527	5·0
Stirling	15,586	7·0
Strathkelvin	78	0·5
Sutherland	75,756	12·5
Tweeddale	7,309	8·1
West Lothian	689	1·6
Western Isles	31,352	10·2
Wigtown	16,745	9·7
TOTAL	734,645	9·3

DEFENCE

Soviet Air Force

Mr. Jack: To ask the Secretary of State for Defence whether his Department has any evidence that the Soviet Air Force has reduced its nuclear capability.

Mr. Archie Hamilton: We have no evidence that the Soviet Air Force has reduced its nuclear capability. Although the Soviets have indicated that they will withdraw some nuclear bombs from the forward area, it must be remembered that these weapons could be redeployed at short notice and overall numbers would not be reduced.

Ethnic Minorities

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he expects to receive the result of the consultancy study commissioned into the recruitment of ethnic minorities, into the armed services following the recommendations of the Marilyn report; and if he will make a statement.

Mr. Archie Hamilton: The report on the study into ethnic minority recruitment to the armed services was received in July. The report is being considered within the Ministry of Defence and an announcement will be made shortly.

Trident

Dr. Thomas: To ask the Secretary of State for Defence if he will make a statement on the management of, and current progress with, the design and production of the

warheads for the Trident missile system, undertaken at the atomic weapons establishments at Llanishen, Aldermaston and Burghfield.

Mr. Alan Clark: Work undertaken at the various sites of the atomic weapons establishment is progressing satisfactorily towards the Trident in-service date of the mid-1990s. Design of the warhead is now complete and production of both fissile and non-fissile components has begun.

AWRE Workers (Retraining)

Dr. Thomas: To ask the Secretary of State for Defence what schemes are available for retraining plutonium warhead fabrication and design workers at atomic weapons research establishments, Aldermaston and Burghfield, to work on civil projects.

Mr. Alan Clark: None.

Nuclear Test Ban (Verification)

Dr. Thomas: To ask the Secretary of State for Defence if he will make a statement on current progress in research undertaken in the United Kingdom to support the verification requirements of a comprehensive nuclear test ban treaty; how much is allocated annually by Her Majesty's Government to such verification research; and what collaboration on such verification is undertaken with other countries.

Mr. Archie Hamilton: The MOD's research establishment at Blacknest near Aldermaston undertakes seismological research which could be used in establishing the requirements of a verification regime for further constraints on nuclear testing. The cost of this work for the financial year 1988-89 was some £1·5 million.

Scientists from Blacknest have international standing and co-operate with representatives of a number of countries on a bilateral basis. They also provide the United Kingdom's representatives to the conference on disarmament's ad hoc group of scientific experts to consider international co-operative measures to detect and identify seismic events.

Warstocks

Mr. Sillars: To ask the Secretary of State for Defence during what periods in the past year the Royal Navy's warstocks did not meet national and NATO requirements.

Mr. Archie Hamilton: Detailed information on the level of warstocks is classified, but in the past year naval stock levels have met NATO and national requirements in all but a few areas.

Mr. Sillars: To ask the Secretary of State for Defence during what periods in the past year the RAF warstocks did not meet national and NATO requirements.

Mr. Archie Hamilton: Detailed information on the level of warstocks is classified but in the past year RAF stock levels have met NATO and national requirements in all but a few areas.

Defence Export Services Organisation

Mr. Sillars: To ask the Secretary of State for Defence how many persons are employed by the Defence Export Services Organisation; and what is its total budget.

Mr. Alan Clark: Some 200 staff are employed within the Defence Export Services Organisation in support of defence exports and in the administration of export control regimes. Export promotion costs such as exhibition expenditure and the loan of personnel and equipment are self-financing, and the net cost to defence votes of the support to defence exports is of the order of £6 million. A further 50 staff within DESO are engaged in the disposal of surplus MOD equipment and stores which it is estimated will generate net receipts of some £23 million in the current financial year.

Holy Loch Base

Mr. Sillars: To ask the Secretary of State for Defence how many visits to the Holy Loch base have been made by United States vessels carrying SLCMs.

Mr. Archie Hamilton: The United States Navy does not confirm or deny the presence of submarine-launched cruise missiles on board particular vessels.

New Works

Mr. Sillars: To ask the Secretary of State for Defence how much will be spent in *(a)* Scotland and *(b)* the south-east of England in 1989-90 for new works gross total as indicated in table 2·4 of Cm. 675-II.

Mr. Archie Hamilton: The Ministry of Defence does not routinely account for expenditure on a regional basis and such a breakdown could not be produced without incurring disproportionate cost.

Equipment Exports (Africa)

Mr. Sillars: To ask the Secretary of State for Defence if he will list all African countries to which export of defence equipment took place in 1987.

Mr. Alan Clark: It has been the practice of successive Administrations not to publish such detailed lists but statistics of United Kingdom defence sales from 1983-88 by broad geographic regions are set out in volume 2 of the "Statement on the Defence Estimates 1989".

Service Personnel (Loan Service)

Mr. Sillars: To ask the Secretary of State for Defence if he will list the countries to which service personnel were on loan service in 1987-88, showing numbers and ranks of personnel.

Mr. Archie Hamilton: During 1987 and 1988 British service personnel served on loan to the following countries:

Australia
Bahrain
Bangladesh
Barbados
Belize
Bermuda
Brunei
Dominica
Fiji
Gambia
Ghana
Hong Kong
Indonesia
Jordan
Kenya

Kuwait
Lesotho
Malaysia
Mauritius
New Zealand
Nigeria
Oman
Qatar
Saudi Arabia
St. Lucia
St. Vincent
Singapore
Sudan
Swaziland
Uganda
United Arab Emirates
Zimbabwe[1]

[1] Since January 1986 a wing of the British military advisory and training team has been specifically allocated to train Mozambican troops in Zimbabwe.

Information on the numbers and ranks of loan service personnel is confidential between Her Majesty's Government and the Governments of the countries concerned.

West Germany (Co-operation)

Mr. Sillars: To ask the Secretary of State for Defence in what areas other than training and logistics the United Kingdom is currently engaged in bilateral co-operation with the armed forces of the Federal Republic of Germany.

Mr. Archie Hamilton: We co-operate closely with the Federal Republic of Germany on a broad range of defence matters of mutual interest as a contribution to our joint commitment to the NATO Alliance. In addition to training and logistics, these include defence policy questions, operational planning, defence procurement matters, and concepts. My right hon. Friend the Secretary of State and his German counterpart have recently agreed on a number of measures to extend Anglo-German bilateral co-operation within the Alliance and are considering the establishment of a joint air defence unit in Germany.

Nuclear Artillery

Mr. Sillars: To ask the Secretary of State for Defence what is the extent of deployment at the latest available date of nuclear artillery by North Atlantic Treaty Organisation forces.

Mr. Archie Hamilton: Information on the deployment of nuclear-certified artillery by North Atlantic Treaty Organisation forces is provided in chapter 6 and figure 12 of the "Statement on the Defence Estimates 1989" (Cm. 675-I).

Brunei

Mr. Sillars: To ask the Secretary of State for Defence what is the purpose of maintaining a garrison in Brunei.

Mr. Archie Hamilton: The presence of the Gurkha battalion in Brunei, which is by the mutual agreement of the two Governments, contributes to the stability of Brunei and the surrounding area. In addition, the battalion, which is normally found in rotation from the Hong Kong garrison, has in Brunei opportunities for training which are not available in Hong Kong.

Cruise Missiles

Mr. Sillars: To ask the Secretary of State for Defence what plans his Department has to locate sea-launched cruise missiles at bases in Scotland.

Mr. Archie Hamilton: It has been the policy of successive Governments neither to confirm nor deny the presence of nuclear weapons at particular locations.

Major Equipment Orders

Mr. Sillars: To ask the Secretary of State for Defence what was the expenditure for each of the three services separately on major equipment orders as set out in table 5, page 30 of Cm. 675-I; and what was the share taken up in Scotland as a proportion of each service expenditure and of the total for all three.

Mr. Alan Clark: The comprehensive and consistent information required in answer to the first part of the hon. Member's question could be provided only at disproportionate cost.

I refer the hon. Member to the answers given to the hon. Member for Fife, North-East (Mr. Campbell) on 5 December 1988 at column *73* in answer to the second part of his question.

Royal Navy (External Contractors)

Mr. Sillars: To ask the Secretary of State for Defence what was the Royal Navy's expenditure in the latest available year on using external contractors' aircraft, aircrew and maintenance personnel in target simulation and electronic warfare training; and what proportion was taken up by companies registered in Scotland.

Mr. Archie Hamilton: Because these tasks are undertaken by a single contractor, the information requested is commercial in confidence between the Ministry of Defence and the contractor concerned and cannot be divulged to a third party. No Scottish-registered companies received any portion of this work.

Chemical Weapons

Mr. Sillars: To ask the Secretary of State for Defence which members of the Warsaw pact other than the Soviet Union produce chemical weapons.

Mr. Archie Hamilton: All non-Soviet Warsaw pact countries have civil chemical industries capable of producing chemical warfare agents and their pre-cursors. We have good reason to believe that several non-Soviet Warsaw pact countries have undertaken offensive chemical warfare research and development programmes and that in some cases these have been taken forward to the production stage.

Mr. Sillars: To ask the Secretary of State for Defence which NATO countries have chemical warfare stocks.

Mr. Archie Hamilton: The United States possesses a limited retaliatory stockpile of chemical weapons.

Information Technology

Mr. Warren: To ask the Secretary of State for Defence how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a

course *(a)* specifically on information technology and *(b)* containing an element of information technology; and what percentage each represents of all the staff in those grades in his Department.

Mr. Alan Clark: Twenty-four civilian officers in grades 1, 2 and 3 have attended courses specifically on information technology since promotion to the level of grade 3. Twenty-eight officers (including 12 of those who have attended specific courses) have attended courses containing an element of information technology. These represent 35 per cent. and 41 per cent. respectively of the total number of staff in these grades.

Mr. Warren: To ask the Secretary of State for Defence how many work stations excluding stand-alone word processors are currently installed in his Department; and what is the ratio of such work stations to civil servants.

Mr. Alan Clark: I shall write to my hon. Friend.

Mr. Warren: To ask the Secretary of State for Defence which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Alan Clark: The day-to-day management of the Department's information technology (IT) strategy is the responsibility of officials. I am the Minister responsible for oversight of information technology matters. Information technology is in general so integrated into the Department's business functions that to attempt to apportion specific intervals of an individual's time to its consideration would involve too high a proportion of variables.

Ulster Defence Regiment

Mr. John D. Taylor: To ask the Secretary of State for Defence whether he proposes to have members of the Ulster Defence Regiment re-vetted; and if he will make a statement.

Mr. Archie Hamilton: Further improvements are being made to the processes of screening new recruits to the Ulster Defence Regiment, transferees from other Army units, and for carrying out reviews as appropriate. Among the new measures is the establishment of an enhanced and specifically-dedicated screening unit.

Project Cancellations

Mr. Kirkwood: To ask the Secretary of State for Defence if he will list in the *Official Report* those weapons and systems projects in the last five years for each of the three services which have been cancelled or otherwise aborted prior to being brought into service, showing the amount of development money lost prior to cancellation and as a proportion of the total budgeted cost of the original project.

Mr. Alan Clark: Major weapons systems projects which had entered full development and which were subsequently cancelled, in the last five financial years, prior to being brought into service are as follows:

(a) Project	*(b) Service*	*(c) Expenditure at Cancellation (£ million)*	*(d) (c) as a percentage of estimated Project Total*
CACS 4	RN	[1]39	14
SP70	Army	88	35
Nimrod AEW	RAF	660	50

[1] Part of the development cost of CACS 4, amounting to £11 million, was previously commercially sensitive.

Written Answers to Questions

Friday 20 October 1989

TRANSPORT

Nuclear Waste

Mr. Kirkwood: To ask the Secretary of State for Transport (1) if he will publish in the *Official Report* the road routes chosen to convey nuclear waste between Torness and Sellafield which pass through the Borders regional council area;

(2) what extra steps have been taken to ensure that nuclear waste being transported by road through the Borders region will not endanger public safety during transit.

Mr. Atkins *[holding answer 19 October 1989]:* The choice of route is a matter for the carrier. All radioactive materials must be carried in compliance with national and international regulations which require proper safety levels for both normal and accident conditions to be built into the container used for transport.

King's Cross Study

Mr. Chris Smith: To ask the Secretary of State for Transport what are the terms of reference given to the consultants drawing up proposals for the King's Cross gyratory road system; when he expects this study to be completed; and if he intends to publish it in full as soon as it is finished.

Mr. Atkins: Possible improvements to roads in the King's Cross area are being considered as part of the east London assessment study. The terms of reference were published in July 1987.

The study consultants have also been asked to advise on improvements of the King's Cross junctions that would be needed to cope with the extra traffic which would be generated by the proposed King's Cross railway land development. The results of this work will form the Department's comments to the London borough of Camden on the planning application.

Channel Tunnel Link

Sir John Stanley: To ask the Secretary of State for Transport whether he has given the necessary expenditure approval to enable British Rail to deposit a Private Bill to construct the Channel tunnel rail link.

Mr. Portillo: Under section 17(1) of the Transport Act 1962, British Rail requires the formal consent of the Secretary of State to promote a Private Bill, but it does not require formal investment authority at that stage, and the deposit of a Bill by British Rail does not imply Government endorsement of any particular level of expenditure. The Secretary of State's consent for the Bill in question has not yet been sought.

Sir John Stanley: To ask the Secretary of State for Transport whether he is satisfied that British Rail's proposed Channel tunnel rail link will achieve an 8 per cent. rate of return.

Mr. Portillo: British Rail's proposals to provide facilities to deal with international rail traffic when the tunnel opens in 1993 include financial estimates which meet the Government's 8 per cent. required rate of return.

British Rail is currently discussing proposals with the private sector to build a new line to meet the anticipated growth in international traffic after the opening of the tunnel with a view to securing private investment in the scheme. If this were a public sector investment it would still be required to meet the Government's 8 per cent. return.

Airports (Traffic Distribution)

Mr. Carrington: To ask the Secretary of State for Transport if he is yet in a position to respond to the Civil Aviation Authority's advice in CAP 559 on traffic distribution policy for airports serving the London area.

Mr. Parkinson: I have today written to Mr. Christopher Tugendhat, chairman of the Civil Aviation Authority, responding to the authority's advice in CAP 559. Copies of my letter have been placed in the Library.

I think it important to place this in the context of the strong growth in traffic at the regional airports. Developments like the new domestic module and terminal 2 at Manchester airport, Birmingham's new terminal, and an ongoing programme of improvements at other regional airports, are all evidence of the readiness and ability of the airports outside the south-east to take action to meet the growing demand. Expenditure at regional airports over the past decade has exceeded £300 million, and in the years immediately ahead can confidently be expected to increase by at least this much again.

At the same time, there is much activity in the south-east. The new terminal at Stansted and the redevelopment of Heathrow's terminal 3 are notable, but small airports are also investing: Manston for example, and, on the business aviation front, significant advances are being made at Farnborough and Biggin Hill.

It is equally important to view CAP 559 in the light of the wider-ranging work on which the authority will be reporting to me next summer. This includes examining the role of airports outside the south-east, the possible need for and location of a new south-east runway, and the potential for introducing a more market-oriented means of dealing with the capacity problems at Heathrow and Gatwick.

Against this background, I have accepted the authority's principal recommendation that no new traffic distribution rules should be made for the London area airports. I have also accepted the authority's recommendation that I should formally set aside the two "deferred rules"—concerning priority at Gatwick for scheduled traffic, and limits on service frequencies at Heathrow—which the then Secretary of State said in 1986 he would be prepared to make when advised of the need.

I have decided not to make the two modifications to the present rules which the authority suggested. While I recognise that permitting series charter flights at Heathrow on a limited basis could be regarded as an easing of regulation, it would not significantly affect the overall

balance of supply and demand for runway capacity in the London area. I wish to consider this suggestion further when I have seen the outcome of the CAA's wider-ranging work next year.

I am of course anxious to encourage the important business aviation sector, and I recognise the difficulties it has in the London area. But the second proposed modification, that business and corporate aviation should take precedence over other general aviation, would introduce a new restriction on a new class of traffic. Because other general aviation movements are very few at Heathrow and Gatwick, it would in practice provide no real benefit. In these circumstances I do not consider the case for change sufficiently compelling to justify the introduction of further regulation.

The authority suggested a modest relaxation in the noise restrictions at Heathrow and Gatwick. Noise is always a sensitive issue. I believe that the Government struck a reasonable balance in the night noise regime which was introduced last year, and which was to run until 1992-93.

I remain committed to improving the night noise climate around Heathrow and Gatwick, and to reducing aircraft noise generally, whilst recognising that undue burdens must not be imposed on the aviation industry.

Whilst I have considered the authority's argument for a relaxation in the night restrictions, I recognise that respondents were divided in their views. I take the view that the present night noise arrangements should remain unchanged.

Heavy Goods Vehicles

Mr. Heddle: To ask the Secretary of State for Transport if he will make an interim statement of the discussions taking place between the local authority associations and his Department on the impact which an increase in the maximum permitted weight of heavy goods vehicles to 40 tonnes will have on highway and bridge structures and in particular the funding of any enhancement to take account of heavier vehicles.

Mr. Robert Atkins: Irrespective of the increase in weight limits to apply from 1 January 1999, a substantial amount of work is needed to ensure that road bridges can continue to carry modern heavy lorries. My Department is having discussions with representatives of the local authority associations and other bodies on various aspects of this work, including the effects of the weight increase and funding arrangements.

From the start of the current year we increased the local authority highway maintenance baseline by £27 million, specifically to enable local authorities to start their programmes of assessment and strengthening of older bridges. We are considering the local authority associations' request to reclassify this expenditure as capital and to make it eligible for transport supplementary grant.

SOCIAL SECURITY

Occupational Pension Schemes

Mrs. Beckett: To ask the Secretary of State for Social Security what information is available as to the effect of section 15(1)(a) of the Social Security Act 1986 on the number of employees becoming or remaining members of occupational pension schemes in the public and private sectors, respectively.

Mrs. Gillian Shephard: Some independent bodies have published the results of their own sample of surveys into the effect of the 1986 Social Security Act changes on membership of occupational pension schemes. The information obtained has related to companies in the public and private sectors.

Funerals

Ms. Harman: To ask the Secretary of State for Social Security what records are kept by his Department of the average costs of the component parts of funeral arrangements.

Mr. Scott: None.

ENVIRONMENT

Waste Management

Dr. Thomas: To ask the Secretary of State for the Environment what policy initiatives have been taken since August by the European Commission towards the tackling of hazardous, toxic and domestic waste handling and disposal in the European Community.

Mrs. Virginia Bottomley: The European Commission published a proposed Community strategy for waste management on 18 September and this was deposited in Parliament on 17 October.

Water Privatisation

Mr. Allen McKay: To ask the Secretary of State for the Environment how payment is to be made to water undertakers for water taken from a public hydrant or from domestic premises for fire fighting purposes.

Mr. Howard: Section 81 of the Water Act 1989 prohibits water undertakers from charging for water taken for fire fighting purposes. The cost of such water is recovered by water undertakers through charges to customers generally.

Toxic Waste

Mr. Flynn: To ask the Secretary of State for the Environment if he will make it his policy to introduce legislation covering the requirements to disclose information on difficult, hazardous, special and controlled toxic wastes by private waste treatment companies, which includes the same criteria for disclosure as are included in the United States Superfund Amendments and Re-authorization Act legislation.

Mrs. Virginia Bottomley: The Government accept the recommendation of the Royal Commission on Environmental Pollution that there should be a presumption in favour of unrestricted access for the public to information which the pollution control authorities obtain or receive by virtue of their statutory powers, with provision for secrecy only in those circumstances where a genuine case for it can be substantiated. It is already a duty of waste disposal to maintain a public register of waste

disposal licences issued by them. We propose to extend the scope of these registers to include information on the monitoring of the facility by the authority, including details of enforcement notices served and prosecutions taken. We are consulting on public access to information on the processes to be scheduled under integrated pollution control. The disclosure criteria incorporated in the United States SARA legislation are tailored to the pollution control regime in that country and not all are applicable here.

Sites of Special Scientific Interest

Mr. Hardy: To ask the Secretary of State for the Environment how many sites of special scientific interest were damaged or destroyed in the last 12 months; and what is his estimate of the number damaged or destroyed in the last five years.

Mrs. Virginia Bottomley: I refer the hon. Member to the answer I gave to the hon. Member for Gordon (Mr. Bruce) on 22 June 1989 at column *199*.

The information requested in respect of 1988-89 will be set out in the NCC's 15th annual report to be published on 22 November.

Toxic Waste, Wath upon Dearne

Mr. Hardy: To ask the Secretary of State for the Environment what information he has as to the date on which a shipment containing toxic waste arrived at Wath upon Dearne near Rotherham; and when the South Yorkshire hazardous waste unit, the Health and Safety Executive and Her Majesty's inspectorate of pollution became aware of the problem.

Mrs. Virginia Bottomley: Shipments of contaminated material were delivered to Wath Recycling Ltd. at Wath upon Dearne during the week commencing 12 June. Authorities became aware of the problem on 19 June (South Yorkshire joint hazardous waste unit), 24 July (Health and Safety Executive) and 29 June (Her Majesty's inspectorate of pollution).

Bathing Waters

Mr. Michael Brown: To ask the Secretary of State for the Environment what steps he is taking to bring bathing waters up to European standards.

Mr. Howard: On 4 October the Government sent to the Commission of the European Communities details of investment programmes designed to facilitate compliance by the United Kingdom with its obligations under the bathing water directive. Overall, around £1·1 billion will be spent improving bathing waters over the next 10 years.

Summary details of the investment programme are given in the following table. A list of individual schemes has been placed in the Library. Many of the schemes are at an early stage of development and are therefore subject to modification in the light of further assessment. For the same reason the estimated costs and completion dates are subject to change. Nevertheless by the mid-1990s we expect around 95 per cent. of our bathing waters to meet the directives standards and the full compliance programmes should be completed within 10 years.

Investment Programme to Achieve Compliance with Bathing Water Directive

	£ million
Northumbrian Water plc	86·2
Yorkshire Water plc	28·9
Anglian Water plc	150·1
Southern Water plc	216·7
Wessex Water plc	23·6
South West Water plc	312·5
Welsh Water plc	96·8
North West Water plc	147·2
Scotland	45·7
Northern Ireland	7·0
United Kingdom	1,114·7

Shore Width Reductions

Mr. Ron Davies: To ask the Secretary of State for the Environment pursuant to his answer to the hon. Member for Bury St. Edmunds (Sir E. Griffiths) of 8 May *Official Report*, column *349*, if the report on research commissioned by his Department on reductions in shore width is yet available; and if he will place copies in the Library.

Mrs. Virginia Bottomley *[holding answer 19 October 1989]:* Copies of the report, which was published in August, have been placed in the Library.

Dangerous Dogs

Mr. Winnick: To ask the Secretary of State for the Environment whether he will consider introducing legislation concerning the ownership of rottweiler and similar breeds of dogs in the light of recent deaths; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 19 October 1989]:* Measures have been taken in the Dangerous Dogs Act 1989 to strengthen existing legislation on the control of dangerous dogs. We issued a consultation paper on 10 August which outlined further measures we propose on dog control. We are at present considering the responses to this consultation paper.

PCB Wastes

Dr. Thomas: To ask the Secretary of State for the Environment what information he has on the microbial destruction method for polychlorinated biphenyls developed by the Canadian National Institute of Scientific Research, at Pointe Claire, Montreal in Canada; and what are the implications of this development for future import of Canadian origin PCB wastes for incineration in the United Kingdom.

Mrs. Virginia Bottomley *[holding answer 19 October 1989]:* This process is one of several under development for the biological treatment of dilute halogenated organics including PCBs. It is not an alternative to high temperature incineration of concentrated PCBs.

Local Government Finance

Mr. Conway: To ask the Secretary of State for the Environment when he will issue the further paper giving details of the scheme of transitional relief for individual community charge payers.

Mr. Chope: My Department has today written to all local authorities with papers giving further information

about the basis on which we propose transitional relief should be given. Copies of the letter and papers have been placed in the Libraries of both Houses of Parliament.

EDUCATION AND SCIENCE

City Technology Colleges

Mr. Grocott: To ask the Secretary of State for Education and Science how much capital expenditure is allocated for city technology colleges in *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92.

Mrs. Rumbold: The Government plan to make the following investment in the CTC programme:

	£ million
1989-90	34·965
1990-91	35·055
1991-92	36·618

The balance of expenditure between capital and recurrent costs will depend on a number of factors, including the nature and condition of premises acquired and the speed with which sponsors' plans are implemented.

Mr. Grocott: To ask the Secretary of State for Education and Science how much of the capital expenditure for each of (i) Solihull city technology college, (ii) Nottingham city technology college and (iii) Middlesbrough city technology college came from *(a)* private sources and *(b)* public funds.

Mrs. Rumbold: Total capital grant from public funds and private funding for the three colleges which are now open are as follows, in £m:

	Total	*Public funding*	*Private sources*
Solihull	4·986	3·986	1·000
Nottingham	8·105	7·414	0·691
Middlesbrough	6·2555	4·8723	1·383

Considerable further capital expenditure is planned at Solihull and at Nottingham, and the total contribution from private sources will amount to at least 20 per cent. in the former and at least 17 per cent. in the latter.

Mr. Grocott: To ask the Secretary of State for Education and Science (1) how much of the capital expenditure is coming from *(a)* private sources and *(b)* public funds in respect of (i) Bradford, (ii) Dartford, (iii) Gateshead, (iv) Croydon, Sylvan and (v) Croydon city technology colleges;

(2) what proportion of the capital expenditure will come from *(a)* private sources and *(b)* public funds in respect of (i) Lewisham, (ii) Southwark and (iii) Brighton city technology colleges.

Mrs. Rumbold: In the case of the CTCs at Bradford, Dartford, Gateshead, Sylvan, Croydon, Southwark and Brighton the funding regime for capital expenditure will be 80 per cent. public and 20 per cent. private. In the case of the Croydon city college for the technology of the arts the regime will be 60 per cent. public and 40 per cent. private. For Lewisham, we have made clear that, subject to further feasibility work, the public sector investment will be at least £4 million. We expect that the contribution from the private sector for acquiring the site and establishing a CTC will amount to about 50 per cent. of initial capital expenditure.

Mr. Grocott: To ask the Secretary of State for Education and Science how much of the funds so far allocated towards the capital expenditure on city technology colleges has come from *(a)* private sources and *(b)* public funds.

Mrs. Rumbold: Actual capital expenditure on CTCs to date is as follows:

	Total £ million	*Public funds* £ million	*Private sources* £ million
Solihull CTC	4·986	3·986	1·000
Nottingham CTC	8·105	7·414	0·691
Teesside CTC	6·2555	4·8725	1·383
Tyneside CTC	0·880	0·880	0·000
Bradford CTC	1·8495	1·4795	0·370
Croydon City College for the Technology of the Arts	0·195	0·195	0·000
Dartford CTC	2·907	2·907	0·000
Brighton CTC	2·500	2·500	0·000
Croydon, Sylvan CTC	0·400	0·400	0·000
Bacon's CTC	0·000	0·000	0·000
Haberdashers' Aske's CTC	0·000	0·000	0·000

Mr. Grocott: To ask the Secretary of State for Education and Science what is the estimated annual revenue cost in each of the next three years of *(a)* Solihull, *(b)* Nottingham, *(c)* Middlesbrough, *(d)* Bradford, *(e)* Dartford, *(f)* Gateshead, *(g)* Croydon, Sylvan and *(h)* Croydon City technology colleges.

Mrs. Rumbold: The estimated costs of the Solihull, Nottingham and Middlesbrough CTCs for the academic year 1989-90 are:

	£
Solihull	1,036,000
Nottingham	1,116,000
Middlesbrough	1,024,000

Figures for the other colleges, and for the three colleges in subsequent years, are not yet finally determined.

These recurrent costs include: a per capita grant, based upon spending in a comparable local education authority school; a temporary allowance for the diseconomies of operating schools which are not yet at their full capacity; and earmarked grant, for spending on specific purposes, namely: initial purchases of consumables, school meal subsidies, teacher training, information technology, and pupil support. With the exception of the information technology grant, all of them are calculated by reference to LEA norms.

HOME DEPARTMENT

Prison Building

Mr. Stern: To ask the Secretary of State for the Home Department when he expects to publish updated plans for the next phase of prison buildings.

Mr. Peter Lloyd: In addition to the eight new prisons already opened 11 are being built and work has begun or

will soon begin at Doncaster, Everthorpe and Ashford. Further plans cannot be announced until the final outcome of several outstanding applications for planning permission is known.

Crime Prevention

Mr. Cryer: To ask the Secretary of State for the Home Department if he will issue a code of practice covering the use of video cameras for surveillance purposes to combat crimes and installed in public places by either police authorities, local authorities or private security firms; and if he will make a statement.

Mr. John Patten: The Home Office issued guidelines in 1984 for the police on the use of surveillance equipment. These guidelines make it clear that CCTV devices should be used by the police only where they are necessary for the efficient conduct of police operations and with due regard for the intrusion of privacy that may result in particular circumstances.

NORTHERN IRELAND

Rubber and Plastic Bullets

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the total amount of compensation paid for *(a)* deaths and *(b)* injuries inflicted by (i) rubber bullets and (ii) plastic bullets in Northern Ireland 1969 to the present.

Mr. Cope: Between 1982 and 1989 (to 13 October) the total amount of damages paid as a result of claims made under the Police Act (Northern Ireland) 1970 against the Chief Constable of the Royal Ulster Constabulary for deaths and injuries resulting from the use of baton rounds is as follows:

	£
Death	66,000·00
Injury	562,156·53

Information relating to those claims before 1982 and claims made against the Secretary of State for Northern Ireland under criminal injuries legislation could be provided only at disproportionate cost.

Compensation paid out in respect of injuries allegedly inflicted by baton rounds fired by the Army is the responsibility of my right hon. Friend the Secretary of State for Defence.

Lear Fan Factory

Mr. McNamara: To ask the Secretary of State for Northern Ireland when he will receive a reply to his letters of September concerning the disposal of the Lear Fan factory and its acquisition by Iraqi interests.

Mr. Needham: A reply was sent to the hon. Member on 16 October.

FOREIGN AND COMMONWEALTH AFFAIRS

Vladimir and Karmela Raiz

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russian authorities about their continued failure to grant an exit visa to Vladimir and Karmela Raiz of Vilnius.

Mr. Waldegrave: We take every opportunity to press the Soviet authorities about Vladimir and Karmela Raiz. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs raised this case most recently when he met Mr. Shevardnadze in New York on 29 September. We shall maintain our pressure until this case is satisfactorily resolved.

George Belitsky

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Russian authorities about their failure to grant an exit visa to George Belitsky of Vilnius whose wife and sons have been living in Israel since 1987.

Mr. Waldegrave: We take every opportunity to press the Soviet authorities on individual refusenik cases such as George Belitsky. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs raised this case most recently when he met Mr. Shevardnadze in New York on 29 September. We shall maintain our pressure until this case is satisfactorily resolved.

Falkland Islands

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his response to the latest representations of the Argentine Government regarding the future of the Falkland Islands.

Mr. Sainsbury: I refer the hon. Gentleman to the answer given today to my right hon. Friend the Member for Guildford (Mr. Howell).

Argentina

Mr. David Howell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the recent talks in Madrid between British and Argentinian representatives.

Mr. Sainsbury: The talks which concluded yesterday have enabled us to resolve a number of practical issues without prejudicing the sovereignty of the Falkland islands and represent a significant step towards the normalisation of relations between the United Kingdom and Argentina. I am arranging for a copy of the communiqué to be placed in the Library of the House.

In addition, the British representative made a statement announcing our intention to extend the breadth of the territorial sea around certain dependent territories which included the Falkland Islands, South Georgia and the South Sandwich Islands.

Southern Africa Booklet

Mr. Grocott: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps were taken during the preparation of the booklet, "Britain in Southern Africa

—A Force for Peaceful Change and Development" to ensure that the Cabinet Office guidelines stating that Government publicity should not be personalised were observed.

Mr. Sainsbury: The booklet is in accordance with the Cabinet Office guidelines in that it is a factual statement of Government policy directed primarily at readers overseas.

Mr. Grocott: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost of producing and distributing the booklet "Britain in Southern Africa—A Force for Peaceful Change and Development".

Mr. Sainsbury: The total cost of production was £18,708 and 13,000 copies have been printed, of which 8,000 have so far been distributed overseas. The Central Office of Information distributed the booklet to diplomatic missions overseas as part of its regular distribution of information material. Distribution costs are not therefore separately identifiable.

United Nations

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out those initiatives introduced by Her Majesty's Government before the most recent general assembly of the United Nations held in September.

Mr. Sainsbury: In his speech at the United Nations general assembly on 27 September, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs set out our position on a wide range of the most important current international issues. He also took the opportunity to propose that the Geneva negotiations on chemical weapons should be conducted on a year round basis, announce the Helen Suzman scholarships for black South Africans and announce our package of assistance to the Colombian Government to pursue their anti-drugs campaign.

Afghanistan

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to meet representatives of the Government of Afghanistan.

Mr. Sainsbury: No. We look forward to the day when it is replaced by a truly representative Government with whom we could have normal relations.

China

Mr. Adley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with the People's Republic of China.

Mr. Maude: We and our EC partners agree that in present circumstances it would be premature to resume normal relations with China. But we have no wish to impede either people-to-people contacts, or trade on normal commercial terms.

Hong Kong

Mr. Chris Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking in relation to prisoners due to be in Hong Kong prisons on 30 July 1997, to ensure that the safeguards embodied in the Fugitive Offenders Act 1967 are complied with; and if he will make a statement.

Mr. Maude: The work of preparing local legislation to replace Acts of Parliament applied to Hong Kong, including the Fugitive Offenders Act 1967, is being undertaken. Such legislation will remain in force after the establishment of the Hong Kong Special Administrative region, on 1 July 1997, in accordance with the joint declaration. The safeguards embodied in this local legislation will apply to prisoners in Hong Kong prisons after 1 July 1997 who have been returned to Hong Kong from abroad.

THE ARTS

Merseyside Arts Association

Mr. Wareing: To ask the Minister for the Arts when he last met the chairman of Merseyside Arts Association to discuss the future of arts administration on Merseyside.

Mr. Luce: I have not done so.

TRADE AND INDUSTRY

DRG Company

Mr. Barry Jones: To ask the Secretary of State for Trade and Industry if he will receive a deputation from the leaders of the work force of DRG Deeside to hear their views concerning the bid for DRG by Pembridge Investments of Bermuda; and if he will make a statement.

Mr. Redwood: It is not appropriate for Ministers to comment on the merits of a merger situation in advance of the Secretary of State's decision on the question of reference to the Monopolies and Mergers Commission. DRG will have had an opportunity to make representations about the bid by Pembridge Investments to the Director General of Fair Trading whose advice to my right hon. Friend the Secretary of State on the question of reference to the Commission will reflect those representations.

Offshore Purchasers

Mr. Barry Jones: To ask the Secretary of State for Trade and Industry what representations he has received asking for legislation to forbid offshore purchasers of a group of companies selling its constituent businesses free of tax at the corporate level; and if he will make a statement.

Mr. Redwood: I have received a number of representations on this issue from hon. Members and others, but the matter is one which falls to be considered by my right hon. Friend the Chancellor of the Exchequer, rather than by me.

British Shipbuilders

Mr. Clay: To ask the Secretary of State for Trade and Industry (1) if he will provide an estimate of the commercial cost to British Shipbuilders of the closure of North East Shipbuilders, separately identifying *(a)* redundancy payments, *(b)* closure bonus payments, *(c)*

care and maintenance of the facilities since vessel construction ceased, *(d)* all costs incurred by British Shipbuilders in dealing with prospective purchasers of the facilities and *(e)* any other costs;

(2) if he will provide an estimate of the cost to Her Majesty's Government of the closure of North East Shipbuilders Ltd., excluding commercial costs to British Shipbuilders.

Mr. Douglas Hogg: The accounts for North East Shipbuilders Ltd. for 1987-88 were prepared on a closure basis following the decision announced by the then Chancellor of the Duchy of Lancaster on 7 December 1988. Signed on 31 January 1989, provision for estimated extraordinary losses of £53·7 million was made on account of closure. The provision included £28·5 million for redundancy payments and £5 million for closure bonus payments. These closure costs could only have been avoided had disposal retaining the whole of the work force proved possible based on bids received in 1988.

Offset by forecast receipts from the disposal of assets, the greater part of the £19·8 million for other costs reflected in the provision related to unrecovered labour and overheads. These were estimated by convention from 1 April 1988, the beginning of the following financial year. A considerable proportion of these costs had been incurred by December 1988, were irrespective of the decisions taken then, and could not have been avoided for some time thereafter even if sale negotiations had commenced at that time. Moreover, had a decision to open negotiations for shipbuilding been taken in July 1989, costs up to the early part of next year would not have been avoided on account of the Commission's expected procedure. British Shipbuilders regard more detailed information on other costs as commercially confidential.

In addition to costs at NESL, disposal talks both before the end of 1988 and in 1989 have involved senior corporation staff for a proportion of their time. Their salaries and related overheads would, however, have been incurred whatever decisions were taken in December 1988 and in July 1989. Fees for financial advice to British Shipbuilders on NESL are additional but are commercially confidential.

All costs incurred by British Shipbuilders net of trading income are funded by Her Majesty's Government.

Cellular Radiophones

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry if he has any plans to ensure that the cellular radiophone networks cover all the United Kingdom.

Mr. Forth: The two cellular radio operators were obliged by their operating licences to provide services in an area where 90 per cent. of the United Kingdom population live by the end of 1989. This target was achieved during 1987. Expansion has continued since then and now stands at over 94 per cent. In the light of this, I have no plans to impose a further coverage requirement on the cellular operators.

Mr. Griffiths: To ask the Secretary of State for Trade and Industry if he has any plans to seek to ensure that cellular telephone companies publish a map with any of their advertisements indicating the areas of the United Kingdom covered by their cellular radio networks.

Mr. Forth: Both of the cellular radio operators publish detailed maps of the areas covered by their networks, and these are made available to the public without charge. The Office of Telecommunications is also issuing a users guide for cellular radio, available from next week, which will include coverage maps.

I therefore have no plans to oblige the operators to include such maps in their advertisements.

Glass

Dr. Cunningham: To ask the Secretary of State for Trade and Industry if he will publish in the form of a table *(a)* the amount of glass recycled by each west European country in 1988 and *(b)* the amount of glass recycled as a percentage of the total amount of glass used for packaging for each country.

Mr. Forth *[holding answer 19 October 1989]:* The information is in the table.

Western Europe glass recycling figures for 1988

Country	*Tonnes of glass recycled*	*Percentage of total amount of glass used for packaging*
Austria	98,000	50
Belgium	166,000	50
Denmark	46,000	27
Finland	2,000	3
France	676,000	34
West Germany	1,176,000	39
United Kingdom	264,000	16
Greece	14,000	16
Ireland	9,000	10
Italy	610,000	40
Netherlands	261,000	53
Norway	3,000	6
Portugal	31,000	13
Spain	278,000	23
Sweden	31,000	22
Switzerland	156,000	55

Note:
The European figures were provided by FEVE—the European Glass Containers Federation. The United Kingdom figure was provided by the British Glass Manufacturers Confederation.

Dr. Cunningham: To ask the Secretary of State for Trade and Industry what amount of cullet was imported into the United Kingdom in 1988.

Mr. Forth *[holding answer 19 October 1989]:* A total of 11,000 tonnes of cullet was imported into the United Kingdom in 1988.

HEALTH

London Ambulance Service

Mr. Spearing: To ask the Secretary of State for Health what plans he has, and what action he has taken, concerning possible contracting out of the non-emergency services of the London ambulance service; what organisations and persons he has approached concerning any such proposals; and what response he has received.

Mr. Freeman: The management of the London ambulance service is the responsibility of the South West Thames regional health authority to which I refer the hon. Member.

DEFENCE

Goose Bay

Mr. Corbyn: To ask the Secretary of State for Defence if he will list the number of *(a)* bombing flights, *(b)* low-flying exercises and *(c)* personnel deployed by the RAF at Goose Bay for each year since 1983.

Mr. Neubert: I have nothing to add to the information on low-level training sorties carried out by the RAF at Goose Bay provided on 10 May at columns 472-73 and, by my hon. Friend the Member for Kettering (Mr. Freeman) on 23 November 1987 at column *31* to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas). The number of personnel deployed by the Royal Air Force at Goose Bay at any one time is within the maximum of 350 personnel permitted by the multilateral memorandum of understanding which covers the use of Goose Bay.

Mr. Corbyn: To ask the Secretary of State for Defence what assessment of environmental impact and impact on human life from the North Atlantic Treaty Organisation base at Goose Bay has been made by his Department.

Mr. Neubert: None. The environmental impact of the use of the Canadian forces base at Goose Bay is a matter for the Canadian authorities.

Mr. Corbyn: To ask the Secretary of State for Defence what representations he has received concerning the use of Goose Bay as a North Atlantic Treaty Organisation and RAF training base; and if he will make a statement on its future use.

Mr. Neubert: My right hon. Friend has received a number of representations concerning the use of Goose Bay. The RAF, in common with some other members of NATO, makes use of the Canadian facilities at Goose Bay from time to time. This is at the invitation of the Canadian Government, who are responsible for all use, including future use, of the area and its airspace. The RAF continues to value highly the use of the facilities at Goose Bay.

Innu Indians, Labrador

Mr. Corbyn To ask the Secretary of State for Defence if he will meet representatives of the Innu Indians of Labrador when they visit the United Kingdom on 30 October.

Mr. Neubert: No. Matters affecting Labrador, Canada, including the interests of the native Indian population, are the responsibility of the Canadian authorities.

Armed Forces Personnel (Sentences)

Mr. McNamara: To ask the Secretary of State for Defence how many members of the armed forces have been permitted to return to their duties after *(a)* serving custodial sentences, *(b)* receiving suspended sentences and *(c)* being fined by the criminal courts for the latest convenient period.

Mr. Archie Hamilton: I will write to the hon. Member.

Fylingdales (Inspection Access)

Mr. Flynn: To ask the Secretary of State for Defence if he will make it his policy to respond positively to the proposal announced by Soviet Foreign Minister Shevardnadze in Jackson Hole, Wyoming, on 24 September, that the Soviet Union should be permitted full inspection access to the radar monitoring facility at Fylingdales in Yorkshire.

Mr. Archie Hamilton: The Government have received no request for access by the Soviet Union to the ballistic missile early warning facility at RAF Fylingdales. Soviet concerns about RAF Fylingdales are a legal matter of treaty interpretation and would therefore not be resolved by an inspection of the radars. If, however, the parties to the anti-ballistic missile treaty considered that a visit would be helpful in allaying Soviet concerns, then the Government would consider such a request in the light of the terms of the approach.

HOUSE OF COMMONS

Recycled Paper

Mr. Onslow: To ask the Lord President of the Council what action is being taken to promote the use of recycled paper for House of Commons notepaper, envelopes, and other stationery.

Sir Geoffrey Howe: Many of the stationery items supplied to the House are already made from recycled material. The Accommodation and Administration Sub-Committee is fully aware of the need to increase the use of recycled paper at every suitable opportunity and has decided to re-examine the practicability of its use for the first-class stationery used by right hon. and hon. Members this autumn.

ATTORNEY-GENERAL

Birmingham County Court

Mr. Corbett: To ask the Attorney-General how many clerical staff in Birmingham county court have resigned in each month of the current financial year.

The Attorney-General: The number of staff that have resigned in each month of the current financial year is as follows:

	Number
April	4
May	2
June	3
July	5
August	6
September	11
October	5
Total	36

Mr. Corbett: To ask the Attorney-General how many staff the unit value attached to Birmingham county court indicates should be in post, by grade; and how many are presently in post.

The Attorney-General: The number of staff allocated to individual courts is not determined on the basis of unit values.

Each circuit is allocated an authorised level of staff and the number and grade then allocated to each court is based on relative workloads.

The authorised staff ceiling of 180 for Birmingham county court has been maintained at or very close to that figure.

Mr. Corbett: To ask the Attorney-General if he will make a statement on the time taken at Birmingham county court to process correspondence and to obtain hearings.

The Attorney-General: There are no records kept on the time correspondence, including letters requesting hearings, takes to process. Requests to issue summonses, warrants, divorce petitions and for judgment to be entered are dealt with within five days. Over recent months it has been difficult to deal with all items of correspondence within a reasonable time although it is understood that any matters requiring urgent appointments are being appropriately dealt with. Action has been put in hand to deal with the arrears as quickly as possible.

Mr. Corbett: To ask the Attorney-General what at the latest convenient date was the number of *(a)* casual and *(b)* relief staff, by job title or group, employed at Birmingham county court.

The Attorney-General: *(a) Casual Staff*

As of 1 October 1989, the number and grade of casual staff employed at Birmingham county court were:

	Number
Administrative Officer	2
Administrative Assistant	4
Support Grade Band 2	1

The average number of casuals employed during August and September was 15.

(b) Relief Staff

Between three and five relief staff at AO level have been provided by other courts since late July. A further relief team of six AOs and a team leader will be working at Birmingham from 16 October for one month.

Mr. Corbett: To ask the Attorney-General what at the latest convenient date was the number of items of outstanding correspondence awaiting attention at Birmingham county court; and what was the position one and two years earlier.

The Attorney-General: At 17 October 1989 there were approximately 11,600 items of correspondence awaiting action. There were no significant arrears of correspondence in either of the previous years.

Mr. Corbett: To ask the Attorney-General what on average is the time taken to deal with routine correspondence at Birmingham county court; and what was the position one and two years ago.

The Attorney-General: No measure of the average time taken to deal with correspondence is kept. There were no significant problems in general terms in either of the two previous years.

Mr. Corbett: To ask the Attorney-General whether he will detail the current staff ceiling, broken down by grade, at Birmingham county court; and what was the position one and two years earlier.

The Attorney-General: The information requested is set out in the table. Staff ceilings are set annually, and reviewed at least quarterly by group managers.

	October		
	1987	*1988*	*1989*
Grade 7	1·0	1·0	1·0
SEO	2·0	2·0	2·0
HEO	8·0	8·0	8·0
EO	21·0	21·0	21·0
AO	95·0	96·0	87·0
AA	24·0	21·0	16·0
Paperkeeper	15·0	16·5	16·0
Typing manager	1·0	1·0	1·0
Typist	13·0	15·0	12·5
Telephonist	1·0	1·0	1·0
Usher	6·0	5·5	5·5
Security	6·0	6·0	6·0
Messenger	2·0	3·0	3·0
Totals	195·0	197·0	180·0

Mr. Corbett: To ask the Attorney-General whether he will quantify the amount of *(a)* "targeted" and *(b)* "non-targeted" work currently undertaken at Birmingham county court; and what was the workload one and two years earlier.

The Attorney-General: The information is not kept in the form requested. The total workload of the county court measured by unit values for the financial years 1986 to 1989 was:

	Unit values
March 1986-87	461,440
March 1987-88	478,083
March 1988-89	453,795
September 1989	493,448

The figures show a 8·7 per cent. increase in workload between March and September 1989.

PRIME MINISTER

Non-proliferation Treaty

Dr. Thomas: To ask the Prime Minister (1) if, during her meeting with President Gorbachev in the Soviet Union in September, she raised the opportunities available to the depository states for the nuclear non-proliferation treaty to increase treaty membership and strengthen compliance before the fourth nuclear non-proliferation treaty review conference next August;

(2) if, during her meeting with President Mitterrand of France on 1 September, she discussed the prospects of France joining the nuclear non-proliferation treaty in the period before the fourth non-proliferation treaty review conference to be held in summer 1990;

(3) if, during her visit to Japan in September, she raised with members of the Japanese Government the co-operation on nuclear technology and nuclear fuels sales between Japan and the United Kingdom, pursuant to articles III and IV of the nuclear non-proliferation treaty and initiatives to be jointly promoted by Her Majesty's Government and the Japanese Government on strengthening the non-proliferation treaty before and at its fourth review conference next August.

Sir Geoffrey Howe: I have been asked to reply.

No.

Defence Minister Yazov

Mr. Flynn: To ask the Prime Minister what issues she discussed with visiting Soviet Defence Minister Yazov on 25 July at Downing street; and what plans there are for the Chief of the Defence Staff, the First Sea Lords, an Admiral of the Fleet or a Defence Minister to visit the Soviet Union.

Sir Geoffrey Howe: I have been asked to reply.

At the meeting my right hon. Friend the Prime Minister held with General Yazov on 25 July, matters of mutual interest were discussed. Discussions are continuing on our future defence contacts with the USSR. My right hon. Friend the Secretary of State for Defence hopes to visit the Soviet Union next year.

Nuclear Non-proliferation

Mr. Flynn: To ask the Prime Minister what opportunities she had to raise nuclear non-proliferation and the NPT fourth review conference, to be held next summer, in meetings with foreign heads of state or heads of Government, since 28 July.

Sir Geoffrey Howe: I have been asked to reply.

I understand that these matters have not figured on the agenda of any meetings which my right hon. Friend the Prime Minister has had since 28 July with foreign heads of state or Heads of Government.

Downing Street (Barrier)

Mr. Winnick: To ask the Prime Minister whether she was consulted over the building of a barrier at the entrance to Downing street; why it was considered that the existing security measures are not adequate; and what are the full costs of the proposed construction.

Sir Geoffrey Howe *[holding answer 19 October]:* My right hon. Friend the Prime Minister was of course consulted about the security improvements to Downing street as were other Ministers and organisations with a close interest.

It is not the Government's practice to comment on the operational aspects or detailed costs of security measures.

SCOTLAND

Lithotriptor Centre

Mr. Sillars: To ask the Secretary of State for Scotland if he will estimate the administrative cost to both the National Health Service and the SHHD of the new invoicing system created between the Scottish lithotriptor centre and customer boards.

Mr. Michael Forsyth: The invoicing system is a pilot scheme which still has some months to run.

Mr. Sillars: To ask the Secretary of State for Scotland what fees are to be charged to private patients for treatment at the Scottish lithotriptor centre; and what proportion of fee will be paid to consultants.

Mr. Michael Forsyth: This information is not held centrally. The charging of fees to private patients is entirely a matter for Lothian health board and for the consultants concerned.

Mr. Sillars: To ask the Secretary of State for Scotland what is his assessment of the number of private patients treated monthly at the Scottish lithotriptor centre.

Mr. Michael Forsyth: I have made no such assessment. Lothian health board is fully aware that treatment of private patients must not interrupt the service to NHS patients.

Mr. Sillars: To ask the Secretary of State for Scotland under what statutory powers the SHHD acted when instructing that the Scottish lithotriptor centre be self-funding in 1989-90.

Mr. Michael Forsyth: The new arrangements for funding the lithotriptor were introduced administratively after discussions with health boards.

Women General Practitioners

Mr. Wray: To ask the Secretary of State for Scotland how many women general practitioners there were in *(a)* Scotland, *(b)* the Strathclyde region and *(c)* Greater Glasgow for each year since 1974.

Mr. Michael Forsyth *[holding answer 18 October 1989]:* The information is available in the form requested only since 1976, as set out in the table.

Female General Medical Practitioners (unrestricted principals only)

Year	Scotland	Strathclyde region	Greater Glasgow
1976	443	210	131
1977	463	223	135
1978	494	245	149
1979	511	260	155
1980	522	265	154
1981	543	268	157
1982	567	271	161
1983	607	300	173
1984	649	327	186
1985	693	349	200
1986	721	354	196
1987	760	369	202
1988	822	397	214

Ambulance Staff

Mr. Wray: To ask the Secretary of State for Scotland what is for each year since 1974 the number of ambulance staff working for the National Health Service in *(a)* Scotland, *(b)* the Strathclyde region and *(c)* Greater Glasgow.

Mr. Michael Forsyth *[holding answer 18 October 1989]:* The number of ambulance crews in post in the Scottish ambulance service as at 31 March each year was as follows:

Year[1]	Scotland (including Greater Glasgow ambulance area)	Greater Glasgow ambulance area
1978	1,386	296
1979	1,558	311
1980	1,626	316
1981	1,647	322
1982	1,665	321
1983	1,698	317
1984	1,705	304
1985	1,724	303

Year[1]	Scotland (including Greater Glasgow ambulance area)	Greater Glasgow ambulance area
1986	1,744	307
1987	1,761	305
1988	1,809	296
1989	1,833	287

[1] Information prior to 1978 is not available.

No figures are available for Strathclyde region as it encompasses two whole ambulance areas and parts of a number of others.

EMPLOYMENT

Training and Enterprise Councils

Mr. Leighton: To ask the Secretary of State for Employment which of the training and enterprise councils, or proposals for training and enterprise councils have honourable Members on the board; and if he will identify the honourable Members.

Mr. Nicholls: There are no hon. Members included on the boards of prospective training and enterprise councils, nor are any included in proposals for training and enterprise councils.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what are the detailed arrangements for provision of employment training and YTS under training and enterprise councils.

Mr. Nicholls: The detailed arrangements for provision of employment training and YTS under training and enterprise councils will be published shortly.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what is the total amount of public money that the TECs have received for development funding; and if he will provide an itemised breakdown.

Mr. Nicholls: To date a total of some £2,500,000 for funding has been agreed with 22 prospective TECs. These are itemised in the table.

Training and Enterprise Councils
Contracted levels of development funding

	1989-90 £	1990-91 £	Total fund £
SOUTH EAST			
Essex	75,000	35,000	110,000
Hampshire	127,765	21,235	149,000
Hertfordshire	100,000	10,000	110,000
Isle of Wight	57,000	28,000	85,000
Milton Keynes	54,250	20,500	74,750
Thames Valley	125,000	—	125,000
LONDON			
Kingston/Merton	87,000	24,000	111,000
SOUTH WEST			
Dorset	95,000	—	95,000
Devon/Cornwall	189,750	—	189,750
EAST MIDLANDS AND EASTERN			
North Notts	120,000	—	120,000
YORKSHIRE AND HUMBERSIDE			
Calderdale/Kirklees	106,125	—	106,125
Sheffield	137,500	—	137,500
North Yorkshire	124,725	—	124,725
Rotherham	80,000	10,000	90,000
NORTH WEST			
Cumbria	115,000	—	115,000
East Lancashire	118,000	—	118,000
Oldham	80,588	—	80,588
Rochdale	75,000	—	75,000
South & East Cheshire	106,000	—	106,000
Wigan	65,390	28,610	94,000
NORTHERN			
Teesside	127,000	—	127,000
Tyneside	135,650	—	135,650
TOTALS	2,301,743	177,345	2,479,088

Young People (Remuneration)

Mrs. Mahon: To ask the Secretary of State for Employment how the Government intend to comply with the requirement of article 24 of the draft social charter that young people of more than 16 years of age who are in gainful employment should receive equitable remuneration.

Mr. Eggar: The European Commission's draft social charter is still under discussion by member states.

Wages

Mrs. Mahon: To ask the Secretary of State for Employment if he will give the underpayment figures, regionally, for underpayment of wages in 1987 and 1988, and the percentage of establishments visited by the inspectorate in the regions which were underpaying in 1987 and 1988.

Mr. Nicholls: The information for 1987 is contained in the reply given on 4 March 1988 in the *Official Report* at columns *731-36*. The information for 1988 is in the reply given on 1 March 1989 in the *Official Report* at columns *201-6*.

Mrs. Mahon: To ask the Secretary of State for Employment if there is a level of wages which the Government treats as excessively low.

Mr. Nicholls: Pay generally is a matter for employers and their employees to decide for themselves in the light of all the relevant circumstances.

Mrs. Mahon: To ask the Secretary of State for Employment in the light of the increase in illegal underpayment cases in 1988, what the Government intend to do to halt this trend.

Mr. Nicholls: The general level of compliance with wages orders remains consistently high. The percentage of workers found to be paid at least the statutory minimum due in checks conducted by the wages inspectorate in 1987 was 96·9 per cent. and 1988 was 96·6 per cent.

Wages Councils

Mrs. Mahon: To ask the Secretary of State for Employment what evidence he has that abolition of the wages councils will result directly in employment growth; and if he will publish it.

Mr. Nicholls: Studies supporting the Government's view that the abolition of wages councils would have a favourable effect on employment have been listed in previous parliamentary answers in the *Official Report* on 21 February 1985 at column *516* and on 18 June 1985 at column *92*.

Crown Immunity

Mr. Janner: To ask the Secretary of State for Employment whether he will now introduce legislation to remove Crown immunity from Crown bodies other than health authorities.

Mr. Lace: I have been asked to reply.

The Government's policy in respect of Crown immunity is that it should not lead to lower standards being accepted in Crown premises. This is reviewed in individual cases where there appears to be evidence of cause for concern.

Low Pay

Mr. Wray: To ask the Secretary of State for Employment how many inspectors were in charge of low pay cases for each year since 1974.

Mr. Nicholls *[holding answer 18 October 1989]:* The Department inspects pay levels only where statutory minimum rates set by wages councils are in force. The average number of inspectors in post for this purpose in each of the years in question was:

Year	*Number*
1974	135
1975	128
1976	125
1977	132
1978	143
1979	158
1980	155
1981	117
1982	116
1983	116
1984	115
1985	120
1986	116
1987	73
1988	70

The reduction in the number of inspectors in 1987 reflected the simpler and quicker task of checking compliance with wage orders and the rise in the general level of compliance following the reform of the wages council system in 1986.

Career Development Loans

Mr. Straw: To ask the Secretary of State for Employment if he will place in the Library details of the career development loans scheme, and any evaluation carried out by his Department of the scheme.

Mr. Eggar *[holding answer 17 October 1989]:* The Government launched career development loans nationally in July 1988, and details were placed in the Library of the House at that time. External evaluation is planned for 1990-91. I will write to the hon. Member about the evaluation of the pilot carried out by my Department and place a copy in the Library of the House.

ENERGY

European Community (Nuclear Generation)

Dr. Thomas: To ask the Secretary of State for Energy if he will make it his policy to introduce a paper to the European Council of Energy Ministers meeting in Luxembourg on 30 October to eliminate all state subsidies of the nuclear generating and nuclear fuel cycle industries in the European Community, as part of progress towards free competition in the energy markets in the European Community from 1 January 1993.

Mr. Michael Spicer: I have no plans to do so. However, the Commission is currently collecting information from member states about state aids and other Government assistance to the Community electricity and nuclear industries.

European Co-operation

Dr. Thomas: To ask the Secretary of State for Energy what plans he has to introduce new initiatives for European co-operation on *(a)* renewable energy technologies, *(b)* fast breeder nuclear technology and *(c)* fusion reactor technology at the next Council of European Energy Ministers meeting in Luxembourg on 30 October.

Mr. Michael Spicer: There is already an active programme of collaboration within the EEC on research and demonstration programmes in renewable energy technologies. During its Presidency the United Kingdom initiated a series of exchanges within the EEC on renewable energy. As a result senior scientific advisers from each member state now meet regularly to exchange information and to co-ordinate programmes within the Community.

The Council will be discussing a Commission proposal, for a further five-year programme to promote energy technology in Europe, which includes support for work on renewable energy sources. The Commission has also submitted proposals for a new framework programme on research and development which includes work on all the technologies mentioned. This will be discussed by the Community's research council.

Plutonium (Sellafield)

Mr. Flynn: To ask the Secretary of State for Energy if he will provide published data in the *Official Report* giving *(a)* the total in kilogrammes of the amount of plutonium in all wastes on the Sellafield site resulting from the reprocessing of all Central Electricity Generating Board and South of Scotland Electricity Board Magnox spent fuel up to 31 December 1986, *(b)* the accuracy of the figure in *(a)*, and *(c)* how much of the figure in *(a)* is included in the table giving the allocation of plutonium produced in Central Electricity Generating Board and South of Scotland Electricity Board Magnox reactors as of 31 March 1987, *Official Report*, 24 July 1987, column 516.

Mr. Michael Spicer: I refer the hon. Member to the answer that I gave him on 18 July 1989 at columns *79-80*.

National Power

Mr. Flynn: To ask the Secretary of State for Energy if National Power will retain the ownership of all nuclear waste in the categories of low, intermediate and high level

solid and liquid radioactive wastes arising from their nuclear stations and after reprocessing, when the Central Electricity Generating Board is privatised.

Mr. Michael Spicer: The Health and Safety Executive's nuclear installations inspectorate requires the licensee to make satisfactory arrangements for the treatment, storage and ultimate disposal of spent fuel and nuclear waste. This will not change after privatisation.

United Kingdom Nirex Ltd

Mr. Flynn: To ask the Secretary of State for Energy what will be the constitution of the board of United Kingdom Nirex Ltd, following the privatisation of the Central Electricity Generating Board.

Mr. Michael Spicer: No decisions have yet been taken on the CEGB's present shareholding in Nirex after privatisation.

OVERSEAS DEVELOPMENT

World Bank (Environmental Protection)

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives have been taken by Her Majesty's Government's representatives at the World Bank to increase the activities of the bank in global environmental protection and environmental development; and what policies on the environment the World Bank currently pursues.

Mrs. Chalker: United Kingdom representatives have been at the forefront in urging the Bank to increase its attention to environmental matters, most recently at last month's development committee meeting. The Bank has made admirable progress in assessing the environmental problems of developing countries and in devising appropriate policies. We shall continue to press for further progress.

On the question of global environmental protection, the development committee welcomed the Bank's increasing emphasis on energy conservation and efficiency, and encouraged the Bank to assist countries in introducing alternatives to chlorofluorocarbons.

AGRICULTURE, FISHERIES AND FOOD

Animal Foodstuffs (Labelling)

Ms. Walley: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that the regulations relating to mandatory labelling of ingredients on animal foodstuffs are adhered to.

Mr. Maclean: The European Council of Ministers is currently considering a proposal which will require suppliers of animal feeds to declare the materials of categories of materials used in them to supplement existing detailed labelling requirements. Any new measures will be enacted in United Kingdom legislation under the Agriculture Act 1970, which will continue to be enforced by local authorities.

Eggs

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food what are the latest figures for the consumption and production of eggs in Great Britain; what were the figures for production and consumption 12 months prior to that date; and if he will make a statement on the future of egg production in Great Britain.

Mr. Gummer: The latest available data are as follows: Consumption of eggs in Great Britain for the second quarter of 1989 was 2·41 eggs per person per week per household (source: National Food Survey). The egg packing survey shows throughput by packing stations in Great Britain for the four weeks ending 1 October totalling 2,149 thousand boxes. These figures compare with equivalent figures for 1988 of 2·74 eggs per person per week for household consumption of eggs and 2,384 thousand boxes for throughput at packing stations in Great Britain.

Our comprehensive package of measures to combat the risk of salmonella in eggs should enable consumer confidence in eggs to be restored and our egg market to strengthen to the benefit of producers.

Crayfish Plague

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food if he will seek the advice of the National Rivers Authority on possible methods of combating crayfish plague.

Mr. Gummer: I have asked the National Rivers Authority for any advice the authority has to offer. This fungal disease established itself in many of our main crayfish rivers some years ago. Our view remains that practical controls for containing or eradicating crayfish plague—which attacks wild fish in their natural environment—would be very difficult to achieve and would be of doubtful effectiveness.

Butter and Meat Distribution

Mr. Madden: To ask the Minister of Agriculture, Fisheries and Food if he will name all organisations which have distributed butter, released from EEC stores, in Bradford in the last two years; and what representations he has received concerning the fairness and efficiency of the distribution of butter.

Mr. MacLean: A list of the organisations originally designed to participate in the scheme was placed in the Library of the House on 21 April 1988. Of these the following are based in Bradford:

Islamic Missionary College
Blenheim Mosque
Jamiyat Tabligh Ul Islam
Suffa Tul Islam
Bierley Community Centre

Over the two years during which the scheme has been operating, we have received a number of representations about it. Most of these have been about the uneven availability of produce, the exclusion of pensioners as a group from the scheme and the allocation of produce to ethnic minority groups.

Mr. Madden: To ask the Minister of Agriculture, Fisheries and Food if he will take steps when butter or meat is next released from EEC stores for distribution free within the United Kingdom to ensure that wide publicity is given in advance of distribution giving information about entitlement to receive butter and meat; and if he will also ensure that distribution arrangements are widely publicised to ensure maximum take-up by those entitled to receive butter and meat.

Mr. MacLean: The arrangements for publicising local distributions of surplus produce is a matter for the participating organisations concerned to determine in the light of their knowledge of local needs. Given that the produce available is being fully utilised I have no reason to believe that the current arrangements are inadequate.

Mr. Madden: To ask the Minister of Agriculture, Fisheries and Food when butter and meat will next be released from EEC stores for distribution free within the United Kingdom; who will be eligible to receive butter and meat; and what arrangements he will make to ensure such distribution is conducted fairly and efficiently *(a)* in Bradford and *(b)* elsewhere in the United Kingdom.

Mr. Maclean: The release of produce from stores and its distribution to eligible recipients has been, and will continue to be, timed to accord with the arrangements made by the organisations operating the scheme. These arrangements will continue until the current scheme runs out. Beyond that, the Commission has made no proposals for a scheme in 1990, but intervention stocks have been much reduced, and the Commission is to review the arrangements next year.

Those eligible to receive produce under the current scheme will continue to be the most needy in our community, that is, those on income support or family credit and those living in welfare hostels or who have no fixed abode.

When this scheme was set up, it was decided that the produce would be distributed by voluntary organisations who wished, and had the expertise and facilities, to do so. Designated organisations have clear instructions about eligibility and procedures for distribution. Staff of the agricultural department monitor distributions to ensure that they are conducted in accordance with the rules. The voluntary nature of the scheme makes it impossible to ensure an even geographical distribution of the produce.

Nitrogen-based Fertilisers

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to conduct a study of the implications of the release of methane gas from the use of nitrogen-based fertilisers in the United Kingdom for the greenhouse effect global warming.

Mr. MacLean: Methane gas is a product of decomposition. Its agricultural source is ruminant digestion rather than the use of nitrogen-based fertilisers. The Ministry is investigating agricultural sources of greenhouse gases.

Written Answers to Questions

Monday 23 October 1989.

NATIONAL FINANCE

EC Economic and Finance Council

Mr. Quentin Davies: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Lawson: The Ecofin Council met in Luxembourg on 9 October. The Financial Secretary represented the United Kingdom.

The Council discussed the abolition of fiscal frontiers, where outline agreement was reached on a number of technical issues to pave the way for the removal of frontier controls related to VAT, in particular the importance of retaining the destination principle. There will be a further discussion at the November Ecofin. The taxation of savings was also discussed, and it was agreed that the Commission should bring forward draft outline proposals on measures to strengthen mutual assistance and to combat tax fraud, for discussion at the meeting of Ecofin in November. It was agreed to send a letter to the European investment bank inviting it to make loan finance available to Poland and Hungary under the bank's normal criteria for lending from its own resources. The Commission's proposals for borrowing under the new Community instrument and through Euratom were also discussed, but no agreement was reached.

Energy Conservation

Dr. Thomas: To ask the Chancellor of the Exchequer if he will make it his policy to remove value added tax from insulation materials used to improve energy conservation in buildings.

Mr. Ryder: Zero-rating already exists for new dwellings and so insulation materials are relieved when they are installed in the course of construction by a VAT-registered builder. VAT-registered owners of new or existing commercial buildings can normally reclaim, under the normal input tax rules, any tax they are charged for insulation work or materials. Even if the cost of a general relief were acceptable in terms of revenue forgone and additional administration, any such relief would not be permissible under the EC sixth VAT directive. Thus the Government have no plans for a general relief for the insulation of existing dwellings either by contractors or on a DIY basis.

Customs Officers

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer if he will set out the powers and responsibilities of customs officers when questioning United Kingdom citizens arriving at ports of entry.

Mr. Ryder: Customs officers' powers and responsibilities are set out in the Customs and Excise Management Act 1979. Under section 78 of that Act an officer may require a passenger to produce for examination his baggage and anything contained therein and to answer questions in respect of such items.

Customs officers must also have regard to the relevant provisions of the Police and Criminal Evidence Act 1984 and its codes of practice.

Manufacturing Industry (Investment)

Mr. Spearing: To ask the Chancellor of the Exchequer if he will tabulate the investment made by British institutions in manufacturing industry outside the United Kingdom during 1988 together with the comparable amounts of inward investment including for each case the respective geographical areas and manufacturing sectors.

Mr. Norman Lamont *[holding answer 17 October 1989]:* The available information relates to United Kingdom net direct investment overseas in manufacturing industry and overseas net direct investment in United Kingdom manufacturing industry and was published in tables 1.6 and 2.6 of "Business Monitor MA4 1987, Overseas Transactions", a copy of which is in the Library. Comparable information for 1988 should become available next spring. No information is available on overseas portfolio investment by country or by industry.

African Elephants

Mr. Banks: To ask the Chancellor of the Exchequer if he will take steps to identify African elephant products in the overseas trade statistics; and if he will make a statement.

Mr. Lilley *[holding answer 19 October 1989]:* The main trade in elephant products is in ivory. Currently, trade in both new and worked ivory is identified in the *Overseas Trade Statistics*.

Trade is not normally allowed in Indian elephant ivory under the convention on international trade in endangered species of fauna and flora (CITES). Similar strict controls will now apply to African elephant ivory following agreement this week at the CITES conference.

In the United Kingdom, strict controls were introduced on imports of ivory from 9 June 1989. From 17 August 1989, these controls have been applied in the European Community under Commission Regulation 2496/89.

Figures relating to trade in goods included under CITES are published by the European Commission.

Ivory

Mr. Tony Banks: To ask the Chancellor of the Exchequer if he is now in a position to give details regarding the five consignments of raw ivory which were being held at Heathrow airport when he replied to the hon. Member for Newham, North-West on 6 June, *Official Report*, column *118*.

Mr. Ryder *[holding answer 18 October 1989]:* The position remains as outlined in the answer given to the hon. Member on 6 June at column *118*.

Mr. Tony Banks: To ask the Chancellor of the Exchequer what information he has regarding seizures of ivory at ports of entry since 12 April.

Mr. Ryder *[holding answer 18 October 1989]:* Customs continue to seize consignments of illegally imported ivory.

Most seizures, often involving small quantities, are made locally without reference to Customs HQ. Statistical information is compiled only periodically. Up-to-date details could be obtained only at disproportionate expense.

Inflation and Interest Rates

Mr. Wray: To ask the Chancellor of the Exchequer what information he has on the average levels of inflation and interest rates in *(a)* Denmark, *(b)* Canada, *(c)* France, *(d)* Holland, *(e)* the Federal Republic of Germany, *(f)* Japan, *(g)* the United States of America and *(h)* Sweden for each year since 1979.

Mr. Ryder *[holding answer 18 October 1989]:* The average levels of inflation since 1979 for Denmark, Canada, France, the Netherlands, Germany, Japan, the United States and Sweden are given in "OECD Economic Outlook June 1989", a copy of which is available in the House of Commons Library. The information requested on interest rates is as follows:

Short-term Interest Rates

Year	*United States*	*Japan*	*Germany*	*France*	*Canada*	*Denmark*	*Netherlands*	*Sweden*
1979	11·2	6·2	6·7	9·5	[1]11·2	12·6	9·0	8·2
1981	13·1	10·9	9·5	12·2	12·6	16·9	10·1	12·2
1982	15·9	7·6	12·1	15·3	18·3	14·8	11·0	14·4
1983	9·1	6·7	5·8	12·5	9·4	12·0	5·3	10·9
1984	10·4	6·5	6·0	11·7	11·0	11·5	5·8	11·8
1985	8·1	6·6	5·4	10·0	9·5	10·0	6·3	13·9
1986	6·5	5·1	4·6	7·7	9·2	9·1	5·8	10·2
1987	6·9	4·2	4·0	8·3	8·3	9·9	5·2	9·2
1988	7·7	4·5	4·3	7·9	9·5	8·2	4·5	10·1

[1]1979 not same series.
Source: IMF and national sources.

Information Technology

Mr. Warren: To ask the Chancellor of the Exchequer which Minister in his Department is responsible for day-to-day management of his Department's information technology strategy; and what proportion of his time was spent on this matter in the month up to Friday 13 October.

Mr. Ryder *[holding answer 19 October 1989]:* The Minister responsible for oversight of Her Majesty's Treasury's information technology strategy is the Paymaster General. Officials are responsible for the day-to-day management of the strategy. No strategic issue required the attention of the Paymaster General in the month up to Friday 13 October.

Economic Statistics

Mr. Meacher: To ask the Chancellor of the Exchequer what has been the annual percentage growth each year since 1979 in *(a)* real incomes, *(b)* the stock of consumer debt outstanding in real terms, *(c)* consumer spending and *(d)* output in the economy.

Mr. Ryder *[holding answer 19 October 1989]:* The 1989 edition of "United Kingdom National Accounts"—otherwise known as the CSO Blue Book—gives annual estimates of real personal disposable income (Table 4.1), consumers' expenditure at constant prices (Table 4.6) and of United Kingdom output (Table 2.4). A copy is available in the Library. Figures of the annual percentage growth of the stock of consumer credit, expressed in real terms, are as follows:

	Growth
1979	7·9
1980	3·2
1981	9·4
1982	−6·6
1983	12·3
1984	12·2
1985	11·7
1986	12·3
1987	15·5
1988	10·9

Low Pay

Mr. Wray: To ask the Chancellor of the Exchequer if he will instruct all Government Departments concerned to review the present pay structures of low-paid workers within their responsibilities with a view to giving them a parity with police and armed forces personnel.

Mr. Ryder *[holding answer 19 October 1989]:* No.

Electricity

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what was the total cost to the United Kingdom's balance of payments in pounds sterling in the latest available year of the purchase by the Central Electricity Generating Board of electricity from France.

Mr. Michael Spicer: I have been asked to reply.

The provisional value (on a cost, insurance and freight basis) of imports of electricity from France to the United Kingdom in 1988 was £268 million.

Source: Digest of United Kingdom Energy Statistics, Table 71.

HOME DEPARTMENT

Salman Rushdie

Mr. William Powell: To ask the Secretary of State for the Home Department what has been the cost in each month since January for the special protection measures taken on behalf of Mr. Salman Rushdie.

Mr. Hurd: It would not be proper to disclose information about police protection which would indicate its scale in a particular case.

Metropolitan Police

Mr. John Marshall: To ask the Secretary of State for the Home Department if he will make a statement about trends in Metropolitan police manpower since 1979.

Mr. Peter Lloyd: Since 1979 the trend in Metropolitan police manpower has been steadily upwards. At the end of August 1989 the strength of the force was 28,240—25 per cent. higher than at the end of 1979. In addition, there are now some 1,300 more civil staff supporting the Metropolitan police than there were at the end of 1979; and civilianisation has released more than 300 police officers for operational duty over the last three years, and is expected to release a further 200 in 1989-90. This steady increase in manpower reflects our sustained commitment to building up the strength and efficiency of the police.

West Midlands Chief Constable

Mr. Battle: To ask the Secretary of State for the Home Department when he last met the chief constable of the West Midlands; and what matters were discussed.

Mr. Hurd: I met the chief constable on 5 September, when I attended the "Fire 89" conference in Birmingham. We discussed a number of matters concerning policing in England and Wales.

Arrests (Football Grounds)

Mr. John Marshall: To ask the Secretary of State for the Home Department what information he has as to how many people were arrested during the 1988-89 season at the grounds of each of the clubs playing in each of the four divisions of the Football League; and what are the comparable statistics for the previous two seasons.

Mr. Peter Lloyd: The Association of Chief Police Officers (ACPO) collate the number of arrests made at Football League matches in England and Wales. The table shows ACPO's figures for arrests at home games of league clubs according to their division in the 1988-89 season. The figures do not distinguish between arrests of home or away spectators. Such figures are not collated centrally, nor are any relating to the outcome of these arrests.

Division 1

	1988-89	1987-88	1986-87
Arsenal	167	153	79
Aston Villa	344	308	202
Charlton Athletic	47	14	33
Coventry City	190	194	96
Derby County	132	86	61
Everton	80	24	67
Liverpool	132	33	86
Luton Town	7	1	—
Manchester United	60	38	25
Middlesbrough	86	110	14
Millwall	160	44	20
Newcastle United	166	149	136
Norwich City	86	32	66
Notts Forest	66	130	98
Queens Park Rangers	95	91	127
Sheffield Wednesday	80	90	101
Southampton	146	208	85
Tottenham Hotspur	127	74	80
West Ham United	201	149	144
Wimbledon	17	49	35

Division 2

	1988-89	1987-88	1986-87
Barnsley	21	55	76
Birmingham City	65	101	66
Blackburn Rovers	37	79	80
Bournemouth	35	149	28
Bradford City	85	197	115
Brighton	47	34	5
Chelsea	304	271	222
Crystal Palace	71	78	61
Hull City	18	38	51
Ipswich Town	31	99	45
Leeds United	159	184	182
Leicester City	95	31	197
Manchester City	39	35	23
Oldham Athletic	12	19	13
Oxford United	36	105	88
Portsmouth	162	282	65
Plymouth Argyle	19	29	49
Shrewsbury	37	68	41
Stoke City	44	57	73
Sunderland	49	80	140
Swindon Town	44	67	48
Walsall	148	47	95
Watford	44	43	18
West Bromwich Albion	145	132	142

Division 3

	1988-89	1987-88	1986-87
Aldershot	65	39	29
Blackpool	66	36	104
Bolton Wanderers	40	21	20
Brentford	50	72	11
Bristol City	73	21	46
Bristol Rovers	67	18	7
Bury	27	5	11
Cardiff	16	43	27
Chester	20	22	49
Chesterfield	44	21	17
Fulham	126	99	41
Gillingham	23	32	9
Huddersfield	34	126	100
Mansfield	40	21	31
Northampton	3	11	57
Notts County	49	56	13
Port Vale	79	22	54
Preston North End	51	20	66
Reading	25	20	114
Sheffield United	50	60	53
Southend	30	3	—
Swansea	51	10	14
Wigan	4	4	24
Wolverhampton	192	132	117

Division 4

	1988-89	1987-88	1986-87
Burnley	47	90	22
Cambridge	17	29	49
Carlisle	17	27	24
Colchester	7	—	8
Crewe	30	21	41
Darlington	26	5	101
Doncaster	20	28	35
Exeter	12	83	61
Grimsby	79	66	156
Halifax	62	38	19
Hartlepool	21	21	29
Hereford	28	28	53
Leyton Orient	8	8	15
Lincoln	19	—	9
Peterborough	14	15	28
Rochdale	47	32	59
Rotherham	31	47	54
Scarborough	51	146	—
Scunthorpe	55	46	49
Stockport	53	17	—

	1988-89	1987-88	1986-87
Torquay	16	21	94
Tranmere	20	53	7
Wrexham	12	17	25
York	132	62	37
Newport County (no longer in the Football League)	—	35	53

Lotteries

Mr. Shersby: To ask the Secretary of State for the Home Department if he has recently reviewed the present legislation governing the conduct of lotteries; if he has any proposals for the amendment of the law; and if he will make a statement.

Mr. John Patten: We keep the law governing the conduct of lotteries under review, and have no current proposals for its amendment.

On-line Betting

Mr. Shersby: To ask the Secretary of State for the Home Department what steps he is taking to address the development of technology which makes possible on-line betting with the use of pre-purchase or credit cards and a television receiver; what consideration he is giving to the transmission of such facilities to Britain via satellite television, and if he has any proposals to amend the law.

Mr. John Patten: Both credit and cash betting are already regulated by the current law. Similarly, television coverage of those sporting events on which punters most usually bet is already established. We would expect any technological developments in bookmaking to be designed to comply with the current law; and we have received no proposals for changes in the law to accommodate any such development which, if it were introduced, might at present be unlawful.

Emergency Services (Accident Procedures)

Mr. Kirkwood: To ask the Secretary of State for the Home Department what guidelines exist for the emergency services which may come into contact with blood after an accident; and if he will seek to ensure that a standard procedure is followed at all times to protect personnel regardless of the personal circumstances of victims involved.

Mr. Peter Lloyd: Contact with blood after an accident may expose members of the emergency services to the risk of contracting one of the blood-borne infectious diseases. Guidance on the operational safety precautions which should be taken to reduce this risk is given in the circulars which the Home Office has issued to police forces and fire brigades on AIDS and hepatitis B. Guidance for the ambulance services is a matter for my right hon. and learned Friend the Secretary of State for Health.

AIDS

Mr. Kirkwood: To ask the Secretary of State for the Home Department whether, in light of evidence that HIV is spreading now faster among heterosexuals than homosexuals and to avoid possible distress to relatives, he will ensure that messages sent to emergency services after accidents or similar disasters do not refer to victims' sexuality as a reason for taking additional precautions because of a fear of AIDS.

Mr. Peter Lloyd: While all the emergency services have been issued with general guidance about AIDS, there is normally no question of their messages making any reference to victims' sexuality.

Serious Crime Squad (West Midlands)

Mr. Mullin: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands as to whether any former members of the serious crime squad recently transferred to non-operational duties have since been involved in criminal investigations.

Mr. Peter Lloyd: No. The actions of the former serious crime squad are being investigated under the supervision of the Police Complaints Authority by Mr. Shaw, assistant chief constable of the West Yorkshire police, to whom all matters of concern should be reported.

On 14 August the chief constable of the West Midlands stated publicly that all officers who had served on the serious crime squad in the period 1 January 1986 to 31 December 1988 would be moved out of the CID to non-operational duty. The term "non-operational duty" covers all manner of duty other than the arrest of persons for crime or the interrogation of persons in respect of offences for which they have or may have to answer before a court. I have no evidence to suggest that the criteria outlined have been breached.

Mr. Mullin: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands listing the members of the serious crime squad at the time it was disbanded and the dates on which they joined the squad.

Mr. Peter Lloyd: No.

Mr. Mullin: To ask the Secretary of State for the Home Department (1) if he will call for a report from the chief constable of the West Midlands as to how many members of the serious crime squad who were recently transferred to non-operational duties are currently on sick leave;

(2) if he will call for a report from the chief constable of the West Midlands as to the date on which Detective Sergeant Michael Honby went on sick leave and on the prospects for his return to duty.

Mr. Peter Lloyd: No. These are matters for the chief constable of the West Midlands, and my right hon. Friend sees no call for a report on them at the present time.

Illegal Drugs

Mr. Ian Taylor: To ask the Secretary of State for the Home Department what plans he has to ensure that moneys recovered from illegal drug operations under the provisions of the Drug Trafficking Offences Act 1986 are allocated explicitly for the purpose of combating the use and distribution of illicit drugs.

Mr. John Patten: Ministers are considering the detailed arrangements whereby a proportion of the sums confiscated from drug traffickers as a result of international agreements might be used to strengthen the United Kingdom's enforcement and other efforts to curb drug abuse.

PRIME MINISTER

Chernobyl

Mr. Wigley: To ask the Prime Minister if she will discuss during her next meeting with President Gorbachev compensation for the economic damage done to upland farming by the radioactive fall-out from the Chernobyl accident.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister did not raise this issue when she met President Gorbachev last month. The position with regard to compensation remains as stated in the reply to the hon. Member for Merionnydd Nant Conwy (Dr. Thomas) of 21 July 1986 at column *5*.

FOREIGN AND COMMONWEALTH AFFAIRS

Antarctic Treaty

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of negotiations on liability protocols in relation to the Antarctic treaty at the Paris meeting.

Mr. Sainsbury: It was agreed in Paris last week that a meeting should be held next year to explore all proposals relating to the liability protocol required under article 8(7) of the Antarctic minerals convention.

CIVIL SERVICE

Civil Servants (Attributable Interviews)

Mr. Spearing: To ask the Minister for the Civil Service what guidelines exist for the granting of specific civil servants of attributable interviews to newspapers and radio containing policy statements determined by Ministers; and if he will make a statement.

Mr. Luce *[holding answer 20 October 1989]:* The principles governing civil servants' contacts with the media are set out in chapter 6, sections 2 and 4, of the personnel management handbook. Copies of the handbook are available in the House Libraries. Advice on specific cases is given by departmental information officers.

THE ARTS

British Library

Mr. Jack: To ask the Minister for the Arts what is the present budgeted cost for the completion of the new British Library.

Mr. Luce: As I reported to the House last November, Phase 1A of the new British Library at St. Pancras is currently under construction, and is to be built within a cost target in cash of £500 million. Additionally, a completion state which is at present being designed, has been budgeted at £90 million at second quarter 1988 prices.

TRADE AND INDUSTRY

Recycling

Dr. Thomas: To ask the Secretary of State for Trade and Industry what policy initiatives have been taken by his Department to increase the level of recycling materials in the United Kingdom; and if he has met the Association of County Councils, the metropolitan authorities or the relevant trades unions to discuss policy options in the recycling field.

Mr. Forth: I refer the hon. Member to my reply to the hon. Member for Linlithgow (Mr. Dalyell) on 17 October at column *12*. The Association of County Councils, the Association of Metropolitan Authorities, the Association of District Councils, and the Convention of Scottish Local Authorities are members of the advisory group referred to in that reply.

Dr. Cunningham: To ask the Secretary of State for Trade and Industry if he will publish in the form of a table the number of bottle banks in each west European country for the most recent date for which figures are available.

Mr. Forth *[holding answer 19 October 1989]:* No figures are kept for the number of bottle banks in each west European country. However, in the United Kingdom there are currently 3,830 bottle banks.
Source: British Glass Manufacturers Confederation.

Dr. Cunningham: To ask the Secretary of State for Trade and Industry if he will publish in the form of a table *(a)* the amount of metal recovered from cans by each west European country in 1988 and *(b)* the amount of metal recovered as a percentage of the total amount of metal consumed in cans for each country.

Mr. Forth *[holding answer 19 October 1989]:* Accurate statistics for the amount of metal cans recycled in each west European country in 1988 are not available. However, in 1988 in the United Kingdom an estimated 950 million steel cans were recycled, equivalent to 8 per cent. of production, and 470 tonnes of aluminium cans were recycled, equivalent to 1 per cent. of production.

Import Licensing (Relocation)

Mr. Devlin: To ask the Secretary of State for Trade and Industry if he will relocate the import licensing branch of his Department to Billingham in Cleveland.

Mr. Forth: The DTI has a programme of reviews in progress to examine the scope for relocating activities away from London and the south-east. Decisions have already been made to move the Patent Office to south Wales and parts of the insolvency service to Birmingham. The import licensing branch of my Department is one of a number of further areas included in the programme of reviews.

Companies Act Investigation

Mr. William Powell: To ask the Secretary of State for Trade and Industry if he will take action under the Companies Acts to investigate the roles of, and relationship between, Mr. Julian Hodgson of Henderson Crosthwaite and Mr. Ian Kennedy of Govett Strategic Investment Trust in relation to the bids for DRG plc by

Pembridge Investments of Bermuda and for Tilbury plc by FJC Lilley plc, and in relation to the Govett Strategic Investment Trust stakes in Marley plc and London International Group plc; and whether he will make a statement.

Mr. Redwood: I know of no reason for doing so but shall consider any information my hon. Friend may have about these matters.

German Democratic Republic (Imports)

Mr. Denzil Davies: To ask the Secretary of State for Trade and Industry what percentage of imports into the European Economic Community comprised products and goods imported from the German Democratic Republic in the latest available year.

Mr. Redwood: In 1988, 1·2 per cent. of EC imports, disregarding trade within the Community, were from the German Democratic Republic.

Investors Compensation

Mr. Foulkes: To ask the Secretary of State for Trade and Industry what information he has about the operation of the investors compensation scheme to date, as to how many failures it has dealt with and as to what the current situation is in each; and if he will make a statement on the speed and fairness of the compensation paid or offered to date.

Mr. Redwood: To date the Investors Compensation Scheme Ltd. has made payments amounting to £2·049 million to investors in five companies. Questions relating to the operation of the scheme are a matter for the scheme itself and the Securities and Investments Board.

Petrol Retailing

Mr. Rost: To ask the Secretary of State for Trade and Industry when he expects to receive the Monopolies and Mergers Commission report on petrol retailing.

Mr. Redwood: Following representations from the Monopolies and Mergers Commission, the Secretary of State has agreed that the reporting period should be extended to 20 December 1989.

Multi-fibre Arrangement

Mr. Vaz: To ask the Secretary of State for Trade and Industry if he has now received the Silberston report on the future of the multi-fibre arrangement; and if he will make a statement.

Mr. Redwood: I refer the hon. Member to the reply I gave to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on 19 October 1989 at column *176*.

ENERGY

Electricity Sales

Mr. Denzil Davies: To ask the Secretary of State for Energy what percentage of the total amount of electricity sold by the Central Electricity Generating Board in its last available accounting year came from *(a)* power stations owned and operated by the board and *(b)* electricity purchased from France.

Mr. Michael Spicer: The information requested by the right hon. Member is contained in the Central Electricity Generating Board's 1987-88 annual report and accounts, a copy of which is in the Library of the House. In 1987-88, 95 per cent. of electricity sold by the CEGB was produced by its own power stations and 5 per cent. was imported from France.

Magnox Power Stations

Mr. Cohen: To ask the Secretary of State for Energy if he has now set aside funds for the decommissioning of Britain's Magnox stations and disposing of the wastes arising.

Mr. Jack: To ask the Secretary of State for Energy (1) if he will make a statement detailing the criteria that will be employed to determine the future operating life for each of the remaining Magnox power stations;

(2) what discussions he has had with National Power about the future policies that will be used to determine the operating plans for the remaining Magnox power stations; and if he will make a statement.

Mr. Michael Spicer: The Government are still considering the future arrangements for the Magnox stations and no decisions on the detailed implementation of our policy have been taken. As my right hon. Friend the then Secretary of State for Energy said in his statement to the House on 24 July, we will give the House a full opportunity to debate our detailed proposals when they are available.

Mr. Jack: To ask the Secretary of State for Energy if he will list in the *Official Report* the estimated operating life for each of the remaining Magnox power stations.

Mr. Michael Spicer: The operating lifetime of Magnox stations assumed for planning purposes by the CEGB is 30 years. The actual operating life of each station is a commercial matter for the owner of the station, subject to meeting the requirements of the Health and Safety Executive's nuclear installations inspectorate.

Gas-cooled Reactors

Mr. Jack: To ask the Secretary of State for Energy if he will make a statement on the proposals submitted to his Department detailing the steps to be taken to ensure that each of the advanced gas-cooled reactors can reach its designed level of output.

Mr. Michael Spicer: The achievement of optimum operation of the advanced gas-cooled reactors is a matter for the Central Electricity Generating Board and the South of Scotland electricity board. I have asked the chairman of the CEGB to write to my hon. Friend.

British Gas (Service Objectives)

Dr. Cunningham: To ask the Secretary of State for Energy what quality of service objectives have been set for British Gas with regard to priority attention for elderly customers and those with small children requiring work to be done on hot water and heating systems; and to what extent the actual levels of service correspond to those objectives.

Mr. Peter Morrison: These are matters for the Gas Consumers Council and the Director General of Gas Supply to take up with British Gas.

In relation to the elderly and disabled, British Gas has a code of practice on special services, as required by condition 13 of its authorisation.

The recent Gas Consumers Council report, "Review of British Gas Services for Elderly and Disabled Consumers", recommended that elderly and disabled people, particularly those with special heating or hot water requirements, should receive priority attention for emergency repair work.

The Director General of Gas Supply has called on British Gas to implement those recommendations in the GCC report addressed to it and to agree to a change in its authorisation that would give them legal force.

Severn Barrage

Mr. Gerald Bowden: To ask the Secretary of State for Energy if he will make a statement about progress on the Severn barrage studies.

Mr. Peter Morrison: The report summarising the work by the Severn Tidal Power Group on the Severn barrage is being published today by HMSO in the Department's energy paper series. Copies are being placed in the Libraries of both Houses of Parliament. The £4 million study was jointly funded by the Severn Tidal Power Group, the Central Electricity Generating Board and my Department. I am grateful to them for their contribution to the study and also to the many other participants in the work.

The study gives a clearer picture, than hitherto, on costs and performance of a tidal barrage and on regional and environmental issues. However, much further work, particularly on environmental issues and the organisation and financing issues of a Severn barrage remains to be done. Work to address these issues will be undertaken during the next two years. In the meantime, essential site specific environmental work will continue.

As part of the privatisation and restructuring of the electricity supply industry the Government are setting up arrangements which should be very attractive to suppliers of renewable sources of energy but it will of course be for the industry to determine the financial viability of each project.

The Department will be funding generic tidal R and D in support of site specific work on the Severn, Mersey and other estuaries. This work mainly addresses environmental issues. The total cost of generic environmental studies completed since 1986 and currently under way amounts to £1 million.

Bradwell Power Station

Mr. Cohen: To ask the Secretary of State for Energy if the Central Electricity Generating Board has calculated the level of wigner energy in the twin cores at Bradwell nuclear power station; whether there are any plans to anneal the cores before decommissioning; and if he will make a statement.

Mr. Michael Spicer: This is an operational matter for the CEGB. I have, therefore, asked the chairman of the board to reply direct to the hon. Member.

ENVIRONMENT

Environmental Assessments

Mr. Ron Davies: To ask the Secretary of State for the Environment what guidance his Department has received from the European Commission concerning the environmental assessment of projects being funded by or the subject of a grant application for European regional development funds; and if he will place copies of such guidance in the Library.

Mr. Moynihan: I refer the hon. Member to the answer given to the hon. Member for Bootle (Mr. Roberts) on 17 October at column *111*.

Parliamentary Questions

Dr. Thomas: To ask the Secretary of State for the Environment if he will set out the categories of information on which he is not prepared to answer parliamentary questions on grounds of *(a)* commercial confidentiality and *(b)* national security.

Mr. Chris Patten: It is not possible to specify all the circumstances in which such considerations may arise.

Clean Air Congress

Dr. Thomas: To ask the Secretary of State for the Environment if, pursuant to the reply to the hon. Member for Meirionnydd Nant Conwy, 28 July, *Official Report*, column *1178*, on the world clean air congress held in September, he will publish the letter he sent to the hon. Member.

Mrs. Virginia Bottomley: I have arranged for a copy of the letter to be placed in the Library. The hon. Member will recall that I was unable to answer his original question before the recess and so replied by letter.

Environmental Protection

Dr. Thomas: To ask the Secretary of State for the Environment if, pursuant to the reply to the hon. Member for Merionnydd Nant Conwy, 28 July, *Official Report*, column *1196*, he will publish in the *Official Report* the letter sent in reply relating to environmental protection expenditure.

Mrs. Virginia Bottomley: A copy of the letter has been placed in the Library. The OECD report to which reference was made in the letter is now expected to be released in the new year.

Community Charge

Mr. Cohen: To ask the Secretary of State for the Environment whether he will introduce legislation so that anonymous personal information cannot be disclosed by a registration officer to another person for purposes not connected with the community charge, if the anonymity of the information cannot be guaranteed by that person.

Mr. David Hunt: The collection, storage and transmission of personal data by registration officers are subject to the provisions of the Data Protection Act 1984. No further specific provision is required.

Carnwath Report

Mr. Lawrence: To ask the Secretary of State for the Environment what action he proposes to take following the recommendations of the Carnwath report "Enforcing Planning Control", published in February.

Mr. Howard: Our consultations on the report's recommendations have revealed wide support for them. My right hon. Friend is seeking a legislative opportunity to strengthen the enforcement provisions in the Town and Country Planning Act 1971.

Local Authorities (Competitive Tendering)

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment whether he has any proposals to increase the present limit of £25,000 above which local authority contracts must be put out to tender.

Mr. David Hunt: New Direct Labour Organisation Competition Regulations were laid before Parliament recently whereby, from 1 October this year, local authorities are required to subject all their building maintenance and new construction work to competition with the private sector. From the same date the de minimis exemption for small authorities was reduced from 30 to 15 employees.

The emergency work exemption has been redefined to cover only genuinely unpredictable work with effect from 1 April 1990, the date from which authorities are also prohibited from awarding extension "contracts" for maintenance work to their DLOs.

As regards highways work, the competition-free allowance was reduced significantly from 1 April 1987 and again from 1 April 1988. Any increase in the present threshold of £25,000 above which all local authority highways contracts must be put out to tender would not be desirable as it would reduce the benefits of competition.

Rutland Water (Toxic Algae)

Mr. Latham: To ask the Secretary of State for the Environment whether he will make a statement on the progress of the investigation by the National Rivers Authority into the death of dogs and sheep at Rutland Water, following the growth of toxic algae in the water; and whether it is intended *(a)* to bring prosecutions against Anglian Water under the Water Act 1989 or *(b)* to recommend the payment of compensation to the owners of the dead animals or of affected businesses.

Mr. Howard: I understand that the National Rivers Authority has been monitoring the sites it had identified as affected, or potentially affected, by toxic blue-green algae, including Rutland Water, and that the incidence is declining. The results of its tests are available on the public registers maintained by the NRA, and have been notified to the land owners, who have been given suggestions as to appropriate precautions. The NRA's investigations into the causes are continuing, though algal blooms are a normal seasonal phenomenon, and it is not thought that these are the result of specific polluting incidents. Any decisions on follow-up action including questions of possible prosecution would be for the NRA.

Local Government Finance

Mr. Shersby: To ask the Secretary of State for the Environment what information he has concerning the number of local authorities in England and Wales who are making arrangements for community charge payers to pay the charge by means of monthly payments; what is his policy towards encouraging local authorities to accept monthly payments; and if he will make a statement.

Mr. Chope: Every community charge payer has a statutory right to pay the community charge in 10 monthly instalments. There is no need for chargepayers to apply for this facility; and local authorities are statutorily obliged to accept montly instalments of one tenth of the charge. It is open to chargepayers and authorities to agree different arrangements if they wish; but an authority may not specify payments other than by monthly instalments without the agreement of the chargepayer.

Mrs. Mahon: To ask the Secretary of State for the Environment what contribution the Government will make towards additional revenue costs of running the poll tax in 1990-91 in Calderdale.

Mr. David Hunt: The costs of collecting the community charge in 1990-91 will be taken into account in charging authorities' spending assessments.

Mrs. Mahon: To ask the Secretary of State for the Environment what contribution the Government will make towards the shortfall on capital allocation incurred by Calderdale council in implementing the poll tax.

Mr. David Hunt: We have made allocations of £160 million to charging authorities towards the capital costs associated with implementing the community charge in 1988-89 and 1989-90. Calderdale's allocation was £513,071.

Mr. Bevan: To ask the Secretary of State for the Environment, when he will consult representatives of local government and relevant professional bodies on his determination under part VI of the Local Government and Housing Bill of housing revenue account subsidy for 1990-91; and what proposals he will be making.

Mr. Howard: My Department is today sending local housing authorities, the local authority associations and other interested bodies consultation papers on the proposed new housing revenue account subsidy. The papers contain the Secretary of State's detailed proposals for a method of calculating the new subsidy for which the Local Government and Housing Bill makes provision. They also include details of the guideline rents, and of the allowances for expenditure on management and maintenance which we propose to take into account in calculating each authority's entitlement to subsidy in 1990-91. Comments are invited within six weeks. I am putting a copy of the consultation papers in the Library together with a list of the guidelines proposed for each authority.

For the rent guideline we propose to follow the practice of the past two years and assume next year an average rent increase in England of 5 per cent. above the allowance for inflation. But this year we propose to use the provisions in part VI of the Bill to allow the aggregate notional rental income for England to be apportioned between housing authorities by reference to variations in the aggregate

values of houses and other property. This leads to different guideline rents for different authorities. A set of rules to limit changes ensures that no guideline rent would represent an increase of more than £4.50 a week over the average rent in any authority this year, and permits at the lower end of the scale guidelines which assume modest reductions in real rents of up to 9 pence per week. This should begin the process of encouraging authorities towards sensible levels of rents in different parts of the country, while ensuring that rents can remain within the reach of people in low paid employment.

For the management and maintenance expenditure guideline we propose to assume an increase for each housing authority of 3 per cent. above the allowance for inflation next year. This should enable the level of expenditure on council housing maintenance to continue to grow.

The "guidelines" both for rent and for management and maintenance spending are no more than the assumptions the Government will make in calculating subsidy. Each council will have to decide for itself what level of rent it wants to set, and how much it wants to spend on managing or maintaining its stock.

Toxic Waste

Mr. Hardy: To ask the Secretary of State for the Environment what action he is now taking to ensure that there are changes in the law concerning the importation and movement of toxic waste so as to prevent the recurrence of the experience suffered in the Wath on Dearne area this year.

Mrs. Virginia Bottomley: We are considering the implications of the incident at Wath on Dearne and any need for legislative changes.

Acid House Parties

Mr. Teddy Taylor: To ask the Secretary of State for the Environment if he will take steps to remove rating relief from farmers who let out agricultural land for acid house parties.

Mr. Chope: Agricultural land is exempt from rates. Where the land is used for purposes other than that for which it is exempted, it may be brought into rating depending on the degree and frequency of that other use.

Bradwell Power Station

Mr. Cohen: To ask the Secretary of State for the Environment if there are any plans for the Bradwell nuclear power station site to be used as a national repository for radioactive debris and equipment resulting from the decommissioning of the Magnox programme; and if he will make a statement.

Mrs. Virginia Bottomley: No. Nirex's disposal facility for low and intermediate-level radioactive waste is intended to accommodate both operational and decommissioning wastes. The Government have made it clear that it intends to keep open the sea disposal option for large items arising from decommissioning operations.

Chlorofluorocarbons

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what further steps he is taking to encourage and facilitate the recovery of chlorofluorocarbons in refrigerators in *(a)* the liquid, and *(b)* the foam; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State for Trade and Industry has commissioned a study from independent consultants on the recovery of substances—including CFCs—which are controlled under the Montreal protocol. The Government will consider the conclusions of this study which are expected early next year.

A number of retail outlets and local authorities have already set up schemes to reclaim CFCs from domestic appliances. ICI has recently announced their intentions to help establish a national network of sites for the collection and recycling of reclaimed CFCs.

Ministerial Correspondence

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what percentage of the paper used for ministerial correspondence in his Department consists of *(a)* mill off-cuts and *(b)* previously used paper.

Mr. Chris Patten: All the letterheaded paper used for ministerial correspondence in the Department of the Environment is manufactured from mill off-cuts.

Animals (Illegal Trading)

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what steps he is taking to counter the illegal trade in hawksbill and green turtles; when he last raised the matter with the Japanese Government; and if he will make a statement.

Mrs. Virginia Bottomley: Infractions of the CITES controls would be matters for the CITES Secretariat. the United Kingdom strictly implements the provisions of the convention on international trade in endangered species of wild fauna and flora (CITES) under which commercial trade in hawksbill and green turtles is already prohibited. We have not raised the matter with the Japanese Government.

Homelessness

Mr. Hood: To ask the Secretary of State for the Environment if he will list the numbers of homeless persons listed each year from 1979; and if he will make a statement.

Mr. Chope: The estimated numbers of households for whom English local authorities accepted responsibility to secure accommodation under the homelessness provisions of the Housing Act are as follows:

	Numbers
1979	57,200
1980	62,920
1981	70,010
1982	74,800
1983	78,240
1984	83,550
1985	93,980

	Numbers
1986	103,560
1987	112,440
1988	117,550

However, because of changes in the reporting system in 1980 and 1982 the figures for the earlier years are not strictly comparable with those since 1983.

Sewage Works (Discharges)

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list, by region *(a)* all those sewage works which have been granted applications for relaxations of their discharge consents by Her Majesty's inspectorate of pollution, *(b)* all those for which applications were refused and *(c)* the number of objections to proposed relaxations received by his Department for each sewage works.

Mr. Chris Patten: I assume that the hon. Member is referring to the applications for time-limited consent which have been submitted in the context of the water industry's capital investment programme for sewage treatment works. No such applications have yet been granted or refused although a number have been withdrawn by the water authorities' successor companies. Temporary consents have been granted pending completion of the process of considering applications and objections to them. Some 10,000 representations have been received as a result of advertising these applications.

Water Privatisation

Dr. Cunningham: To ask the Secretary of State for the Environment when he intends to publish schemes made under schedule 2 to the Water Act with regard to the transfer of property, rights and liabilities to the National Rivers Authority and the water authority successor companies.

Mr. Chris Patten: Copies of all the schemes of transfer except one are now in the House Library. A copy of the remaining scheme will be placed in the Library within a few days.

Wimpey No-fines Properties

Mr. Hayes: To ask the Secretary of State for the Environment what advice the Building Research Establishment is able to offer owners and lending institutions on the structural condition of Wimpey no-fines houses and flats.

Mr. Chope: The BRE's report on 'The structural condition of Wimpey no-fines low-rise dwellings" is published today. I commend this report to the House. Its conclusions are reassuring for owners and lending institutions alike.

The BRE inspected a range of houses and flats built in the 1950s and 1960s. They found most properties were constructed as designed, although minor variations in the type and distribution of reinforcement were found.

The BRE considers that these constructional variations do not materially affect the structural adequacy of the dwellings. In the vast majority of cases reinforcement was in a reasonable condition; where corrosion had occurred, its effects on no-fines construction were no greater than would be expected in traditional masonry-walled dwellings.

Indeed, the structural system of Wimpey no-fines low-rise dwellings is essentially the same as that of traditional solid-walled masonry dwellings: such systems are simple and robust and are unlikely to be significantly affected by minor variations in workmanship or isolated cracking in the concrete.

The report also contains much useful information on no-fines construction which should be particularly helpful to lending institutions and their surveyors when considering mortgage applications, and also to local authorities and private owners when approaching the repair and maintenance of these dwellings.

The report will be distributed to all major lending institutions and to interested local authorities.

Local Government Expenditure

Mr. Blunkett: To ask the Secretary of State for the Environment if he will publish a table showing, for each local authority in England *(a)* the party in control, and *(b)* the budgeted overspend on settlement for 1989-90 expressed in percentage terms.

Mr. David Hunt *[holding answer 17 October 1989]:* The information requested has been placed in the Library.

Conservative Party Conference 1989

Mr. Tony Banks: To ask the Secretary of State for the Environment what was the total cost of the services provided by his Department in connection with security requirements at the 1989 Conservative party conference.

Mr. Chris Patten *[holding answer 19 October 1989]:* None.

Tyne and Wear Development Corporation

Mr. Clay: To ask the Secretary of State for the Environment if he will give his latest information as to how many new jobs in Sunderland have been created by the activities of the Tyne and Wear development corporation from its inception.

Mr. David Hunt *[holding answer 20 October 1989]:* I refer the hon. Member to the answer my hon. Friend the Member for Rossendale and Darwen (Mr. Trippier) gave him on 20 July at column *346*.

Member's Correspondence

Mr. Mudd: To ask the Secretary of State for the Environment when the hon. Member for Falmouth and Camborne can expect a reply to his letter of 3 August to the hon. Member for Rossendale and Darwen (Mr. Trippier) concerning Mr. Richard Hall and Resicon Ltd.

Mr. Chope: I replied to the hon. Member's letter on 20 October.

Theatre Royal, Bradford

Mr. Madden: To ask the Secretary of State for the Environment whether any application to list the Theatre Royal in Bradford has been submitted over the last ten years; whether any buildings adjacent to the Theatre Royal are listed buildings; and if he will make a statement.

Mr. Trippier: My right hon. Friend has not received an application to list the Theatre Royal in the last 10 years. However, the building would have been assessed for listing during the resurvey of the area in 1983, following which several buildings in Manningham lane were included on the statutory list, including the Theatre tavern and the Royal Standard public house, which are adjacent to the theatre. My right hon. Friend is always prepared to reconsider a building for listing if fresh evidence is produced which shows that it possesses special architectural or historic interest.

NORTHERN IRELAND

Security Patrols

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will state the number of *(a)* Royal Ulster Constabulary patrols, *(b)* Regular Army patrols and *(c)* Ulster Defence Regiment patrols, as a percentage of the total number of patrols carried out by the security forces for each month since November 1985 and *(d)* Ulster Defence Regiment patrols which were accompanied by the Royal Ulster Constabulary as a percentage of the total number of patrols conducted by the regiment for each month since November 1985.

Mr. Cope *[holding answer 20 October 1989]:* Information is not regularly collected in the form requested, and could not be provided except at disproportionate cost.

WALES

Rents into Mortgages Scheme

Mr. French: To ask the Secretary of State for Wales (1) if he has any information on the number of tenants who may wish to participate in his rents into mortgages scheme;

(2) if he will make a further statement on the operation of his proposed rents into mortgages scheme.

Mr. Grist: The flexi-ownership scheme which I announced in September will be introduced on an experimental basis by the Development Board for Rural Wales. By combining a mortgage loan, discount entitlement and a deferred payment, the board's tenants will be able to buy their homes at a weekly outlay broadly the same as their existing rent payments. Next month I expect to be able to announce the formal start of the scheme. At this stage I cannot anticipate the possible take-up but I am confident that the experiment will have most positive results.

River Pollution

Dr. Kim Howells: To ask the Secretary of State for Wales (1) if he will list those applications under section 31 of the Control of Pollution Act 1974 and section 107 of the Water Act 1989, respectively, for consents to discharge to the rivers Taff and Ely which are currently under consideration by Welsh Water authority;

(2) to what extent, in considering whether to issue consents under section 31 of the Control of Pollution Act 1974 and section 197 of the Water Act 1989, respectively, to discharge into the rivers Taff and Ely, the Welsh Water authority takes account of down stream build-up of pollutants which will arise when the Cardiff bay development corporation constructs a barrage across the mouth of the two rivers.

Mr. Grist: Schedule 26, part III of the Water Act 1989 provides that all applications made to a water authority under the Control of Pollution Act 1974, which were under consideration on the transfer date of 1 September, are to be considered as if they were made to the National Rivers Authority (NRA). All new applications made under section 108 of the 1989 Act also fall to be considered by the NRA. I therefore suggest that the hon. Gentleman contacts the NRA's regional headquarters in Cardiff.

Departmental Circulars

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what action is being taken by his Department to ensure that circulars which are identical or nearly identical with those issued by English Departments of state are issued at the same time as those published by the English Departments of state.

Mr. Peter Walker: Many of the circulars issued by my Department are issued jointly with the relevant Whitehall Department. Where they are separate, however, my Department seeks to issue them concurrently with their English equivalents unless there are good reasons for not doing so. In such cases they are issued as soon as possible.

Water Industry

Mr. Michael: To ask the Secretary of State for Wales what steps he is taking to ensure that there is effective, independent and balanced representation of Welsh consumers in the membership of the customer service committees covering the water industry in Wales.

Mr. Grist: Appointments to the customer service committees are a matter for the Director General of Water Services. My Department has on behalf of the director sought nominations in Wales from various interested groups.

Health Service

Mr. Alan W. Williams: To ask the Secretary of State for Wales how many beds there were at West Wales general hospital, Glangwili, Carmarthen, on the 1 January of each year from 1979 to the present time; and what are the projected figures for 1 January 1990.

Mr. Grist: The complement of beds on 31 December each year since 1978 is given in the table. Information on projected beds complement is not available centrally.

	Number
1978	526
1979	526
1980	526
1981	526
1982	526
1983	524
1984	524
1985	513
1986	513
1987	507
1988	515

Mr. Alan W. Williams: To ask the Secretary of State for Wales with how many hospital beds the West Wales

general hospital, Glangwili, Carmarthen is staffed, in terms of the number of doctors, nurses, laboratory staff and support services.

Mr. Grist: At 31 March 1989 there were 511 available staffed beds at the West Wales general hospital. This figure refers to beds which were either occupied or ready for occupation and therefore may differ from bed complement.

Mr. Alan W. Williams: To ask the Secretary of State for Wales what are the latest figures for the number of beds at each of the major hospitals covered by the East Dyfed health authority.

Mr. Grist: The bed complement of hospitals in East Dyfed with 100 beds or more, at 31 March 1989, is shown in the table:

	Number
Bronglais general	272
West Wales general	515
Llanelli general	139
Bryntirion	124
St. David's	404

Mr. Alan W. Williams: To ask the Secretary of State for Wales what are the latest figures for the total number of hospital beds in *(a)* East Dyfed health authority's catchment area and *(b)* Wales.

Mr. Grist: At 31 March 1989 the bed complement of hospitals in the East Dyfed health authority area was 1,638. The corresponding figure for Wales was 21,417.

Mr. Alan W. Williams: To ask the Secretary of State for Wales what is the total number of people in the catchment areas served by *(a)* West Wales general hospital Glangwili, Carmarthern and *(b)* East Dyfed health authority.

Mr. Grist: The total number of people in the catchment area served by East Dyfed health authority is approximately 220,000. The catchment population for West Wales general hospital is not available centrally.

Mr. Alan W. Williams: To ask the Secretary of State for Wales what was the number of private beds in West Wales general hospital, Carmarthen, on 1 January 1979 and on 1 January 1989; and what are the projected figures for 1 January 1990.

Mr. Ian Grist: An authorisation permitting a maximum of three beds in West Wales general hospital, Carmarthen, to be occupied by private patients was in effect on 1 January 1979 and remained in effect on 1 January 1989. On 1 June 1989 a group authorisation came into effect for West Wales general hospital, Carmarthen; Bronglais hospital, Aberystwyth; and Llanelli hospital; this replaced the separate limits at each hospital, totalling seven beds, with an equivalent authorisation for a maximum of 2,555 bed days in one year. Authorisations for individual hospitals in East Dyfed are no longer specified.

I understand that the health authority is considering whether to seek a change to the present group authorisation. If the hon. Gentleman wishes to establish the intentions of the health authoriy in this matter he should write to the chairman.

EC Aid

Mr. Morgan: To ask the Secretary of State for Wales what financial compensation has been offered to South Glamorgan county council for the loss of grant from the European regional development fund for major infrastructure projects.

Mr. Peter Walker: None. Negotiations with the European Commission on the eligibility of certain categories of expenditure, including infrastructure investments, for European regional development fund support are continuing.

Cadw

Mr. Gwilym Jones: To ask the Secretary of State for Wales if he will make a statement about future management arrangements for Cadw.

Mr. Peter Walker: I have concluded that Cadw should become a candidate for executive agency status within my Department with effect from April 1991. Detailed proposals will now be drawn up in full consultation with the staff involved.

HEALTH

Animal-related Injuries

Mr. John Marshall: To ask the Secretary of State for Health how many hospital admissions in 1983 and 1988 resulted from accidents or injuries caused by animals.

Mr. Freeman: The information requested is not available centrally.

Children-at-risk Register

Mr. Vaz: To ask the Secretary of State for Health if he will list by local authority district the numbers of children on the at-risk register.

Mr. Mellor: This information is published in the "Survey of Children and Young Persons on Child Protection Registers; year ending 31 March 1988, England", copies of which are available in the Library.

NHS Property Sales

Mr. Redmond: To ask the Secretary of State for Health if he will list, by year and location for the last 10 years, the number of National Health Service properties that have been sold and then purchased by a private health company.

Mr. Freeman: This information is not available.

Correspondence

Mr. Mudd: To ask the Secretary of State for Health when the hon. Member for Falmouth and Camborne can expect a reply to his letter of 17 July to the hon. Member for Kettering (Mr. Freeman) concerning matters raised by Mr. Richard Pearn, of 15 Chapel close, Kehelland, Camborne, Cornwall.

Mr. Freeman: My noble Friend the Parliamentary Under-Secretary of State for Health has now written to my hon. Friend.

Hospitals (Red Alert)

Mr. Cohen: To ask the Secretary of State for Health how long Whipps Cross hospital and Wanstead hospital have been on red alert; for what reasons; what are the implications for services to patients; if he will ensure that the alert is lifted before the onset of the winter months; and if he will make a statement.

Mr. Mellor: The number of emergency admissions to Whipps Cross hospital increased by up to 35 per cent. from mid-August to early October. To maintain in-patient services for emergency and urgent admissions it was necessary to restrict some planned admissions. To do this Waltham district health authority issued a red warning from 3 October to 16 October 1989. This has led to some patients experiencing delays in their planned admissions.

The health authority has plans to allocate beds flexibly to deal with the increased winter workload. This has been the procedure in the last two years.

Child Minders

Mrs. Maureen Hicks: To ask the Secretary of State for Health what information he has on the average time being taken by local authorities social services departments to approve the registration of child-minders.

Mr. Mellor: We do not hold centrally information about the time taken to register child-minders.

AIDS

Mr. Key: To ask the Secretary of State for Health if he will list, following the health circular HC(88)43 reference to ensuring that full use is made of family planning services as a resource in combating AIDS, those health authorities in England who have *(a)* allocated separate budgets for this work, *(b)* initiated staff training programmes and *(c)* plan to review both written and verbal information given to clients about HIV/AIDS.

Mr. Mellor: We do not collect this information centrally.

Mr. Ashley: To ask the Secretary of State for Health (1) for what purposes the Macfarlane trust has made grants to haemophiliacs suffering from AIDS;

(2) how many haemophiliacs have applied for grants from the Macfarlane trust; how many applications have been successful; and how many were refused because their financial resources were considered to be too high;

(3) how much of the £10 million provided by the Government have been distributed by the Macfarlane trust to haemophiliacs who have developed AIDS; and how much money remains.

Mr. Mellor *[holding answer 19 October 1989]:* It is for the trustees to allocate funds in the way which they consider best meets the needs of those eligible for assistance within the terms of the trust deed.

I understand, however, that in the period up to the 31 August 1989 the trust made 1,600 single payments totalling around £0·9 million and 578 regular payments totalling around £1 million. The single grants have been made for a wide variety of purposes covering needs arising from reasons of physical health and mental stress, general living conditions, mobility and travel, accommodation, employment and education. Regular payments help with the extra cost of living with HIV, principally diet and heating. Should the right hon. Member wish to know more detail I suggest he contact the trust administrator.

Mr. Ashley: To ask the Secretary of State for Health (1) if he will request the Macfarlane trust to consider giving grants for legal fees that have arisen solely because haemophiliacs have become infected with the AIDS virus;

(2) what advice or instructions were given to the Macfarlane trust regarding the imposition and level of means test to be applied to haemophiliac victims of AIDS;

(3) what means test is applied by the Macfarlane trust to haemophiliac sufferers of AIDS; and if he will publish the income and capital limits in the *Official Report.*

Mr. Mellor *[holding answer 19 October 1989]:* The Macfarlane Trust is an independent charitable trust. It is a matter for the trustees, and not the Department, to determine within the provisions of the trust deed the criteria for allocating funds. A copy of that deed is in the House Library. I understand that the trust considers it inappropriate to help with legal fees incurred by haemophiliacs with HIV who wish to pursue claims for compensation. Those who consider themselves in need of assistance can apply for legal aid in the normal way.

Health in Old Age

Mr. Fearn: To ask the Secretary of State for Health if he will list the three component parts of the health in old age programme.

Mr. Freeman: The four component parts of the health in old age programme of the Health Education Authority are:

i. the Centre for Health and Retirement Education;
ii. the Age Well Campaign;
iii. the King's Fund Informal Carers Project; and
iv. the production of a series of leaflets.

Mr. Fearn: To ask the Secretary of State for Health if his Department funds any programmes designed to promote better health in later life other than the health in old age programme.

Mr. Freeman: The Department funds a number of voluntary organisations under section 64 of the Health Services and Public Health Act 1968, which in various ways promote the physical and mental well-being of elderly people. Among them is "Extend", an organisation concerned with exercise training and fitness for elderly and disabled people.

We also finance the Keep Warm Keep Well campaign, which is organised jointly by the Government and leading voluntary organisations.

Mr. Fearn: To ask the Secretary of State for Health what is the total annual cost of funding each component part of the health in old age programme; and what is the total cost of funding the entire programme.

Mr. Freeman: The total cost of funding the entire health in old age programme in 1989-90 is £342,000. The breakdown of this is: grant to centre for health and retirement education £117,000; support for the King's Fund Informal Carers Project £92,000; funding of the Age Well campaign £83,000; and £50,000 for the production of leaflets. The funding for the Age Well campaign includes £30,000 from the retail price index error funds and is paid direct to Age Well by the Department of Health.

Mr. Fearn: To ask the Secretary of State for Health what priority his Department is giving to the promotion of good health in later life.

Mr. Freeman: The Government remain strongly committed to the promotion of good health in later life, and accept the Health Education Authority's view that this commitment will in future be served by ensuring that all their relevant programmes address the health education needs of elderly people.

Mr. Fearn: To ask the Secretary of State for Health what proportion of the Health Education Authority's budget is allocated to funding the health in old age programme.

Mr. Freeman: For 1989-90, just over 2 per cent. (£312,000) of the Health Education Authority's non-AIDS budget is allocated to the health in old age programme. This is additional to the significant contributions to a healthy and active old age made by the authority's other health education programmes.

Mr. Fearn: To ask the Secretary of State for Health (1) what representations he has received regarding the future funding of the health in old age programme;

(2) what representations he has received regarding the health in old age programme.

Mr. Freeman: The Department has received a total of 35 representations from organisations and individuals concerned with elderly people in relation to the operation and future funding of the health in old age programme.

Mr. Fearn: To ask the Secretary of State for Health what steps he is taking to ensure the continued development of the health in old age programme.

Mr. Freeman: In its strategic plan for the next five years, the Health Education Authority (HEA) proposes to take forward the health education needs of the elderly as an integral part of its work on other programmes rather than as a separate programme. This will ensure that the needs of the elderly are taken into account at all stages of development of health education work. We have now approved HEA's strategic plan.

Family Planning

Mr. Terry Davis: To ask the Secretary of State for Health how many women attended *(a)* their general practitioner and *(b)* a National Health Service family planning clinic for family planning advice and treatment in England in 1987 and 1988.

Mr. Mellor: The number of women receiving contraceptive services from general medical practitioners in England is estimated at 2,555,000 in 1987 and 2,635,000 in 1988. These figures reflect the position at the end of the calendar year and include women accepted for contraceptive services by a general practitioner other than their own.

In the financial year 1987-88 in England 1,318,800 women were seen at health authority planning clinics. We do not yet have figures for 1988-89.

Child Abuse

Mr. Tony Lloyd: To ask the Secretary of State for Health if he will make a statement on the use of training support programme moneys for multi-disciplinary training in the context of child abuse; to whom such moneys are paid; and what monitoring is taking place to ensure that such moneys are financing training for all relevant disciplines.

Mr. Mellor: Grant is payable to local authorities at the rate of 70 per cent. for agreed expenditure under the training support programme (child care) which is intended primarily for training staff of social services departments. However; local authorities are encouraged to make places available on courses funded under the training support programme to staff from other agencies (statutory or non-statutory). Local authorities may also use this grant to develop the social services department's contribution to the multi-disciplinary training responsibilities of area child protection committees.

Arrangements have been made to monitor the use of the grant by local social services departments. Reports on achievements by social services departments are scheduled for return to the Department of Health after completion of the first year of the programme.

Infertility

Ms. Harman: To ask the Secretary of State for Health (1) how many district health authorities provide dedicated infertility clinics;

(2) if he will list private clinics in each region which offer in vitro fertilisation;

(3) if he will list those private clinics, in each region, which offer artificial insemination by donor or husband;

(4) in which regions an in vitro fertilisation service is provided;

(5) which health authorities *(a)* provide a service for artificial insemination by donor or by husband and *(b)* do not.

Mr. Mellor: We do not hold this information centrally.

Ms. Harman: To ask the Secretary of State for Health if he will issue guidance to district health authorities to establish dedicated infertility clinics.

Mr. Mellor: No. Decisions about the priority and resources to be given to infertility services should be left to individual health authorities. This is the case with nearly all NHS services, since health authorities are in the best position to determine priorities in the light of local needs and circumstances.

Mr. Fearn: To ask the Secretary of State for Health (1) if he intends to introduce legislation which will require married couples, partners or unmarrid women to go through strict vetting procedures, similar to those carried out prior to adoption, before treatment by artificial insemination;

(2) whether he has any proposals for regulations to cover full and extensive medical examination of would-be donors of sperm for artificial insemination.

Mr. Mellor *[holding answer 19 October 1989]:* The Government's proposals for the regulation of certain infertility treatments, including artificial insemination by donor, were set out in the White Paper "Human Fertilisation and Embryology: A Framework for Legislation". We intend to introduce legislation to deal with these matters at the earliest opportunity.

Embryo Research

Ms. Harman: To ask the Secretary of State for Health if he plans to give the voluntary licensing authority on embryo research a statutory basis.

Mr. Mellor: The Government's proposals for dealing with the issue of embryo research are set out in the White Paper "Human Fertilisation and Embryology: A Framework for Legislation". We intend to bring forward legislation in this area at the earliest opportunity.

Ms. Harman: To ask the Secretary of State for Health which clinics have had their licence from the voluntary licensing authority for embryo research withdrawn or suspended; and what were the reasons given in each case.

Mr. Mellor: None.

Generic Medicines

Mr. Michael Morris: To ask the Secretary of State for Health what proportion of generic medicines dispensed in National Health Service hospitals were *(a)* manufactured in the United Kingdom, *(b)* manufactured within the European Community and *(c)* manufactured outside the European Community, in respect of each of the years from 1980 onwards.

Mr. Mellor: We do not hold this information centrally.

Spectacles

Mr. Dobson: To ask the Secretary of State for Health (1) what proportion of spectacle frames were imported in 1979 and each succeeding year;

(2) what proportion of spectacle lenses were imported in 1979 and each succeeding year.

Mr. Freeman: Information is not available in the precise form requested. However, the value of imports of spectacle glass and frames in the period from 1979 to 1988 —the latest year for which figures are available—is shown in the table.

	£ million
1979	29·0
1980	29·0
1981	26·6
1982	36·6
1983	37·8
1984	47·4
1985	61·1
1986	63·2
1987	76·8
1988	81·9

Warrington DHA

Mr. Butler: To ask the Secretary of State for Health what was the spending per head of the population served by Warrington district health authority in the latest available year; and, what is the figure per head, on the most nearly comparable basis for *(a)* England and *(b)* the United Kingdom as a whole.

Mr. Freeman *[holding answer 28 July 1989]:* Figures for spending per head of resident population for 1987-88 (the latest year available) are shown in the table:

Revenue expenditure per head of resident population—hospital and community health services (HCHS)[1]

	£
Warrington district health authority	265
England—average for all district health authorities	227
United Kingdom	238

[1] Includes hospital, community health, patient transport (i.e. ambulance), blood transfusion and other services.

Sources

(a) 1987-88 annual accounts of district health authorities in England and those of the analogous health authorities, boards and agencies in Scotland, Wales and Northern Ireland—as submitted to the central health department in each country.

(b) Mid-year estimates of populations—1987 (Office of Population Censuses and Surveys)

Notes to the table

1. Capital expenditure on HCHS is excluded. Expenditure on family practitioner services (which cannot be strictly attributed to particular districts) and expenditure on personal social services (which in Northern Ireland is accounted for by health and social services boards) is also excluded.

2. Comparisons between the figures are influenced by a number of factors including:—

(a) people travel across district boundaries for treatment and resource allocations reflect the pattern of service provision locally;

(b) the population figures used make no allowance for people resident in one district who receive treatment in another or for differences in morbidity and age sex structure of particular populations.

Foetal Tissue

Miss Widdecombe: To ask the Secretary of State for Health what arrangement he has made for consultations on the recommendations of the Polkinghorne committee on foetal tissue.

Mr. Mellor *[holding answer 19 October 1989]:* The committee reported in July and its main recommendations were accepted by the Government. Given the speed of recent developments in the field we decided to promulgate its new code of practice on the use of foetal tissue for research and treatment without delay. We are now taking forward the committee's other recommendations.

Grading Appeals (Trent RHA)

Mr. Hardy: To ask the Secretary of State for Health how many grading appeals have so far been considered by the Trent regional health authority; how many remain to be heard; and what is his estimate of the date by which the hearing of those appeals will be completed.

Mr. Mellor *[holding answer 19 October 1989]:* Requests for regional appeals are handled by the regional appeals committee secretariat of the general Whitley council in accordance with an agreement of the general Whitley council. I presume the hon. Member is referring to appeals about nurse clinical grading. I understand that to date 346 appeals for hearing by the Trent regional health authority have been lodged with the secretariat. As soon as full statements of case are to hand, hearings can be arranged by the regional health authority. I understand that no cases are yet ready for hearing. I can offer no estimate of how long it will take for any particular regional appeal to be heard, but I know that regional health authorities will make every effort to operate the appeals process as quickly as they are able.

Nurses (Grading Appeals)

Mr. Hardy: To ask the Secretary of State for Health if he has considered the effect of the changes in the composition of health authorities in regard to the hearing of appeals against decisions in regard to the grading of nurses.

Mr. Mellor *[holding answer 19 October 1989]:* NHS appeals procedures are a matter for the general Whitley council which of course keeps under review the need for any change.

Rotherham Health Authority

Mr. Hardy: To ask the Secretary of State for Health if he will make a statement on the accuracy of the performance indicators issued by his Department earlier in 1989; and if those which purported to reveal the Rotherham health authority in an unsatisfactory light were accurate.

Mr. Mellor *[holding answer 19 October 1989]:* In 1987-88 all information systems in England were substantially changed and many new data definitions introduced in accordance with the recommendations of the Körner reports. Health service indicators being published this year are the first to be based on data from the redesigned systems. The Department and health authorities were aware that with changes of this magnitude some data inaccuracies were likely. Following consultation with health authorities in May a subset of the 1987-88 indicators were published in July with a warning about possible inaccuracies. Health authorities were asked to inform the Department of any inaccuracies found so that the full package could be based on more accurate data. Relatively few amendments proved necessary. Rotherham HA drew attention to problems with part of its data and the indicators based on this are being corrected.

Wathwood Hospital

Mr. Hardy: To ask the Secretary of State for Health what estimate he has of the savings effected by the closure of beds at Wathwood hospital by the Rotherham health authority in relation to the cost to public funds of placements in private nursing homes; and if he will encourage the authority to retain those beds.

Mr. Mellor *[holding answer 19 October 1989]:* The proposed closure at Wathwood hospital is a matter for Rotherham health authority and I suggest the hon. Member contacts the chairman of the health authority for the information he seeks.

Consultants

Mr. Worthington: To ask the Secretary of State for Health what research his Department has conducted to establish whether the number of operations performed by a consultant in the National Health Service is related to that consultant's involvement in private practice.

Mr. Mellor *[holding answer 19 October 1989]:* None.

Erythropoietin

Mr. Alfred Morris: To ask the Secretary of State for Health whether there is any restriction on the freedom of doctors to prescribe erythropoietin for patients with kidney failure; and if he will make a statement.

Mr. Pawsey: To ask the Secretary of State for Health (1) what action he intends to take to make erythropoietin freely available under the National Health Service;

(2) what is the estimated cost to the National Health Service of providing erythropoietin to those likely to benefit from it.

Mr. Mellor *[holding answer 19 October 1989]:* Erythropoietin has not yet been granted a product licence. However, it is open to doctors to prescribe the medicine on a named patient basis.

We have been in touch with health authorities about the likely need for the drug and its expenditure implications. We are assessing the information to determine the best way forward.

Cornwall and Isles of Scilly Health Authority

Mr. Mudd: To ask the Secretary of State for Health if he is proposing any change to the boundary of the Cornwall and Isles of Scilly health district; and if under the terms of the White Paper "Working for Patients" he identifies the Cornwall and Isles of Scilly health authority as the sole body responsible for identifying the health care needs of all the residents of Cornwall and the Isles of Scilly and for seeking to procure services to meet those needs.

Mr. Mellor *[holding answer 19 October 1989]:* There are no plans to change the boundaries of the Cornwall and

Isles of Scilly health authority district. The answer to the second part of the question is yes, though large GP practices will be able to seek their own budgets which will cover a defined range of hospital treatments.

NHS Reorganisation

Mr. Maxwell-Hyslop: To ask the Secretary of State for Health what specific Acts of Parliament and statutory instruments will be required to implement the changes in the National Health Service presently planned by the Government.

Mr. Mellor: *[holding answer 19 October 1989]:* We intend to introduce a Bill at the earliest opportunity to give effect to those of our proposals which require primary legislation. The Bill will be supplemented by statutory instruments as necessary.

GP Computer Software

Mr. Maxwell-Hyslop: To ask the Secretary of State for Health when the user specification for general practitioner computer programme software will be available that will enable general practitioners to provide the information required by the National Health Service authorities.

Mr. Mellor: *[holding answer 19 October 1989]:* If my hon. Friend has in mind general practitioners' annual reports, it will be left to individual practitioners to decide how best to collect the required information.

Medicine Committees

Mr. Fearn: To ask the Secretary of State for Health if he will make it his practice to appoint to the Medicines Commission and the Committee on Safety of Medicines members without any financial interests in drug companies.

Mr. Mellor: *[holding answer 19 October 1989]:* No. Members are appointed for the expert advice they are able to give. Any involvements they may have in research sponsored by the pharmaceutical industry helps them keep in touch with important aspects of drug development. By following the ethical standards set by the code of practice on declaration of interests members are able to avoid conflicts of interest which might otherwise impair the objectivity of the advice they give.

Haemophiliacs

Mr. Alfred Morris: To ask the Secretary of State for Health what recent representations he has received in regard to settling out of court the claims of haemophiliacs who have been contaminated with the HIV virus by the injection of blood products supplied under the National Health Service; what replies have been sent; and if he will make a statement.

Mr. Mellor *[holding answer 19 October 1989]:* We have received 19 representations from Members on the subject of compensation for people with haemophilia and HIV infection and two from the Haemophilia Society. To date seven replies have been issued to Members and one to the Haemophilia Society. The others will be replied to shortly.

GP Referrals

Mr. Spearing: To ask the Secretary of State for Health what current regulatory or administrative constraints prevent general practitioners contracted to the National Health Service from referring a patient to any unit of that service; and what constraints will be, or are likely to be, placed on such general practitioners not opting for budgeted practice status, after implementation of the proposals described by Cm. 555 "Working for Patients", and related consultation papers and statements.

Mr. Mellor *[holding answer 19 October 1989]:* In principle, GPs currently are free to refer their patients to any unit in the National Health Service, the decision whether or not to accept a referral being a matter for the clinical judgment of the consultant. However, the choices open to GPs may be constrained in practice, for example if the preferred hospital is a victim of its own success and cannot accept additional patients because of budgetary constraints. Our proposals to enable money to follow patients are designed to overcome such problems. The future arrangements for securing GPs rights of referral are described in paragraphs 3.5–3.16 of the recently issued "Contracts for Health Services: Operational principles" copies of which are in the Library.

Consultancy Service Register

Mrs. Mahon: To ask the Secretary of State for Health (1) how many people annually contest their inclusion on his Department's consultancy service register; and whether the outcome of contested cases is made publicly available;

(2) how many persons have information held on them by his Department's consultancy service register;

(3) if there is an appeal procedure to contest being placed on his Department's consultancy service register;

(4) what is the set of criteria for inclusion on his Department's consultancy service register referred to in his Department's circular LAC88/(19) annex A paragraph 8.

Mr. Mellor *[holding answer 19 October 1989]:* The Department's consultancy service is intended to ensure that prospective employers take up appropriate references from previous employers who may hold relevant information about an applicant for a post working with children. Some 6,000 names are currently held on the register. Information held by the Department which led to a person's entry on the register is not generally made available to a prospective employer.

Decisions to place a name on the register are taken jointly by the Department and the social services inspectorate, based on an assessment of whether a person's known past conduct is likely to injure the welfare of any child entrusted to his future care, or to lead to criminal or other harmful behaviour. Past conduct involving violence, sexual offences, supplying drugs or harming children is particularly likely to indicate inclusion.

Once it is decided to place a person on the register he or she is informed in writing of the information held by the Department and the purpose of the registration. He or she is also given the opportunity to challenge the accuracy of the information and to make representations as to why his or her name should not continue to be placed on the register.

No more than six people a year appeal against inclusion on the register. Each such case is carefully considered in

the light of the further information provided and the final decision, and the reasons for it, conveyed to the person. The outcome of contested cases is not made public as this is a confidential matter between the Department and the person concerned.

Nurses

Mr. Frank Field: To ask the Secretary of State for Health how many conversion to first-level nursing places are currently on offer to enrolled nurses throughout the United Kingdom.

Mr. Mellor *[holding answer 19 October 1989]:* We do not hold this information centrally. Information supplied by the English National Board for Nursing, Midwifery and Health Visiting shows that in England the number of schools of nursing approved to conduct conversion courses have increased from six at 31 March 1986 to 145 at 31 March 1989.

EDUCATION AND SCIENCE

Primary Schoolchildren

Mr. Redmond: To ask the Secretary of State for Education and Science if he will list by local education authority the number of primary school-children who were being sent home due to lack of teaching staff at the end of September.

Mr. Alan Howarth: This information is not available.

Open University

Dr. Thomas: To ask the Secretary of State for Education and Science if he will make a statement on the report of the Open university visiting committee in the context of *(a)* the development of new courses, *(b)* current course maintenance and updating and *(c)* research, as referred to in his answer of 23 May 1988, *Official Report*, column *11*.

Mr. Jackson: The Open university visiting committee reports to my right hon. Friend annually in the autumn. Following its report last year, the Government agreed to provide £12·9 million in additional grant to the university over the three financial years 1989-90 to 1991-92. As a result, the university has been able to avoid making many of the cutbacks in provision which it had earlier feared it would have to make. The visiting committee's report for this year is now being finalised and my right hon. Friend expects to receive it shortly.

UN Data Systems

Dr. Thomas: To ask the Secretary of State for Education and Science what access to the United Nations global resource information database and the United Nations global environmental monitoring system is afforded to United Kingdom research institutes, universities, polytechnics and colleges; and if he will make a statement on the utility of these United Nations data systems for developing environmental education in the United Kingdom.

Mr. Jackson: I understand that United Kingdom researchers are able to gain access to data from the global resource information database through a local centre of the global environment monitoring system. This is situated at the monitoring and assessment research centre in the university of London, King's College. The databases are of considerable sophistication and would hence be inappropriate for general use in environmental education at school level.

Environmental Research

Dr. Thomas: To ask the Secretary of State for Education and Science when he received the Advisory Board for the Research Councils' latest document on spending advice for 1990 and beyond; what has been his response to proposals to increase environmental research commitment; and what information he has on the environmental research commitment in *(a)* other Organisation for Economic Co-operation and Development states and *(b)* other EEC member states:

Mr. Jackson: The ABRC's advice "Science and Public Expenditure 1989" was submitted to my right hon. Friend on 12 May. That advice included proposals for environmental research expenditure which have been fully taken into account during the course of the public expenditure survey discussions. I cannot anticipate the outcome of those discussions.

Very little information is available on the environmental research commitment of other countries. The OECD data bank of April 1988 gave the percentage distribution of Government direct appropriations to civil R & D in respect of the environment in 1987 or nearest year as follows:

	Percentage
Portugal	17·9
Australia	15·4
Spain	13·5
Greece	12·8
Canada	12·6
Finland	11·3
Germany	9·3
United Kingdom	8·0
Norway	7·1
Belgium	6·9
Netherlands	6·8
EEC	6·7
Sweden	5·3
United States	4·8
Switzerland	4·7
Denmark	4·2
Italy	3·9
France	3·4
Austria	2·7
Iceland	2·4
Ireland	2·0

Education Records (Access)

Mr. Cohen: To ask the Secretary of State for Education and Science whether he will introduce regulations to allow young students access to their own education records modelled on regulations issued under the Access to Personal Files Act; and whether he will make a statement.

Mr. Alan Howarth: My right hon. Friend plans shortly to issue a consultation paper on access to records of students in further and higher education.

Mr. Cohen: To ask the Secretary of State for Education and Science why his regulations which allow young

students access to their own education record prohibit parents access to that record if the student was under 18 years of age, where the record constitutes personal data; and whether he will make a statement.

Mr. Alan Howarth: The Education (School Records) Regulations 1989 govern the keeping, disclosure and transfer of manual records on their pupils kept by maintained schools and non-maintained special schools. The regulations require that, from 1 September 1990, such records should be disclosed on request to parents of pupils aged under 18, and to pupils aged 16 or over. Certain categories of material, including those whose disclosure might cause serious harm to the pupil or any other person, are exempted from the disclosure requirement.

Local Authority Service

Mr. Pawsey: To ask the Secretary of State for Education and Science what action he intends to take with regard to the criticisms in the Audit Commission's report on advisers and inspectors working within the local authority service, of the service as being poorly managed and with unsystematic record-keeping.

Mrs. Rumbold: My right hon. Friend and I are considering our response to the Audit Commission's report on local education authority inspection and advisory services. We shall wish to take account of the views which the local authority associations express on behalf of LEAs, at whom the report's recommendations are mainly addressed.

Plymouth Brethren

Mr. Shersby: To ask the Secretary of State for Education and Science what representations he has received from members of the Plymouth Brethren concerning the rights of parents to withdraw their children from school classes under the provisions of article 2 of the first protocol to the European convention on human rights; and if he will make a statement.

Mrs. Rumbold: I have received many representations from members of the Brethren that they should have a right to withdraw their children from elements of the secular curriculum in maintained schools to which they have religious objections. Article 2 of the first protocol to the European convention on human rights does not give parents this right. My right hon. Friend and I have decided, as a matter of policy, that we will not allow any group of parents the right to withdraw their children from the secular curriculum in maintained schools on grounds of religion or conscience. But they remain free to make alternative educational arrangements.

School Bus Seats

Mr. David Porter: To ask the Secretary of State for Education and Science if he will consider reducing the age at which three children are allowed to sit on a double school bus seat, from under 14 to nine years, to take account of the three-tier education system.

Mr. Alan Howarth: The 1984 Public Service Vehicle (Carrying Capacity) Regulations are the responsibility of my right hon. Friend the Secretary of State for Transport. We are at present reviewing this aspect of the regulations, and will write to my hon. Friend when that review is complete.

Teacher Morale

Mr. David Porter: To ask the Secretary of State for Education and Science what representations he received in the summer recess on the morale of the teaching profession while teachers introduce the national curriculum and other reforms; and if he will make a statement.

Mrs. Rumbold: We have received correspondence from teachers expressing support for the national curriculum but anxiety at the scale of the reforms facing them. We recognise that our reforms are a challenge to teachers. We value their hard work and commitment, and believe that they will rise to the challenge. In recognition of the demands already facing teachers, my right hon. Friend has decided to defer for the time being any requirement that all teachers should undergo appraisal.

Teacher Shortages

Mr. David Porter: To ask the Secretary of State for Education and Science if he will make a statement on the effect of the campaign to recruit teachers to solve subject and geographic shortages.

Mr. Alan Howarth: Our action programme to combat teacher shortages was launched in 1986 at a cost so far of £50 million. Recruitment to initial teacher training in physics, maths and CDT was above the 1986 level in both 1987 and 1988. We shall continue to develop and intensify the programme further to improve teacher recruitment in the secondary shortage subjects.

The £2 million education support grant scheme, announced last May, will help LEA's to develop local recruitment schemes to attract qualified teacher returners and mature entrants. Support will be concentrated to assist shortages both by locality and by subject.

Teachers' Pay

Mr. David Porter: To ask the Secretary of State for Education and Science what representations he has had recently in response to his announcement on teachers' pay made during the parliamentary recess; and if he will make a statement about the future of the machinery for determining teachers' pay.

Mrs. Rumbold: My right hon. Friend has received a number of representations about various aspects of the announcement from the teacher unions and individuals. He expects to meet the teacher unions and employers shortly for further discussions about new pay determination arrangements.

National Curriculum

Sir Charles Morrison: To ask the Secretary of State for Education and Science what resources are listed in the national curriculum for geography in relation to population.

Mrs. Rumbold: The national curriculum will not specify the use of particular resources in relation to any subject or topic. This is a matter for decision by schools and teachers.

The attainment targets and programmes of study for geography in the national curriculum are under consideration by a working group whose interim report is due to be submitted to my right hon. Friend by 31 October. I will arrange for a copy to be sent to my hon. Friend as soon as it is published.

Local Management Schemes

Mr. Cartwright: To ask the Secretary of State for Education and Science how many local education authorities have failed to provide training for school governors in connection with local management schemes.

Mrs. Rumbold: All authorities have been required to include in their schemes of local management details of their proposals for training governors. It is clear from these schemes and from our monitoring of the education support grant programme for school governor training that training in local management of schools occupies a high priority in authorities' plans.

Mr. Cartwright: To ask the Secretary of State for Education and Science what steps he is taking to ensure that local education authorities provide training for school governors in connection with local management schemes.

Mrs. Rumbold: I refer the hon. Member to the reply that I gave on 27 June 1989, *Official Report*, col. *410*.

Fire Safety, Schools

Mr. Cartwright: To ask the Secretary of State for Education and Science what steps he has taken or proposes to take to establish the effectiveness of fire safety arrangements in schools.

Mr. Alan Howarth: To ensure the safety of occupants of schools in the event of fire, the statutory provisions, and guidance regularly issued in support of them, emphasise the importance of maintaining adequate means of escape. The day to day responsibility for properly maintaining safety rests locally, but the Department issues guidance such as Building Bulletin 7 "Fire and the Design of Education Buildings" and "Safety in Education" Bulletin No. 5.

Dyslexia

Dr. Godman: To ask the Secretary of State for Education and Science (1) how many dyslexic children there were in the school population in each of the past seven years; and if he will make a statement;

(2) what guidelines his Department has issued to local education authorities concerning the testing for dyslexia amongst young schoolchildren; and if he will make a statement;

(3) what recent consultations have been carried out between officials of his Department and local education authorities concerning the detection of dyslexia amongst schoolchildren; and if he will make a statement.

Mr. Alan Howarth: The Department does not maintain data on individual learning difficulties. The Education Act 1981 requires local education authorities to make an assessment of children in their area with special educational needs which require, or may require, the LEA to determine the appropriate provision. General advice to LEAs on their duties under the Education Act 1981 in relation to the making of assessments and statements of special educational needs is contained in Circular No. 22/89, which was issued on 29 September. I have made arrangements for the hon. Member to receive a copy of this circular, copies of which have already been placed in the Library.

Child Care

Mrs. Maureen Hicks: To ask the Secretary of State for Education and Science what are the resource implications of allowing children to remain in school out of school hours in order to allow more women to return to work.

Mrs. Rumbold: None for schools' budgets. The Department's recent letter on this subject to local education authorities and schools specifies that school-based child care schemes must be provided on at least a full cost recovery basis as far as the school is concerned. This is because, under local management of schools, school budgets may not be used to subsidise non-school activities.

Institute of Food Research

Mr. Spearing: To ask the Secretary of State for Education and Science what approaches have been made to the Institute of Food Research, Bristol from any quarter outside the United Kingdom concerning financial support for its activities as an alternative to Her Majesty's Government's current plans for its closure.

Mr. Jackson: There have been no such approaches.

HOUSE OF COMMONS

EC Documents

64. **Mr. Teddy Taylor:** To ask the Lord President of the Council if he has completed his review of the consideration by Parliament of European Economic Community documents; and if he will make a statement.

Sir Geoffrey Howe: Correspondence resulting from my predecessor's discussions with the Chairman of the Select Committee on European Legislation was published in the first special report from that Committee, Session 1988-89 (HC 533).

I will consider what further measures may be necessary when the Procedure Committee's recommendations are reported to the House.

CHURCH COMMISSIONERS

Clergy Ordination Measure

56. **Mr. George Howarth:** To ask the right hon. Member for Selby, (Mr. Alison), as representing the Church Commissioners, what representations the Church Commissioners have received following the debate in the House of the Clergy Ordination Measure.

Mr. Alison: None, Sir. The Clergy Ordination Measure is a matter for the General Synod. As a member of that body I have personally received a number of letters expressing views both of regret and approval at the outcome of the debate of the Measure on 17 July.

EMPLOYMENT

Jobstart

Mr. Loyden: To ask the Secretary of State for Employment if he will give details of the evaluation survey of the jobstart programme currently undertaken.

Mr. Eggar: The evaluation of jobstart involves surveys of individuals who have received the allowance and of employers who have engaged such people. A copy of the report on the individuals' survey is in the Library of the House. The report on the employer survey will be available early next year.

Training

Mr. McAllion: To ask the Secretary of State for employment if he will list the names of those employment training managers that have been given approved status as a training organisation.

Mr. Nicholls: No employment training managers have been given approved status as training organisations. All training managers are currently working towards full approved status and have until September 1990 to achieve it.

Employment Service

Mr. Leighton: To ask the Secretary of State for Employment how many staff were employed by the employment service for each of the last 10 years.

Mr. Eggar: The numbers of permanent staff employed by the employment service on the stated date of each of the last 10 years is as follows:

	Numbers
1 January 1980	*31,500
1981	*33,000
1982	*39,000
1983	*38,500
1984	*38,000
1985	*35,500
1986	*36,000
1987	*41,500
1 April 1988	38,801
1989	35,358

In addition, the employment service employed 376 and 1,175 casual staff at 1 April 1988 and 1 April 1989 respectively.

The starred figures are approximations which are roughly comparable to the permanent staff figures for 1988 and 1989—as the employment service did not exist before October 1987, it was necessary to construct them from staff returns for the various parts of the group which eventually formed or contributed to the formation of the employment service.

Adjudication Officers (Decisions)

Ms. Short: To ask the Secretary of State for Employment by standard Great Britain region, including Greater London, what is the current average length of time between an unemployed claimant receiving an adjudication officer's decision on grounds of restricted availability and non-availability for work and a subsequent appeal.

Mr. Eggar: The information requested is not collected and could be obtained only at disproportionate cost.

Ms. Short: To ask the Secretary of State for Employment by standard Great Britain region, including Greater London, what is the current average length of time between a claimant's referral for adjudication and an adjudication officer's decision on grounds of restricted availability and non-availability for work.

Mr. Eggar: Information is not available in the precise form requested. However, the speed with which adjudication officers make decisions (that is, the time between their receiving a referral and reaching a decision) is monitored in a 5 per cent. sample of cases. The sample shows that for the three-month period ending 30 June 1989, the percentage of restricted availability questions decided within four weeks of referral to an adjudication officer, for each employment service region, was as follows:

	Availability per cent.	*Restricted availability per cent.*
Southern	77·5	70·2
Eastern	92·3	91·7
Western	68·0	76·1
Yorkshire and Humberside	91·0	95·1
South West	65·9	77·6
Northern	100·0	96·6
North West	89·4	83·4
East Midlands	86·3	89·0
West Midlands	93·1	93·1
Wales	96·5	98·2
Scotland	84·9	90·5

Health and Safety Executive

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment, pursuant to the answer to the hon. Member for Denton and Reddish of 28 July, *Official Report*, column *1044*, what is the average duration of appropriate training, in weeks, given to area directors who do not possess formal professional management qualifications, in order to ensure that they have the management skills necessary to perform their duties.

Mr. Nicholls: The amount of training undertaken by area directors employed by the Health and Safety Executive in order to ensure that they have the management skills necessary to perform their duties varies considerably depending upon their individual needs and experience. The average duration of such training, received over a period of time, is approximately six weeks.

Executive Officers (Promotion Board)

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment why no executive officer promotion board is to be held for the north-west region Department of Employment in 1990.

Mr. Eggar: The numbers of staff in the grade, and on the current promotion waiting list, are expected to meet the needs of the Employment Department Group in the north-west region for the coming year.

Mr. V. M. B. Watkins, Redruth

Mr. Mudd: To ask the Secretary of State for Employment when the hon. Member for Falmouth and Camborne can expect a reply to his letter of 25 August to the hon. Member for Teignbridge (Mr. Nicholls), on behalf of Mr. V. M. B. Watkins, of Elcon Western (Electrical) Ltd., Trewirgie Road, Redruth, Cornwall.

Mr. Nicholls: I wrote to the hon. Member on 18 October.

Mrs. Nisbet, Redruth

Mr. Mudd: To ask the Secretary of State for Employment when the hon. Member for Falmouth and Camborne can expect a reply to his letter to the hon. Member for Teignbridge (Mr. Nicholls) dated 3 August, concerning Mrs. Nisbet of 2 Sparnon Hill, Redruth, Cornwall.

Mr. Nicholls: I wrote to the hon. Member on 18 October.

Trade Union Rights

Mr. Cartwright: To ask the Secretary of State for Employment what representations he has received about the needs for a statutory system to establish a trade union's right to represent its members in negotiations with an employer, and what has been his response.

Mr. Nicholls: I recently received a letter on this matter from the general secretary of the Banking, Insurance and Finance Union. My reply made clear the Government's view that it is for the individual employer to decide whether, and in what cirumstances, to recognise a trade union for collective bargaining purposes. Experience with the statutory recognition procedures contained in the Employment Protection Act 1975 and repealed by the Employment Act 1980 showed them to be highly unsatisfactory in practice.

Training Schemes

Mr. Hardy: To ask the Secretary of State for Employment if, in order to reduce the costs incurred by trainees participating in those schemes, he will permit managers of employment training schemes to operate their courses on the basis of four rather than five days per week.

Mr. Nicholls: No. Employment training is designed to be a full-time programme, offering training for a minimum of 30 hours per week over five days.

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many filled employment training places there are in the Greater Manchester area; and what percentage this represents of the original departmental projections.

Mr. Nicholls: On 13 October 1989, the latest date for which information is available, there were 9,456 people on employment training in Greater Manchester. Departmental projections are for internal management purposes only.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he has any plans to increase the allowance offered to employers under employment training.

Mr. Nicholls: Employers are involved in employment training because they recognise the value of quality training. They do not receive allowances for taking part in the programme.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what steps he is taking to review the progress of employment training.

Mr. Nicholls: The progress of employment training, like that of all other programmes run by my Department, is kept under constant review.

Toxic Waste

Mr. Hardy: To ask the Secretary of State for Employment on what date the Wath Recycling Company was ordered or requested securely to contain toxic waste received from the United States of America; on what date the containment operation commenced; and on what date it was implemented.

Mr. Nicholls: On 10 August 1989 the Health and Safety Executive served a deferred prohibition notice on Wath Recycling Limited prohibiting after 23 August 1989 the loose bulk storage of the toxic waste received from the United States of America. The commencement date of the prohibition was subsequently extended to 10 October 1989. The operation to pack the waste into drums commenced on 14 September and was completed on 8 October.

Dyslexia

Dr. Godman: To ask the Secretary of State for Employment how many sufferers of dyslexia were assessed as registered disabled persons and had their names entered in the registered disabled persons' register in each of the past seven years; and if he will make a statement.

Mr. Eggar: I regret that this information is available only at disproportionate cost. People who suffer from dyslexia are eligible to register as disabled under the Disabled Persons (Employment) Act 1944. They are also eligible to receive help from the special schemes and services provided for people with disabilities by the employment service and the Training Agency.

Construction Industry Training Boards

Mr. Key: To ask the Secretary of State for Employment when he will now make a decision on the future of the construction industry training boards.

Mr. Nicholls: I refer the hon. Member to the answer given to him on 20 July 1989. Consultations with the board and organisations representing employers have now been completed. My right hon. Friend hopes to be in a position to make an announcement shortly.

Social Fund

Mr. Hardy: To ask the Secretary of State for Employment if he will seek to ensure that the share of moneys received from the European social fund by local authorities is measured and distributed in accordance with real need.

Mr. Eggar: The British Government's aim is to secure the maximum support from the European social fund for the national plans and operational programmes which it has submitted. The distribution of European social fund moneys will be governed by the priorities decided upon by the European Commission in its Community support framework.

Footwear and Leather Industries

Mr. Vaz: To ask the Secretary of State for Employment how many people have been employed in the footwear and leather industries in the following years *(a)* 1960, *(b)* 1965, *(c)* 1970, *(d)* 1975, *(e)* 1980 and *(f)* each year since 1980 to the present date.

Mr. Nicholls: The Department's statistics on employees in employment are arranged according to the standard industrial classification 1980 and a consistent series is available only from June 1971. Figures prior to that date are classified according to the standard industrial classification 1968. The available information (unadjusted for seasonal variations) is as follows:

Employees in footwear and leather industries SIC 1980
Great Britain: June

(Thousands)

	[1]*Leather industries*	[2]*Footwear*
1971	39·7	75·3
1975	36·1	65·3
1980	30·0	58·8
1981	26·9	53·5
1982	25·0	51·4
1983	22·9	52·8
1984	21·8	52·8
1985	21·1	51·1
1986	20·4	51·9
1987	20·9	50·8
1988	20·9	49·5
1989	19·2	46·6

[1]SIC 80, Class 44.
[2]SIC 80, Group 451.

Textile and Knitwear Industries

Mr. Vaz: To ask the Secretary of State for Employment how many persons have been employed on the textile and knitwear industries in the following years *(a)* 1960, *(b)* 1965, *(c)* 1970, *(d)* 1975, *(e)* 1980 and *(f)* each year since 1980 to the present date.

Mr Nicholls: The Department's statistics on employees in employment are arranged according to the standard industrial classification 1980 and a consistent series is available only from June 1971. Figures prior to that date are classified according to standard industrial classification 1968. The available information (unadjusted for seasonal variations) is as follows:

Employees in textile and knitwear industries
(SIC 80, Class 43)
Great Britain: June

(Thousands)

1971	499·6
1975	418·3
1980	324·8
1981	273·0
1982	256·2
1983	238·8
1984	233·5
1985	234·5
1986	238·2
1987	229·0
1988	231·0
1989	217·8

YTS

Mr. Trotter: To ask the Secretary of State for Employment if he will give the total income of an 18 or 19-year-old on the basic level of income support, who is a trainee on employment training and a person of the same age and domestic circumstances, who is a trainee on YTS.

Mr. Nicholls *[holding answer 27 July 1989]:* People on Employment Training (ET) receive a training allowance based on the benefits they would receive if they were unemployed plus a training premium of £10 a week. The basic income support for an 18 to 19-year-old is £27·40, which would give a training allowance of £37·40. Non-employed YTS trainees of similar age and circumstances on two year YTS receive minimum training allowances of £29·50 per week in the first year and £35 per week in the second year. Those eligible for one year YTS courses receive a minimum training allowance of £29·50 for the first 13 weeks and £35 per week thereafter. Employed YTS trainees receive a wage equivalent at least to the appropriate level of YTS training allowances. Both ET and non-employed YTS trainees also receive assistance with training-related travel and lodging costs where appropriate.

SCOTLAND

Civil Legal Aid

Mr. Wilson: To ask the Secretary of State for Scotland what has been the average time taken to process civil legal aid applications in Scotland, in each of the past 10 years.

Lord James Douglas-Hamilton: This information has not been recorded in the past, but time taken to determine applications is one of the performance measures being implemented by the Scottish Legal Aid Board.

Construction Industry

Mr. Sillars: To ask the Secretary of State for Scotland what is his assessment of the prospects for the Scottish construction industry over the coming year.

Mr. Lang: Prospects for the Scottish construction industry over the coming year are very good with orders and output for the first half of 1989 at the highest levels since 1978 and 1980, respectively. Orders in the first half of 1989 were up 26·6 per cent. in real terms on those of the same period for 1988, with the private sector performing particularly well. Increased orders point to continued strong growth of output in the coming year, particularly in the private sector.

This favourable picture is supported by the latest business surveys, ie. the Scottish chambers business survey and the civil engineers workload trends survey. These reveal high levels of optimism regarding the general business situation and future levels of employment during the coming year within the construction industry.

Lithotriptor Centre

Mr. Sillars: To ask the Secretary of State for Scotland what is the waiting list, by health board, for access to treatment at the Scottish lithotriptor centre.

Mr. Michael Forsyth: The number of patients awaiting treatment at the Scottish lithotriptor centre on 16 October 1989 was 217. This figure includes five patients from north of England health authorities. The breakdown, by health boards, of the remaining 212 patients is:

	Number
Lothian	47
Greater Glasgow	52
Fife	19
Forth Valley	10

	Number
Tayside	10
Lanarkshire	25
Orkney	Nil
Shetland	Nil
Grampian	7
Borders	6
Highland	10
Dumfries and Galloway	3
Western Isles	4
Argyle and Clyde	9
Ayrshire and Arran	10

Milk

Mrs. Ray Michie: To ask the Secretary of State for Scotland why the sale of unpasteurised milk is not permitted in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: The retail sale of unpasteurised milk has been banned in Scotland since the introduction in 1983 of compulsory pasteurisation. This was in response to widespread public concern about the safety of untreated milk following a number of serious outbreaks of milk-borne disease in Scotland (3,500 cases in 12 years including 12 deaths). There are no proposals to relax the ban, which has resulted in the virtual eradication of milk-borne disease in Scotland.

Dyslexia

Dr. Godman: To ask the Secretary of State for Scotland how many dyslexic children there were in the school population in each of the past seven years; and if he will make a statement.

Mr. Lang: Information on dyslexic children is not held centrally.

Hospitals (Opting Out)

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will publish in the *Official Report* the names of those hospitals and medical units that have expressed an interest in opting out.

Mr. Michael Forsyth: To date, the Scottish Home and Health Department has been notified of two expressions of interest in possible self-governing status relating to a group of hospitals in Forfar and the Royal Scottish National hospital in Larbert. Self-governing trusts will remain an integral part of the National Health Service and they will not be "opting out" of the National Health Service.

General Practitioners' Contract

Mr. Kirkwood: To ask the Secretary of State for Scotland when he expects to be in a position to announce final plans to safeguard rural practices from changes arising from the new general practitioners' contract.

Mr. Michael Forsyth: The 1990 contract for general medical practitioners, issued in August 1989, makes it clear that practices serving sparsely populated areas will continue to be eligible for the inducement practice scheme through which income can be enhanced and that the Scottish rural practice fund, which is kept under continuous review, is considered to be currently well targeted. It is the task of the review body on doctors' and dentists' remuneration to advise the Government on the level of remuneration due to general practitioners and it is not possible at this stage to say what view the review body will take.

Mr. Kirkwood: To ask the Secretary of State for Scotland when he expects to publish regulations establishing a new contract for general practitioners in Scotland as has happened for England and Wales.

Mr. Michael Forsyth: The Scottish regulations will be laid before Parliament on Wednesday 1 November 1989.

Auction Marts

Mr. Kennedy: To ask the Secretary of State for Scotland if he will list in the *Official Report* those auction marts which have MLC grading facilities.

Lord James Douglas-Hamilton: The information requested is as follows:

Aberdeen and Northern Marts Ltd, Aberdeen
Thomson, Roddick & Laurie Ltd, Annan
James Craig Ltd, Ayr
Biggar Quality Meats, Biggar
Thos Corson & Co. Ltd, Bridgend, Islay
A. & J. Wilson & Co. Ltd, Campbeltown
Wallets Mart Ltd, Castle Douglas
Aberdeen and Northern Marts Ltd, Cornhill
United Auction (Eastern), Cupar
Hamilton Auction Marts Ltd, Dingwall
Reith & Anderson Ltd, Dingwall
Thomson, Roddick & Laurie Ltd, Dumfries
Aberdeen & Northern Marts Ltd, Dundee
Oliver & Sons Ltd, Edinburgh
John Swan & Sons Ltd, Edinburgh
W. Bosomworth & Sons Ltd, Edinburgh
Aberdeen & Northern Marts Ltd, Elgin
Angus Marts Ltd, Forfar
Ben Nevis Auction Marts Ltd, Fort William
L. S. Smellie & Sons Ltd, Hamilton
Andrew Oliver & Son Ltd, Hawick
Aberdeen & Northern Marts Ltd, Huntly
Aberdeen & Northern Marts Ltd, Insch
United Auction (Eastern), Inverness
A. & J. Wilson & Co. Ltd, Kilmarnock
Kirkwall Auction Mart, Kirkwall
Lawrie & Symington, Lanark
Aberdeen & Northern Marts Ltd, Laurencekirk
Shetland Marts Ltd, Lerwick
Harrison & Hetherington Ltd, Lockerbie
Aberdeen & Northern Marts Ltd, Maud
Montrose Auction Mart, Montrose
John Swan & Sons Ltd, Newtown St. Boswells
James Craig Ltd, Newton Stewart
United Auction (Western), Oban
A. & J. Wilson & Co. Ltd, Paisley
Lawrie & Symington Ltd, Peebles
Caledonian Marts, Perth
United Auction (Eastern), Perth
Hamilton's Auction Marts, Portree
Berwick Auction Market Co. Ltd, Reston
United Auction (Western), Stirling
Caledonian Marts Ltd, Stirling
Angus MacDonald & Son, Stornoway
James Craig Ltd, Stranraer
Strathcven Auction Mart, Strathaven
West Mainland Mart Ltd, Stromness
United Auctions (Western) Ltd, Tarbert
Hamilton's Auction Mart Ltd, Thurso
Aberdeen & Northern Marts Ltd, Thurso
Aberdeen & Northern Marts Ltd, Turriff
Aberdeen & Northern Marts Ltd, Wick

National Parks

Mr. Kennedy: To ask the Secretary of State for Scotland when he expects to receive the report and recommendations of the Countryside Commission on national parks; and if he will make a statement.

Lord James Douglas-Hamilton: I expect the Countryside Commission for Scotland to produce a report on its review of the management of popular mountain areas early next year.

The issue under review is a complex one and a full statement must await consideration of the commission's report.

Housing Finance

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a supplementary housing capital allocation to East Lothian district council for the current year following the Parliamentary Under-Secretary's comments on 16 June about his Department's overestimate of capital receipts and the impact of the negative capital allocation; and if he will make a statement.

Lord James Douglas-Hamilton: The estimate of capital receipts in 1989-90 was prepared earlier this year with the agreement of the district council. I am aware of the representations made by the council about a supplementary allocation in the light of more recent information. I am not yet in a position to make an announcement about supplementary allocations but hope to do so shortly.

Roads

Mr. Home Robertson: To ask the Secretary of State for Scotland what are his preferred routes for the proposed A1 dual carriageway at Gladsmuir, Haddington, East Linton and Dunbar; and what procedures will be adopted for public consultation about these proposals.

Lord James Douglas-Hamilton: Our proposals for dualling the A1 as far as Haddington and, in the longer term, to Dunbar form part of strategic proposals on which we are currently consulting widely. Once these consultations are complete and decisions taken, detailed proposals will be prepared for individual schemes. These proposals will be made public in the usual way in accordance with the statutory procedures supplemented where appropriate by local public exhibitions.

Police (Rent Allowance)

Mrs. Ray Michie: To ask the Secretary of State for Scotland when he intends to make a decision about the Police Arbitration Tribunal's newly proposed system to calculate rent allowance for Scottish police officers; what representations he has received regarding the apparent delay; and what steps he intends to take.

Lord James Douglas-Hamilton: The decision of the Police Arbitration Tribunal on rent allowance is still under consideration by the Police Negotiating Board. However, following an agreement reached by the board last April, my right hon. and learned Friend has now advised the chairman of the board of his intention to bring forward regulations as soon as possible to make provision for interim payments to Scottish officers. The regulations, which will be backdated to 1 April 1989, will have the effect of restoring to those officers whose circumstances have not changed since 31 March 1989 the level of rent allowance (including the rates element) which they were receiving at that date.

Contraception

Mr. Terry Davis: To ask the Secretary of State for Scotland how many general practitioners were at 1 October 1987 and 1988 in contract with health boards to provide contraceptive services to their patients.

Mr. Michael Forsyth: The number of general practitioners in contract with health boards to provide contraceptive services to their patients was 3,273 on 1 October 1987 and 3,328 on 1 October 1988.

Mr. Terry Davis: To ask the Secretary of State for Scotland how many patients were registered with general practitioners for National Health Service contraception services for 1987 and 1988 in Scotland.

Mr. Michael Forsyth: The number of women registered with general practitioners for National Health Service contraception services was 272,598 for 1987 and 276,232 for 1988.

Mr. Terry Davis: To ask the Secretary of State for Scotland if he will list the number of family planning clinics and family planning clinic sessions in each health board in Scotland for the years 1987 and 1988.

Mr. Michael Forsyth: The information requested is as follows:

Family planning (clinic) services[1]

	Premises in which family planning clinics are held		*Family planning clinic sessions held*	
	1987	*1988*	*1987*	*1988*
Scotland	184	168	22,389	20,728
Argyll and Clyde	16	17	1,975	1,897
Ayrshire and Arran	9	9	760	741
Borders	5	5	236	236
Dumfries and Galloway	13	13	536	537
Fife[2]	15	n.a.	1,096	n.a.
Forth Valley	5	5	810	799
Grampian	12	12	1,452	1,338
Greater Glasgow	41	41	7,735	7,644
Highland	6	4	242	239
Lanarkshire	13	14	1,826	1,862
Lothian	27	27	4,068	3,855

	Premises in which family planning clinics are held		Family planning clinic sessions held	
	1987	1988	1987	1988
Tayside	20	19	1,589	1,518
Islands[3]	2	2	64	62

[1]Includes all clinic services provided including hospital, and including any provided on an agency basis. Excludes any non-clinic services which might be given to hospital in-patients or day patients.
[2]Excludes data from 1 December 1987 for Fife health board; this information is not available.
[3]Orkney, Shetland and Western Isles health boards.

Roads

Mr. Wray: To ask the Secretary of State for Scotland when he intends to provide specific details about the provision of adequate public funds for the road programme announced last May.

Lord James Douglas-Hamilton: As the Secretary of State made clear in his announcement in May, detailed decisions about funding levels for the roads programme will be taken in the course of annual reviews of public expenditure. The current year's review is now in progress and I expect that, as is usual practice, the Secretary of State will announce his public expenditure plans for the three years 1990-91 to 1991-92 towards the end of this calendar year.

Children's Panels

Mr. Kirkwood: To ask the Secretary of State for Scotland whether he will consider amendments to the Social Work Scotland Act 1968 to make statutory provision for educational resources to be made available to children's panels disposing of references to children's hearings as well as existing social work facilities and professional expertise; and if he will make a statement.

Mr. Lang *[holding answer 19 October 1989]:* Social work authorities are responsible under the Social Work (Scotland) Act 1968 for implementing compulsory measures of care decided by children's hearings, and I strongly encourage those authorities to co-operate with statutory and voluntary organisations in those cases where the latter have a positive contributon to make. I have no plans to amend social work legislation to oblige other services to provide resources.

New Towns

Mr. Wray: To ask the Secretary of State for Scotland what representations he has received for the clarification of his proposals for private new towns companies contained in his White Paper, "Scottish New Towns, The Way Ahead"; and what reply he has had.

Mr. Lang *[holding answer 19 October 1989]:* A number of inquiries from both the public and the private sector have been made to the Scottish Office for the purpose of clarifying in detail the White Paper proposals. My officials have met with a number of people who have expressed an interest in participating in some way in the setting up of private sector local development companies within the Scottish new towns. These discussions are yet at an early stage and are being treated as confidential.

SOCIAL SECURITY

Community Care

5. **Mr. Bright:** To ask the Secretary of State for Social Security what was the average amount awarded for non-repayable community care grants in the first year of the social fund.

Mr. Scott: A total of 153,000 community care grants averaging £271 were paid in 1988-89.

26. **Mr. Soley:** To ask the Secretary of State for Social Security what transfer of social security funds he anticipates making to social services authorities in the light of the recent statement on community care.

Mr. Scott: As my right hon. and learned Friend the Secretary of State for Health explained in his statement on 12 July, the Government propose to transfer to local authorities the resources which would otherwise have been provided to finance care through social security payments to people in residential care and nursing homes. The precise amount of the transfer will not be settled until next year.

Claimants

11. **Mr. Dunn:** To ask the Secretary of State for Social Security what he is doing to speed up the service for social security claimants.

Mrs. Gillian Shephard: We are building on the success of the 1988 social security reforms which have made the scheme easier for the public to understand and simpler for staff to operate. As a result in 1989-90 there has been a 20 per cent. improvement in the average time taken to process income support claims compared with 1987-88 and a 24 per cent. reduction in the average time income support and social fund callers spend in our offices.

I am aware, however, that there is still room for further improvement particularly in certain inner cities. We are tackling this by relocating some work, which requires no face-to-face contact, away from London to areas where we have fewer problems over staff recruitment and retention. In addition between now and 1991, we expect our programme to computerise social security operations in all local offices to make a major impact on the speed and accuracy of the service they provide.

Work Seekers

16. **Mr. Matthew Taylor:** To ask the Secretary of State for Social Security if he will make a statement on what help is available to those moving from their home area to seek work.

Mr. Scott: An unemployed person who moves home can immediately claim housing benefit to help with rent

and rates payment or income support to help with mortgage interest payments. Also the travel to interview scheme operated by the employment service gives financial assistance to unemployed job seekers attending job interviews away from home.

Community Charge Rebate

18. **Mr. David Nicholson:** To ask the Secretary of State for Social Security how many people will be eligible for community charge rebate.

Mrs. Gillian Shephard: Community charge benefit is significantly more generous than rate rebates and will go to an estimated 1 million extra people. Our most recent estimate is that 1 in 4 of those liable to the community charge will receive community charge benefit. The numbers will of course be affected by the community charge transitional relief scheme but no estimates are yet available.

Social Fund

19. **Mr. Wood:** To ask the Secretary of State for Social Security what evidence he has of the way in which social fund officers are meeting individual need.

Mr. Scott: Social fund officers have met the individual needs of more than 1·5 million people since April 1988 by the payment of interest-free loans and non-repayable community care grants. Details of the purposes for which payments were made in 1988-89 are in the Secretary of State's annual report to Parliament published in July 1989.

32. **Mr. John Evans:** To ask the Secretary of State for Social Security if he will make a statement on Government policy towards the transfer of unspent social fund allocations in social security offices from one year to the next.

Mr. Scott: Local office allocations are made for a financial year. Unspent balances at the end of a financial year are not available for expenditure in the following year. We have no plans to change these arrangements.

36. **Mr. Pike:** To ask the Secretary of State for Social Security what percentage of applications for grants and loans from the social fund rejected on original application are successful on appeal.

Mr. Scott: Between 1 April 1989 and 31 August 1989, nearly 26 per cent. (based on provisional figures) of applications for first review were successful. Information given to me by the social fund commissioner, shows that on second review, social fund inspectors either substituted their own decisions or referred cases back to the social fund officer in 38 per cent. (based on provisional figures) of the applications for review made to them.

39. **Mr. Brandon-Bravo:** To ask the Secretary of State for Social Security how many people received help from the social fund in its first year of operation.

Mr. Scott: Over a million people received help from the social fund in 1988-89 through the payment of 884,000 interest-free loans and 153,000 non-repayable community care grants. Further details are in the Secretary of State's annual report to Parliament, copies of which are available in the Library.

Mrs. Beckett: To ask the Secretary of State for Social Security what information is available regarding delays in forwarding applications for review to the office of the social fund inspectors; and whether he has received any representations on this subject from social fund inspectors or the social fund commissioner.

Mr. Scott: The Social Fund Commissioner drew attention to such delays in her annual report. Remedial action has been taken by the Department to ensure that applications are referred promptly and this matter will be kept under review.

Child Benefit

20. **Mr. Galloway:** To ask the Secretary of State for Social Security if he poposes to uprate child benefit for the next relevant year.

23. **Mr. Buckley:** To ask the Secretary of State for Social Security to what extent child benefit changes this year will take into account inflation over the past three years.

Mrs. Gillian Shephard: An announcement about benefit rates will be made shortly.

24. **Mr. Evennett:** To ask the Secretary of State for Social Security whether he has any plans to introduce legislation to make attendance at post-natal or child health clinics a condition of receiving child benefit.

Mrs. Gillian Shephard: No. The promotion of perinatal care is the responsibility of my right hon. and learned Friend the Secretary of State for Health.

Budgeting Loans

21. **Mr. Neil Hamilton:** To ask the Secretary of State for Social Security how many people on income support have received interest-free budgeting loans from the social fund in its first year of operation.

Mr. Scott: Some 505,000 budgeting loans were awarded in 1988-89. Further details are in the Secretary of State's annual report to Parliament published in July 1989.

Disability Income

22. **Mr. Hannam:** To ask the Secretary of State for Social Security what progress his Department is making towards the introduction of a comprehensive disability income scheme.

44. **Mr. Wigley:** To ask the Secretary of State for Social Security if his Department is examining ways to introduce a comprehensive disability income scheme.

Mr. Scott: We have already spent some £7·3 billion on disability benefits, an increase of 90 per cent. in real terms since 1979. We have received a number of representations from disability organisations about the introduction of a comprehensive disability income. Whilst these proposals warrant consideration the extra cost of such a scheme is a significant obstacle. We shall, however, consider carefully all the comments made on the Office of Population Censuses and Surveys reports on disability.

Homeless People

25. **Mr. Adams:** To ask the Secretary of State for Social Security whether he has any proposals to increase the financial support for young single homeless people.

35. **Ms. Walley:** To ask the Secretary of State for Social Security whether he has any proposals to increase the financial support for young single homeless people.

45. **Mr. Allen McKay:** To ask the Secretary of State for Social Security whether he has any proposals to increase the financial support for young single homeless people.

Mrs. Gillian Shephard: The normal range of benefits available to young single people is also available to those who are homeless. My right hon. Friend, the Secretary of State will be making the general uprating statement soon.

Mr. Hood: To ask the Secretary of State for Social Security if he will give details of the percentage of his Department's budget expended on the homeless each year since 1979; and if he will make a statement.

Mrs. Gillian Shephard: The homeless are, in general, entitled to social security benefits on the same basis as everyone else. I regret, therefore, that the information requested is not available.

Mr. Hood: To ask the Secretary of State for Social Security if he will list all benefits within his responsibility available to homeless persons.

Mrs. Gillian Shephard: There are no benefits specifically for the homeless, but they may claim a wide range of benefits subject to the usual qualifying conditions.

Mr. Hood: To ask the Secretary of State for Social Security what steps he is taking to prevent financial hardship being caused to homeless persons as a result of the recent changes in legislation.

Mrs. Gillian Shephard: People without accommodation continue to be entitled to claim benefit in the usual way.

Computerisation

27. **Mr. Jack:** To ask the Secretary of State for Social Security how plans for computerisation of the social security system will benefit claimants in Fylde.

Mrs. Gillian Shephard: The Department's plans for the computerisation of the social security system will benefit claimants in Fylde and the rest of the United Kingdom by introducing computer systems which will process claims faster, reduce payment errors and provide a quick and more efficient enquiry service.

43. **Mr. Knox:** To ask the Secretary of State for Social Security if he will make a statement on the progress of the social security computerisation programme.

Mrs. Gillian Shephard: The social security computerisation programme is coming to fruition according to plan. The three major computer projects, the departmental central index, the pensions and income support computer systems have been piloted in 23 social security offices. A rolling programme of national implementation, which will extend the systems to all social security offices, will start this month.

Disability Benefits Review

28. **Mr. Redmond:** To ask the Secretary of State for Social Security what proposals he has formally to consult organisations of and for disabled people about the overall structure of the disability benefits review.

30. **Mr. Alfred Morris:** To ask the Secretary of State for Social Security how he proposes formally to consult disability organisations on the review of disability benefits.

Mr. Scott: I have received a number of representations about the format of the disability benefits review and am keen to encourage comments on the Office of Population, Censuses and Surveys reports from organisations of and for disabled people and others.

38. **The Rev. Martin Smyth:** To ask the Secretary of State for Social Security whether he has had an opportunity to consider the financial implications of the disability benefits review.

Mr. Scott: I refer the hon. Member to my reply to the hon. Member for Clydebank and Milngavie (Mr. Worthington) earlier today.

Mr. Bradley: To ask the Secretary of State for Social Security what research his Department is undertaking into the benefits received by carers, including invalid care allowance, in preparation for the forthcoming review of disability benefits; and when the results of such research will be publicly available.

Mr. Scott: We have commissioned the social policy research unit at the university of York to undertake a study of invalid care allowance and its financial and economic effects for carers. We have not yet received the final report of the study or agreed a date for publication.

Lone Parents

29. **Mr. Knapman:** To ask the Secretary of State for Social Security whether he will seek to ensure that absent husbands and fathers accept their responsibility for supporting lone parent families.

Mrs. Gillian Shephard: The Government are naturally concerned that absent parents should meet their responsibilities for their children as far as possible.

When a lone parent claims income support the Department tries to obtain maintenance from the absent parent for his dependants. The Department can take proceedings if he refuses to make payments which it appears he can afford. In addition the lone parent can apply direct to the courts for maintenance from the absent parent. It is for the courts to decide in the circumstances of the case whether and how much maintenance to award.

34. **Mr. Favell:** To ask the Secretary of State for Social Security how many lone mothers receiving income support do not receive any maintenance.

Mrs. Gillian Shephard: The most recent figures available are for May 1988 and show that maintenance was not paid for some 530,000 lone mothers in receipt of income support at that time.

Source: Income Support Annual Statistical Enquiry 1988.

Benefits (Uprating)

33. **Ms. Armstrong:** To ask the Secretary of State for Social Security if he will make it his policy that the uprating of benefits next April will include an increase based on inflation for those in receipt of transitional protection.

Mrs. Gillian Shephard: Income support special transitional additions are increased in line with inflation. Other transitional protection, including housing benefit non-statutory payments, is not increased.

Over-75s

37. **Mr. Battle:** To ask the Secretary of State for Social Security when he will introduce new pension rates for the over-75s to take account of the losses suffered from the severing of the link between pension and earnings rates.

Mrs. Gillian Shephard: Restoring the link between pensions and earnings is not the key factor in improving pensioners' incomes. In recognition of the fact that not all pensioners shared equally in the 23 per cent. real terms increases in pensioners' average total net income between 1979 and 1986, we introduced new and enhanced premiums into the income support and housing benefit schemes on 9 October this year. Disabled pensioners and those aged 75 and over will benefit by up to £2·50 a week (single) and £3·50 a week (couple).

Pensions

40. **Mr. Dobson:** To ask the Secretary of State for Social Security by what percentage he intends to increase pensions in this year's uprating.

Mrs. Gillian Shephard: Retirement pension will be increased by 7·6 per cent. with effect from 9 April 1990. The increase will take full account of the movement in the retail prices index over the 12 months to September 1989.

52. **Mr. Lofthouse:** To ask the Secretary of State for Social Security which index he proposes to use this year in uprating pensions.

Mrs. Gillian Shephard: This year, as in previous years, my right hon. Friend will uprate pensions in line with the movement in the retail prices index.

Disability

41. **Ms. Ruddock:** To ask the Secretary of State for Social Security what plans he has, in the light of the findings of the Office of Population Censuses and Surveys' surveys, to increase the allocation of resources to people with disabilities.

46. **Mr. Geraint Howells:** To ask the Secretary of State for Social Security what additional resources he is committing to implement the proposed review of disability benefits; and if he will make a statement.

Mr. Scott: I refer the hon. Members to my reply to the hon. Member for Liverpool, West Derby (Mr. Wareing) earlier today.

Residential Care Homes

42. **Mr. Colvin:** To ask the Secretary of State for Social Security what has been the average increase in costs of residential care homes for the elderly since 1 April.

Mrs. Gillian Shephard: The information is not available in the form requested.

The Government take account of a number of different pieces of evidence in reviewing the amount of income support available to people in residential care homes each year. These include detailed and differing representations received from various sources about the level of costs in homes. The results of this review will be announced shortly.

Transitional Protection

47. **Mr. Maxton:** To ask the Secretary of State for Social Security how many claimants he expects will not receive the full uprating of their benefit next April as a result of transitional protection.

Mrs. Gillian Shephard: I refer the hon. Member to my reply to the hon. Member for Clwyd, South-West (Mr. Jones) earlier today.

Bed-and-breakfast Accommodation

48. **Mr. Hughes:** To ask the Secretary of State for Social Security how may people were in bed-and-breakfast accommodation at the latest available date; and what was the equivalent figure five years previously.

Mrs. Gillian Shephard: The latest available information is that there were 88,500 income support beneficiaries living in board and lodging accommodation in February 1989.

No figures are available for February 1984 but there were 106,000 supplementary benefit recipients living in board and lodging accommodation in December 1984.

Family Credit

49. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Social Security if he will make a statement about the number of eligible families who fail to claim family credit.

Mrs. Gillian Shephard: The latest information relates to 1988 when a special examination of family expenditure survey returns indicated that the total eligible employee population was then about 500,000 families. This compared with an average live load (including eligible cases awaiting award) during the same period of about 253,000. The live load is now around 315,000, but the number of eligible families cannot be estimated until information from the 1989 family expenditure survey becomes available.

Single Payments

50. **Mr. McAllion:** To ask the Secretary of State for Social Security what was the amount paid in single payments in the last full year in which such payments were last available.

Mr. Scott: The amount paid in single payments in 1987-88 was £214 million.

Child Poverty Action Group

51. **Mr. McCrindle:** To ask the Secretary of State for Social Security when he last met the Child Poverty Action Group; and what matters were discussed.

Mrs. Gillian Shephard: My right hon. Friend met representatives of the Child Poverty Action Group on Tuesday 10 October. Discussion ranged widely and covered a large number of topics.

Mobility Allowance

53. **Mr. Kirkwood:** To ask the Secretary of State for Social Security whether further changes are planned to the rules governing mobility allowance.

Mr. Scott: We shall be looking at mobility allowance in common with all other benefits for the long-term sick and disabled as we assess the implications of all the results of the OPCS surveys.

Personal Pension Plans

54. **Mr. Sumberg:** To ask the Secretary of State for Social Security what is the latest figure he has for the number of people opting for personal pension plans.

Mrs. Gillian Shephard: Just over 3·5 million people have so far applied for an appropriate personal pension.

Family Benefits

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security if he will detail the benefits which would be available to *(a)* a single unemployed parent with two school-age children, *(b)* a married unemployed couple

with two school-age children, *(c)* a single working parent with two school-age children and *(d)* a married couple with one parent working with two school-age children on (i) half average earning, (ii) national average earnings and (iii) twice average earnings.

Mrs. Gillian Shephard: The information requested is shown in the tables.

Married couple 2 children aged 13 and 16

		Multiples of Average Earnings[1] *(£pw)*		
	Not Working	½	*1*	*2*
Income support	84·95	0·00	0·00	0·00
Gross earnings	0·00	137·55	275·10	550·20
Family credit	n/a	20·83	0·00	0·00
Rent rebate[3]	21·80	0·00	0·00	0·00
Rate rebate[3]	7·20	0·00	0·00	0·00
Child benefit	14·50	14·50	14·50	14·50
Total net income	97·65	119·35	189·31	380·94

Lone Parent 2 children aged 13 and 16

		Multiples of Average Earnings[2] *(£pw)*		
	Not Working	½	*1*	*2*
Income support	63·75	0·00	0·00	0·00
Gross earnings	0·00	91·90	183·80	367·60
Family credit	n/a	41·92	0·00	0·00
Rent rebate[3]	21·80	0·00	0·00	0·00
Rate rebate[3]	7·20	0·00	0·00	0·00
Child benefit	19·70	19·70	19·70	19·70
Total net income	81·65	115·52	134·25	259·39

Unemployed families receiving income support are also eligible for free school meals and exemption from NHS charges. Working families receiving family credit are eligible for exemption from NHS charges.

[1] Average male earnings 1989-90 assumed to be £275·10 a week.

[2] Average female earnings 1989-90 assumed to be £183·80 a week.

[3] Each family is assumed to live in local authority accommodation appropriate to its size and paying estimated average rent and rates.

Notes:

Family credit for both family types runs out at gross earnings of £182 pw.

Family credit eligibility is conditional upon one adult in the family working 24 or more hours a week.

Mr. Corbett: To ask the Secretary of State for Social Security when the current level of child benefit was fixed; and by how much inflation has since increased.

Mrs. Gillian Shephard: The current level of child benefit is £7·25 per week and came into effect on 6 April 1987. The movement in the index of retail prices between April 1987 and September 1989 was 14·6 per cent.

Mr. Corbett: To ask the Secretary of State for Social Security when was the present level of single-parent child benefit increased last and by how much inflation has since risen.

Mrs. Gillian Shephard: One-parent benefit was last increase in April 1989. Between April and September the index of retail prices rose by 2·1 per cent.

Young People

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security what assistance is given by his Department to young people leaving local authority children's homes to live as independent adults, and whether he has any proposals for further assistance.

Mrs. Gillian Shephard: Those 16 and 17 year olds living independently who were in care immediately before their sixteenth birthday may claim income support for a period of 12-16 weeks after they leave school (known as the child benefit extension period), provided that they register for YTS or work. They may also claim housing benefit.

Certain categories of young people are eligible to claim income support beyond the child benefit extension period. In addition, the Secretary of State has the power to direct that, where unavoidable hardship would result if benefit were withheld, a young person will be entitled to income support even though that person would not originally be entitled to it.

Since July 1989, all 16 and 17-year-olds who have good reason to live independently, including those leaving care, have been entitled to the higher income support personal allowance payable to 18 to 24-year-olds. Housing benefit allowances were also increased for all 16 to 17-year-olds with housing commitments.

Young people of 18 and over may claim income support provided that they are registered for work. They may also claim housing benefit.

In assessing benefit entitlement for these young people, payments made by local authorities under section 1 of the Child Care Act 1980 or section 12 of the Social Work (Scotland) Act 1968 are disregarded. We have recently extended this disregard to payments under sections 27 and 29 of the Child Care Act and sections 24 and 26 of the Social Work (Scotland) Act.

Young people leaving care may also seek help from the social fund. In particular they may apply for community care grants to help with the expenses of setting up a home provided they meet the qualifying conditions.

Mr. Michael: To ask the Secretary of State for Social Security (1) what steps he proposes to take to alleviate the problems caused for those persons aged 16 and 17 years by the lack of availability of benefit, even when they become unavoidably homeless;

(2) what steps he proposes to take to alleviate the problems caused within some low-income families by non-availability of benefit to those aged 16 and 17 years.

Mrs. Gillian Shephard: The best course for 16 and 17-year-olds who leave school and do not take up further education or a job is to participate in the youth training scheme. We have developed the scheme to provide good quality training. Youngsters taking part are paid a weekly allowance and do not, therefore, need to rely on benefit.

However, we have acknowledged that certain young people nevertheless need income support in their own right. In addition to lone parents, the disabled and the long-term sick, who can receive benefit without time restriction, young people forced to live independently can claim income support during a limited period after leaving school, known as the child benefit extension period. They can also receive housing benefit.

Moreover, we introduced a package of changes in July which recognised the particular difficulties being experienced by some 16 and 17-year-olds with no option but to

live away from home. An important element of this was to pay them higher rates of both income support and housing benefit.

In addition, my right hon. Friend has discretion to enable income support to be paid to a 16 or 17-year-old to prevent "severe hardship". Factors taken into account in determining whether there would otherwise be severe hardship include the vulnerability of the young person, particularly to becoming homeless. Homeless young people in night shelters are now considered automatically under the severe hardship provisions.

The parents of 16 or 17-year-olds who remain dependent may continue to receive child benefit during the child benefit extension period. During this time they may also be eligible for dependency additions to their own benefits, such as income support, family credit and housing benefit.

We have therefore taken steps to ensure that benefit is available to all who need it, but we shall continue to monitor the 1988 social security reforms, including those affecting young people.

Correspondence

Mr. Mudd: To ask the Secretary of State for Social Security when the hon. Member for Falmouth and Camborne can expect a reply to his letter of 4 April regarding pension arrangements affecting Mrs. E. D. Timmins of 27 Grovehill crescent, Falmouth, Cornwall.

Mrs. Gillian Shephard: We have no trace of having received this particular letter from my hon. Friend. If he could let us have a copy we will endeavour to reply as soon as possible.

Dyslexia

Dr. Godman: To ask the Secretary of State for Social Security what guidelines his Department has issued to local social fund officers concerning applications for community care grants or crisis loans for the payment of fees for the assessment of dyslexia in the children of claimants; and if he will make a statement.

Mr. Scott: None. However, the Secretary of State's directions to social fund officers preclude any award in respect of a medical service or an educational need. And, in the case of crisis loans, a social fund officer must be satisfied that an award is the only means by which serious damage or serious risk to the health or safety of the applicant, or to a member of his family, may be prevented.

Hostels

Mr. Hood: To ask the Secretary of State for Social Security if he will give details of the amount of benefit lost to persons who move from one hostel to another and the reasons for such loss.

Mrs. Gillian Shephard: People in hostels who were receiving income support immediately before 9 October are eligible for compensatory payments to make good any shortfall in their total benefit income. The amount of any such payment varies according to an individual's circumstances. When a claimant leaves a hostel the compensatory payments to the claimant cease. This permits the Department to pay over the money due to the hostel instead, thus protecting hostel finances in accordance with the undertaking given by my right hon. Friend the Member for Croydon, Central (Mr. Moore) on 16 March, *Official Report*, column 546.

Mr. Hood: To ask the Secretary of State for Social Security if he will give details of the change in benefit entitlement of a person in a hostel who is in receipt of the protected sum.

Mrs. Gillian Shephard: From 9 October 1989, people in hostels became eligible for housing benefit to help with their accommodation costs and normal income support personal allowances plus any appropriate premiums for other day-to-day expenses. People in hostels who were receiving income support immediately before 9 October are eligible for compensatory payments to make good any shortfall between the new and old levels of benefit for as long as they remain in the same hostel. They will therefore suffer no reduction in overall benefit entitlement as a direct result of the change in benefit arrangements.

Mr. Hood: To ask the Secretary of State for Social Security if he will give details of the financial savings to his Department arising from the changes in legislation regarding people's entitlement to benefit when living in a hostel.

Mrs. Gillian Shephard: The aim of the change is to achieve a simple, more rational and more comprehensible social security system while at the same time protecting hostels and claimants. There will be no reduction in the amount of money available to hostels.

Mr. Hood: To ask the Secretary of State for Social Security if he will give details on the entitlement to the protected sum paid to people when they transfer from one hostel to another; and if he will make a statement.

Mrs. Gillian Shephard: Where an income support recipient changes or vacates his or her hostel, any entitlement to a compensatory payment ceases. The claimant is eligible for both income support personal allowances and premiums as appropriate, and housing benefit at the new address.

Mr. Hood: To ask the Secretary of State for Social Security if he will list the circumstances under which the protective sum paid to people living in hostels will be reduced or removed.

Mrs. Gillian Shephard: People in hostels are eligible for compensatory payments of income support if they would otherwise have received less benefit overall because of the changes in benefit arrangements introduced on 9 October 1989. These payments will be reduced by any subsequent increase in the normal rate of income support in payment. They will end either where the person changes or vacates his or her hostel or when he or she ceases to be entitled to income support. Exceptionally, entitlement to compensatory payments can continue where a person leaves his or her hostel for a period of 14 weeks or less because of hospitalisation or ceases to be entitled to income support for a period of eight weeks or less (or, in the case of certain persons who have become engaged in remunerative work for at least six weeks, 12 weeks or less), provided that in either case the person returns to or remains in the same hostel.

Sickness Benefit

Mr. Tony Lloyd: To ask the Secretary of State for Social Security if he will make a statement about the claim to sickness benefit of Mr. K. Oduntan (DSS Ref. RM 173P/C0999/71/083/3) and the reasons for the delay in resolving this matter.

Mrs. Gillian Shephard: The office for the determination of contribution questions sent a letter about Mr. Oduntan's claim to the hon. Member on 18 October 1989. The letter included a history of the case, detailed the up-to-date position and gave an explanation for any delay.

Income Support Regulations

Mrs. Beckett: To ask the Secretary of State for Social Security from what date the Income Support (General) Amendment No. 3 Regulations 1989, laid before Parliament on 15 September 1989 and due to be in force on 2 October, were not available to hon. Members; why they were not available after being laid; and if he will make a statement.

Mr. Nicholas Scott: Copies of the regulations were dispatched to the Vote Office on 15 September, the date on which they were laid before Parliament, according to normal practice. The regulations came into force on 9 October.

Attendance Allowance

Mrs. Beckett: To ask the Secretary of State for Social Security how many officials of his Department and of what grade are engaged in drafting delegated medical officers' reasoned decisions on attendance allowance claims; and what training and guidance they receive from the Attendance Allowance Board.

Mr. Scott: Of the officials made available to act as officers and servants of the attendance allowance board 15 (1 HEO and 14 EOs) are engaged in drafting reasoned decisions on behalf of delegated medical practitioners, from whom they receive instructions and guidance about how the decisions should be expressed. The officials are not involved in the decision-making process.

Mrs. Beckett: To ask the Secretary of State for Social Security whether he will review the adjudication procedures for attendance allowance, in the light of the view expressed by the social security commissioners in decision CA/130/1988 in favour of a right of appeal to a medical appeal tribunal.

Mr. Scott: This is one of the aspects of the attendance allowance scheme that we shall be looking at in the light of the results of the Office of Population Censuses and Surveys disability surveys.

Haemophiliacs (HIV)

Mr. Alfred Morris: To ask the Secretary of State for Social Security if the Minister for the Disabled has received any representations in regard to settling out of court the claims of haemophiliacs who have been contaminated with the HIV virus by the injection of blood products supplied under the National Health Service; what replies have been sent; and if he will make a statement.

Mr. Scott: I have received two representations from the right hon. Member on this subject. I replied to the first letter on 2 October and will shortly reply to the other. I have today placed a copy of my reply of 2 October in the Library. A number of other representations have also been received by my hon. and right hon. Friends in the Department of Health, who have responsibility for this subject.

AGRICULTURE, FISHERIES AND FOOD

EC Membership (Cost)

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will bring up to date tables *(a)* D, *(b)* 4(e)1, *(c)* 4(e)2, *(d)*f1, and *(e)* B, in his Department's submission to the Treasury and Civil Service Committee on the "Financial and Economic Consequences of United Kingdom Membership of the European Economic Community" in Session 1984-85 (HC 57-II).

Mr. Curry: The statistics requested at *(a)*, *(d)* and *(e)* are shown in tables 1 to 3. The information at *(b)*, relating to non-Community countries, is shown in table 4. Data on yields in the European Community are contained in the Commission's publication "The Agricultural Situation in the Community—1988 Report", available in the Library of the House. This publication also contains (pT/38) the information requested at *(c)*.

Table 1
England and Wales
Structural comparisons: by proportion of total item

Item		*Number of holdings accounting for given proportion of total item*			
		25 per cent. of total	*50 per cent. of total*	*75 per cent. of total*	*Total amount of item*
Wheat	1988	1,800	5,600	1,300	1·8 million ha
Barley	1988	2,700	8,800	20,100	1·4 million ha
Dairy cows	1988	3,100	8,800	17,400	2·4 million cows
Beef cows	1988	1,800	5,700	13,100	0·74 million cows
Pigs (total)	1988	250	900	2,400	6·9 million pigs
Sheep (total)	1988	2,800	8,600	19,500	29·7 million sheep
Area: crops and grass	1988	6,200	21,500	52,100	9·5 million ha
Total area	1988	5,700	20,800	52,000	11·0 million ha

TABLE 2
Net farm income on full-time farms by farm type: England 1986-87 and 1987-88

	1986-87	1987-88
All dairy farms		
Money terms (£'000)	15·2	18·5
Index in real terms 1982-83 = 100	96	112
All livestock farms		
Money terms (£'000)	3·9	6·6
Index in real terms 1982-83 = 100	56	92
All cropping farms		
Money terms (£'000)	16·4	6·0
Index in real terms 1982-83 = 100	82	29
Pig and poultry farms		
Money terms (£'000)	17·0	14·3
Index in real terms 1982-83 = 100	100	81
Horticultural farms		
Money terms (£'000)	12·3	18·0
Index in real terms 1982-83 = 100	126	177

Source: Farm Business Survey.

Note: Figures relate to an identical sample of farms. Full-time farms are defined as those of four British size units (BSU) or more. One BSU represents 2,000 ecu of standard gross margin at average 1978 to 1980 values.

TABLE 3
Structural comparisons: by size threshold England and Wales: 1988

Item	*Size of threshold of item*	*Number of holdings (thousands)*	*Proportion of total item (per cent.)*	*Size of threshold of item*	*Number of holdings (thousands)*	*Proportion of total item (per cent.)*
Wheat	100 hectares or more	4·5	44	50 hectares or more	11·0	70
Barley	100 hectares or more	1·8	20	50 hectares or more	7·3	45
Dairy cows	100 cows or more	6·5	41	50 cows or more	19·8	80
Beef cows	100 cows or more	0·7	13	50 cows or more	3·3	37
Pigs (total)	1,000 pigs or more	1·9	69	200 pigs or more	5·4	94
Sheep (total)	1,000 sheep or more	8·2	49	500 sheep or more	18·8	74
Area (crops and grass)	100 hectares or more	25·3	55	50 hectares or more	56·7	78
Total area	100 hectares or more	29·8	60	50 hectares or more	62·2	81

Table 4
Yields of selected agricultural products—certain non Community countries: 1988.

		USA	*Canada*	*Australia*	*Japan*
Wheat	tonnes/hectare	2·29	1·21	1·52	3·62
Barley	tonnes/hectare	2·07	2·45	1·44	3·50
Sugar beet	tonnes/hectare	42·73	34·74	—	52·96
Oilseed Rape	tonnes/hectare	1·90	1·16	1·16	2·00
Potatoes	tonnes/hectare	31·56	25·31	27·18	31·60
Milk	kg/cow	6,444	5,674	2,850	5,320

Sources: 1988 FAO Production Yearbook, except Rapeseed, USA: Oil world.

Sheep Imports

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many sheep in each of the last three years have been imported into the United Kingdom from the Isle of Man; and if he will make a statement.

Mr. Gummer: The numbers of live sheep imported into the United Kingdom from the Isle of Man over the last three years are as follows:

Financial year	*Numbers*
1986-87	1,546
1987-88	2,119
1988-89	3,468

Sheepmeat

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how much sheepmeat has been imported into the United Kingdom from the Isle of Man in each of the last three years; and if he will make a statement.

Mr. Gummer: The amount of sheepmeat imported into the United Kingdom from the Isle of Man over the last three years is as follows:

Calendar year	*Tonnes*
1986	729
1987	694
1988	823

Battery Fowls

Mr. Blunkett: To ask the Minister of Agriculture, Fisheries and Food why his Department has withdrawn funding from research into the condition of battery fowls being transported to, and in the process of, slaughter; and if he will make a statement.

Mr. Curry: We accord high priority to safeguarding poultry welfare, and as such commission a substantial programme of related research, amounting to some £1·1 million in 1988-89. The overall level of funding in this area is not being reduced.

Much of the current research is investigating aspects of the condition of birds around the time of harvesting, transport and slaughter.

An initial contract revealed the extent of bone breakage in laying hens, and the results of this work are being published. We are considering proposals for further work in this area, to complement ongoing research and address the underlying causes of bone breakages in poultry.

The current research is being carried out by the Agricultural Development and Advisory Service, the Agriculture and Food Research Council and the universities.

The industry, through the British Egg Industry Council is also funding two research projects on aspects of broken bones in hens.

Battery Eggs Production

Mr. Blunkett: To ask the Minister of Agriculture, Fisheries and Food whether his Department has undertaken any research on, or monitoring of, the decision of the Swiss Government to phase out battery egg production by 1991; and if he will make a statement.

Mr. Curry: I am aware of moves in a number of countries to phase out battery egg production. The Government will ensure that these developments are taken into account by the European Commission in the review of the EC directive on battery hens, which is due to be completed by the end of 1992.

DEFENCE

Consultants

Mr. Sillars: To ask the Secretary of State for Defence how many consultant companies or groups have been commissioned by his Department in each of the past three years; what was the total value of the contracts; how many of these consultants were from Scotland and England, respectively; and what was the total value of contracts won by Scottish companies or groups.

Mr. Neubert: The Ministry of Defence holds records only for management and IT consultancies commissioned centrally. In the case of management consultancies the number of contracts and total fees paid in the last three financial years are as follows:

FY	*£ million*	*Consultants Commissioned*
1986-87	6·2	44
1987-88	5·1	37
1988-89	3·1	20

In the case of IT consultancies, which are contracted through the Central Computer and Telecommunications Agency (CCTA), information exists only on total fees. This is as follows:

FY	*£ million*
1986-87	14·5
1987-88	14·8
1988-89	5·0

The records do not make any distinction between Scottish or English companies. Most of the larger companies used do, however, have offices in Scotland.

Proof and Experimental Establishments

Mr. Sillars: To ask the Secretary of State for Defence how many proof and experimental establishments exist; and how many are located in Scotland.

Mr. Neubert: There are six proof and experimental establishments (P and EEs) of which one, P and EE Inchterf, is in Scotland (near Glasgow).

Volunteer Reserves

Mr. Sillars: To ask the Secretary of State for Defence how many volunteer reserves operate in Scotland; and what proportion of the total numbers that represents.

Mr. Archie Hamilton: As at 1 April 1989, the total strength of the volunteer reserves operating in Scotland was 9,606, representing 11·8 per cent. of the overall total.

Service Men (Benefits)

Mr. Sillars: To ask the Secretary of State for Defence if he will detail the benefits which have been or will be removed from service men as mentioned in paragraph 518, page 42 of Cm. 675–I.

Mr. Archie Hamilton: The new allowances package referred to in Cm. 675–I introduced a number of changes designed to improve assistance to service men when they are relocated, to remove to a large extent the differences of treatment between single and married personnel, and to benefit seagoers. The aim was that the overall expenditure on the new package should be broadly the same as the old. Those allowances which were considered less appropriate to modern conditions, and which have been or are being removed are as follows:

(a) United Kingdom travel warrants for single personnel over 25 and married personnel were reduced from four to two per year. First class leave travel for senior officers was discontinued.

(b) Army and RAF married personnel who opted to serve voluntarily unaccompanied on their next posting after 1 October 1988 were required to pay for their accommodation. They also lost entitlement to separation allowance and separation warrants.

(c) Residence to place of duty travel reimbursement for those in private accommodation is being phased out, although in certain circumstances service personnel may be paid the cost of excess fares.

(d) The resettlement and 50-plus assisted house purchase scheme will cease to be available from 30 September 1994.

Contractors

Mr. Sillars: To ask the Secretary of State for Defence if he will give a breakdown by region of the companies on the defence contractors' list.

Mr. Neubert: A breakdown by region of companies currently registered on the defence contractors' list (DCL) is as follows:

	Numbers
South East	3,051
Greater London	1,728
East Anglia	294
South West	1,080
West Midlands	1,269
East Midlands	644
Yorkshire and Humberside	833
North West	1,134
North	371
Wales	344
Scotland	784
Northern Ireland	113
Channel Islands	6
Isle of Man	7
Total	11,658

Some companies have a number of sites registered on the DCL and the above figures therefore add up to more

than the number of individual companies on the DCL (10,371). The two figures could be reconciled only at a disproportionate cost.

Security Zones

Mr. Sillars: To ask the Secretary of State for Defence if he will give details of the Warsaw pact strategies referred to in paragraph 206, page 6, of Cm. 675-I; and if he will make a statement on zones of different levels of security and the acceptability to Her Majesty's Government and the North Atlantic Treaty Organisation.

Mr. Archie Hamilton: On 9 March 1989, the Warsaw pact presented its initial proposals at the conventional armed forces in Europe (CFE) talks in Vienna. Those called, among other things, for NATO and the Warsaw pact to reduce their holdings of tanks, artillery, armoured troop carriers, aircraft, helicopters and military manpower to a level 10-15 per cent. below the holdings of the weaker alliance. The proposals also called for the establishment of "zones of reduced levels of armaments" along borders between NATO and Warsaw pact nations. Since then, they have put forward revised, alternative proposals on zonal arrangements.

NATO has always opposed suggestions for zones of different levels of security, which imply that different nations within the Alliance should be obliged to accept different levels of security. The purpose of the NATO Alliance, and the CFE proposals which it has put forward, is to enhance and maintain security throughout Europe, and the Alliance's proposal for a series of geographical sub-limits on forces is designed to achieve equal security for all from the Atlantic to the Urals.

Odessa (Challenge Inspection)

Mr. Sillars: To ask the Secretary of State for Defence if he will give the name and rank of the United Kingdom personnel who exercised a challenge inspection of a Soviet exercise in the Odessa region; and what was the duration of their visit.

Mr. Archie Hamilton: Two lieutenant colonels, one squadron leader, and one Army captain formed the inspection team which arrived at midnight on 9 April 1988 and left 46 hours later. It is not our policy to release the names of the individuals concerned.

Staff Interchange Scheme

Mr. Sillars: To ask the Secretary of State for Defence if he will list the companies involved in his Department's staff interchange scheme.

Mr. Neubert: The following companies have participated in our interchange programme since 1 January 1988.

MOD Interchange Programme
Companies participating in 1988-89

Alterplan '87
Alvis
Andrews Industrial
Automated Security
Babcock Thorn
BDH Chemicals
Better Made in Britain
Bishop Price Partners
British Aerospace plc
British Manufacturing and Research
British Marine Technology
British Nuclear Fuels
British Petroleum
British Telecom
Brown and Root
Cammel Lairds
CAP Scientific
Civil Aviation Authority
Cleanaway Ltd.
C & N Electrical
Computing Services Association
Computing Devices Ltd.
Defence Technology Enterprises
Devonport Management Ltd.
Dowty Maritime
Dowty Seals
Easams
EDO-Western Corporation
Eric Treades Systems
Fairey Hydraulics
Ferranti
Fluor Daniel
Frouds Consine
GEC
GKN
Glaxochem
Graviner Ltd.
Grindleys Bank
Hunting Engineering
ICI
ICL
International Aeradio Ltd.
J & S Marine
Land Rover
Lawrence Scott Electromotors
Marconi
Marr and Son
Martin Baker
MCP Electronic Materials Ltd.
Morgan Grenfell & Co.
Motorola
Mott Hay & Anderson
FEL TNO (Netherlands)
North British Newsprint
Oceonics SPL
OCLI Optical Coatings
Oxley Developments
Pan Am World Services Ltd.
Paxman Diesels
Penny and Giles Ltd.
Perkins Diesels
Philips PRCS
Philips Electronics
Plessey
Portsmouth Aviation
Price Waterhouse
Racal Electronics plc
Rank Organisation
Raytheon
Robert Flemming Holdings
Rolls Royce
Rosyth Royal Dockyard
Royal Ordnance plc
Shell UK
Sixth Sense Magazine
Software Sciences Ltd.
Storno Ltd.
Strachan and Henshaw
St. Bernard Plastics
St. Ivel
Systems Designers plc
Thorn EMI
Trend Communications Ltd.
Unilever
USEL Armaments
Vaisala UK
Vickers
VSEL
Vosper Controls

Westlands plc
C. J. Williams Ltd.
Wimpey Construction
Yard Ltd.

Research Establishments

Mr. Sillars: To ask the Secretary of State for Defence if he will list the non-nuclear defence research establishments, showing the numbers employed in each and their geographical location.

Mr. Neubert: I refer the hon. Member to the reply given by my predecessor to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on 8 May at column 291-92.

Navy Vessels

Mr. Sillars: To ask the Secretary of State for Defence if he will list the Royal Navy vessels built in each of the past 15 years, showing the cost of each and the yards in which they were constructed.

Mr. Neubert: Details of major ships and submarines accepted into service since 1974-75 are as follows:

Vessel	*Type*	*Shipbuilder*	*Acceptance date*	*Cost (£M)*
HMS Amazon	T21	VT	19 July 1974	[1]16·8
HMS Sovereign	SSN	VSEL	22 July 1974	[1]31·1
HMS Herald	Survey	Robb Caledon	31 October 1974	[1]5·2
HMS Sheffield	T42	VSEL	16 February 1975	[1]23·2
HMS Antelope	T21	VT	30 June 1975	[1]14·4
HMS Ambuscade	T21	YSL	23 August 1975	[1]16·5
HMS Kingfisher	PV	R Dunston	2 October 1975	[1]1·2
HMS Arrow	T21	YSL	16 May 1975	[1]20·2
HMS Cygnet	PV	R Dunston	1 July 1976	[1]0·9
HMS Peterel	PV	R Dunston	1 July 1976	[1]1·0
HMS Jersey	PV	Hall Russell	16 September 1976	[1]3·3
HMS Birmingham	T42	CL	26 November 1976	[1]31·0
HMS Superb	SSN	VSEL	29 November 1976	[1]41·3
HMS Orkney	PV	Hall Russell	20 January 1977	[1]3·3
HMS Alacrity	T21	YSL	2 April 1977	[1]23·8
HMS Shetland	PV	Hall Russell	25 May 1977	[1]3·6
HMS Active	T21	VT	2 June 1977	[1]24·1
HMS Sandpiper	PV	R Dunston	10 August 1977	[1]1·4
HMS Ardent	T21	YSL	10 September 1977	[1]26·3
HMS Guernsey	PV	Hall Russell	22 September 1977	[1]3·7
HMS Lindesfarne	PV	Hall Russell	26 January 1978	[1]3·9
HMS Newcastle	T42	SHS	25 February 1978	[1]34·6
HMS Sceptre	SSN	VSEL	11 March 1978	[1]58·9
RFA Fort Grange	FRS	Scotts S/Building	6 April 1978	[2]
HMS Avenger	T21	YSL	15 April 1978	[1]27·7
HMS Coventry	T42	CL	20 October 1978	[1]37·9
HMS Broadsword	T22(bl)	YSL	21 February 1979	[1]68·6
HMS Glasgow	T42	SHS	9 March 1979	[1]36·9
HMS Anglesey	PV	Hall Russell	26 April 1979	[1]3·8
RFA Fort Austin	FRS	Scotts S/Building	22 June 1979	[2]
HMS Alderney	PV	Hall Russell	30 August 1979	[1]3·9
HMS Cardiff	T42	VSEL	22 September 1979	[1]40·5
HMS Spartan	SSN	VSEL	10 October 1979	[1]68·9
HMS Brecon	MCMV	VT	6 December 1979	[1]40·1
HMS Battleaxe	T22(bl)	YSL	20 December 1979	[1]69·2
HMS Invincible	CVS	VSEL	19 March 1980	[1]184·5
RFA Brambleleaf	Tanker	CL (Conv)	10 April 1980	11·0
HMS Exeter	T42	SHS	30 August 1980	[1]60·1
HMS Ledbury	MCMV	VT	18 March 1981	[1]24·1
HMS Brilliant	T22(bl)	YSL	10 April 1981	102·2
HMS Splendid	SSN	VSEL	5 May 1981	[1]97·0
HMS Southampton	T42	VT	17 August 1981	67·5
HMS Leeds Castle	PV	Hall Russell	25 August 1981	9·2
HMS Cattistock	MCMV	VT	5 March 1982	
HMS Dumbarton Castle	PV	Hall Russell	9 March 1982	9·6
HMS Liverpool	T42	CL	12 May 1982	92·8
HMS Brazen	T22(bL)	YSL	11 June 1982	112·0
HMS Illustrious	CVS	SHS	18 June 1982	215·4
HMS Brocklesby	MCMV	VT	25 October 1982	
HMS Manchester	T42	VSEL	19 November 1982	110·0
HMS Nottingham	T42	VT	22 December 1982	82·1
HMS Cottesmore	MCMV	YSL	28 May 1983	
HMS Trafalgar	SSN	VSEL	13 July 1983	
RFA Protector	FIPV	CDD (Conv)	24 August 1983	[3]
RFA Guardian	FIPV	CDD (Conv)	14 September 1983	[3]
HMS Boxer	T22(b2)	YSL	23 September 1983	
HMS Dulverton	MCMV	VT	5 October 1983	
HMS Peacock	HKPC	Hall Russell	12 October 1983	6·9
HMS Sentinel	FIPV	CDE (Conv)	20 December 1983	[3]
RFA Diligence	FRS(1)	TSR (Conv)	12 January 1984	28·3
HMS Plover	HKPC	Hall Russell	18 April 1984	7·0
HMS Waveney	MSF	Richards	2 May 1984	4·6

Vessel	Type	Shipbuilder	Acceptance date	Cost (£M)
HMS Carron	MSF	Richards	20 June 1984	4·6
HMS Starling	HKPC	Hall Russell	21 June 1984	7·1
HMS Middleton	MCMV	YSL	4 July 1984	
HMS Challenger	SOV	Scotts S/building	13 July 1984	153·4
HMS Beaver	T22(b2)	YSL	18 July 1984	
HMS Chiddingfold	MCMV	VT	18 July 1984	
HMS Turbulent	SSN	VSEL	30 July 1984	160·0
HMS Dovey	MSF	Richards	5 October 1984	4·6
HMS Swallow	HKPC	Hall Russell	17 October 1984	7·4
HMS Swift	HKPC	Hall Russell	12 March 1985	7·6
HMS Humber	MSF	Richards	14 March 1985	4·6
HMS York	T42	SHS	25 March 1985	118·7
HMS Helford	MSF	Richards	4 April 1985	4·9
HMS Gloucester	T42	VT	16 May 1985	120·8
HMS Hurworth	MCMV	VT	14 June 1985	
HMS Blackwater	MSF	Richards	20 June 1985	4·9
HMS Itchen	MSF	Richards	27 June 1985	4·9
HMS Ark Royal	CVS	SHS	2 July 1985	332·9
HMS Edinburgh	T42	CL	25 July 1985	130·6
HMS Helmsdale	MSF	Richards	8 October 1985	4·9
HMS Tireless	SSN	VSEL	30 October 1985	
HMS Orwell	MSF	Richards	27 November 1985	4·9
HMS Bicester	MCMV	VT	14 February 1986	
HMS Ribble	MSF	Richards	19 February 1986	4·9
HMS Brave	T22(b2)	YSL	21 February 1986	
HMS Spey	MSF	Richards	4 April 1986	5·2
HMS Arun	MSF	Richards	9 May 1986	5·2
HMS Roebuck	CSV	Brooke Marine	22 August 1986	13·1
HMS Atherstone	MCMV	VT	12 December 1986	
HMS London	T22(b2)	YSL	6 February 1987	
HMS Torbay	SSN	VSEL	2 March 1987	
HMS Berkeley	MCMV	VT	20 November 1987	
RFA Sir Galahad	LSL	SHS	25 November 1987	
HMS Cornwall	T22(b3)	YSL	19 February 1988	
RFA Argus	ATS	H & W (Conv)	3 March 1988	
HMS Sheffield	T22(b2)	SHS	25 March 1988	
HMS Coventry	T22(b2)	SHS	1 July 1988	
HMS Cumberland	T22(b3)	YSL	18 November 1988	
HMS Quorn	MCMV	VT	20 January 1989	
HMS Trenchant	SSN	VSEL	7 February 1989	
HMS Campbeltown	T22(b3)	CL	24 February 1989	
HMS Sandown	SRMH	VT	17 March 1989	

[2] Batch order for both vessels, total cost £75 million.
[3] The cost of the purchase and conversion of the three vessels FIPVs was £16·7 million.

Costs, where shown, are at the price base that applied at the time the vessel was delivered or, if marked [1], are at out-turn prices as previously published in the Supply Estimates.

Since 1987, it has not been our practice to give unit cost information for the reasons stated by my hon. Friend on 14 January 1988, *Official Report*, col. *373*. Costs are therefore not shown for vessels where further vessels of the class were under construction in 1987.

In addition to the above, the following vessels are currently under construction:

Vessel	Type	Shipbuilder	Order date
HMS Upholder	SSK	VSEL	2 November 1983
HMS Talent	SSN	VSEL	10 September 1984
HMS Norfolk	T23	YSL	29 October 1984
HMS Triumph	SSN	VSEL	3 January 1986
HMS Unseen	SSK	CL/VSEL	3 January 1986
HMS Ursula	SSK	CL/VSEL	3 January 1986
HMS Unicorn	SSK	CL/VSEL	3 January 1986
RFA Fort Victoria	AOR	H&W	24 April 1986
HMS Vanguard	SSBN	VSEL	30 April 1986
HMS Marlborough	T23	SHS	18 August 1986
HMS Argyll	T23	YSL	1 September 1986
HMS Lancaster	T23	YSL	1 September 1986
HMS Inverness	SRMH	VT	23 July 1987
HMS Cromer	SRMH	VT	23 July 1987
HMS Walney	SRMH	VT	23 July 1987
HMS Bridport	SRMH	VT	23 July 1987
HMS Victorious	SSBN	VSEL	6 October 1987
RFA Fort George	AOR	SHS	18 December 1987
HMS Chatham	T22(b3)	SHS	28 January 1988
HMS Iron Duke	T23	YSL	11 July 1988
HMS Monmouth	T23	YSL	11 July 1988
HMS Montrose	T23	YSL	11 July 1988

Legend

Ship Type	
T21	Type 21 Frigate
SSN	Nuclear Powered Fleet Submarine (costs only given for SWIFTSURE class)
T42	Type 42 Destroyer
T22(b1/2/3)	Type 22 Frigate (batch 1/2/3)
PV	Patrol Vessel
FRS	Fleet Replenishment Ship
FRS(I)	Forward Repair Ship
MCMV	Mine Countermeasures Vessel
CVS	Aircraft Carrier
FIPV	Falkland Island Patrol Vessel
HKPC	Hong Kong Patrol Craft
MSF	Fleet Minesweeper
SOV	Seabed Operation Vessel
CSV	Coastal Survey Vessel
LSL	Landing Ship (Logistic)
SRMH	Single Role Minehunter
ATS	Aviation Training Ship
SSBN	Vanguard Class Trident Submarine
SSK	Diesel Electric Powered Submarine
AOR	Auxiliary Oiler Replenishment vessel

(Conv) = Conversion

Shipbuilder	
SHS	Swan Hunter Shipbuilders
YSL	Yarrow Shipbuilders Ltd
VSEL	VSEL Ltd
H & W	Harland & Wolff Holdings plc
CL	Cammell Laird Shipbuilders Ltd.
VT	Vosper Thornycroft (United Kingdom) Ltd.
CDE	Clyde Dock Engineering
CDD	Cardiff Dry Dock
TSR	Tyne Shiprepairers

Territorial Army

Mr. Sillars: To ask the Secretary of State for Defence if he will list the Territorial Army regiments and battalions located in Scotland.

Mr. Archie Hamilton: The following Territorial Army regiments and battalions are located in Scotland:

Royal Armoured Corps
Queen's Own Yeomanry
A Squadron

Royal Artillery
103 Air Defence Regiment
207 Battery
212 Battery

Royal Engineers
71 Engineer Regiment
Regimental Headquarters
102 Field Squadron
104 Field Squadron
124 Field Squadron
117 Field Support Squadron

131 Independent Commando Squadron
300 Troop

Royal Signals
32 Signal Regiment
Regimental Headquarters and Headquarters Squadron
51 Squadron
52 Squadron
61 Squadron

39 Signal Regiment
2 Squadron

Infantry
1/52 Lowland
Battalion Headquarters and Headquarters Company
A Company
B Company
C Company
D Company
E Company

2/52 Lowland
Battalion Headquarters
1 Company
2 Company
3 Company
4 Company

1/51 Highland
Battalion Headquarters and Headquarters Company
A Company
K Company

2/51 Highland
Battalion Headquarters and Headquarters Company
A Company
B Company
C Company
D Company

3/51 Highland
Battalion Headquarters and Headquarters Company
C Company
D Company
E Company

15 Para
Battalion Headquarters and Headquarters Company
A Company
B Company
C Company

Special Air Service Regiment
23 SAS(V)
Two squadrons

Royal Corps of Transport
153 Regiment
Regimental Headquarters
212 Squadron
230 Squadron
231 Squadron
239 Squadron

154 Regiment
Regimental Headquarters
221 Squadron
222 Squadron
225 Squadron
251 Squadron

Royal Army Medical Corps
205 General Hospital
225 Field Ambulance
252 Field Ambulance
Detachment 144 Field Ambulance

Royal Army Ordnance Corps
94 Ordnance Company
Stores Section 71 Engineer
Regimental Workshop

Royal Electrical and Mechanical Engineers
102 Air Defence Regiment Light Aid Detachment
71 Engineer Regiment Workshop
221 Squadron Royal Corps of Transport Workshop
222 Squadron Royal Corps of Transport Workshop
225 Transport Squadron Workshop
251 Squadron Workshop
Section Queen's Own Yeomanry Light Aid Detachment
32 Signal Regiment Light Aid Detachment
153 Transport Regiment Workshop

Royal Military Police
243 Provost Company

Headquarters and four platoons

Intelligence Corps
23 Security Company

Miscellaneous
Aberdeen University Officer Training Corps
Edinburgh and Heriot Watt University Officer Training Corps
Glasgow and Strathclyde University Officer Training Corps
Taylforth University Officer Training Corps
Royal Scots (V) Band
Royal Highland Fusiliers (V) Band
51 Highland Band

Staff (Directorships)

Mr. Sillars: To ask the Secretary of State for Defence if he will list those of his Department's senior staff who are non-executive directors of major companies, together with the companies.

Mr. Neubert: The following MOD senior staff are currently non-executive directors:

Name	*Grade*	*Company*
J. C. Mabberley	3	Automated Security
M. J. Harte	3	Glaxochem
B. A. E. Taylor	3	North British Newsprint
D. E. Humphries	3	Thorn EMI
K. G. Hambleton	3	Dowty Seals
D. R. Morris	5	Rank Organisation
A. J. D. Pawson	5	Cleanaway Ltd.

Officers (Dismissals)

Mr. Sillars: To ask the Secretary of State for Defence if he will make it his policy in future defence estimate statements to indicate the number of officers and officers-designate whose reason for leaving the services comes within the categories "unsatisfactory" and "discipline".

Mr. Archie Hamilton: Outflow from the services of officers and officers-designate whose reason for leaving comes within the categories unsatisfactory and discipline are already included in table 4.18 of the "Statement on the Defence Estimates 1989" volume 2 (Cm. 675-II) under the heading "other reasons", which has a similar coverage to the "Unsatisfactory, disciplinary and other reasons" sub-heading shown for servicemen and service women. The officers' "other reasons" sub-heading will be changed in future editions of the "Statement on the Defence Estimates" to make this clear. A more detailed breakdown in separate unsatisfactory and disciplinary categories is not available.

Expenditure Statistics

Mr. Sillars: To ask the Secretary of State for Defence what are the proportions of expenditure in *(a)* Scotland and *(b)* the south-east of England for each industry group heading, in the year 1986-87, as set out in table 2.5 of Cm. 675-II.

Mr. Neubert: Estimates of the regional breakdown of the figures in table 2.5 are not available and could be produced only at disproportionate cost.

Recruitment

Mr. Sillars: To ask the Secretary of State for Defence what detailed studies his Department has conducted on recruitment and the demographic trough; and if he will make a statement.

Mr. Archie Hamilton: The Army has undertaken a study on manning and recruiting in the lean years of the nineties, better known as the Marilyn report, a copy of which is in the Library of the House. The Ministry of Defence has also conducted a number of internal reviews covering the three services. As a result, a wide range of measures are being taken to step up our recruiting effort and to improve retention.

East Germany and Poland (Defence Cuts)

Mr. Sillars: To ask the Secretary of State for Defence what estimate he has of East German and Polish cuts in troop numbers, tanks and aircraft over the period 1988-1991.

Mr. Archie Hamilton: Following President Gorbachev's announcement in late 1988 about intended Soviet force reductions, East Germany announced that it would make unilateral cuts of 10,000 troops, 600 tanks, and 50 aircraft, and Poland announced that it would cut 40,000 troops, 850 tanks, and 80 aircraft, in the period up to 1991. Some of these cuts have already taken place. It is difficult to forecast progress, but we have no reason to believe that they will not adhere to their reduction programmes.

Spares

Mr. Sillars: To ask the Secretary of State for Defence what is his estimate of expenditure on spares in 1988-89; and what proportion was taken by suppliers located in *(a)* Scotland and *(b)* south-east England.

Mr. Neubert: Total estimated expenditure on spares in 1988-89 was approximately £1,635 million. A breakdown of this expenditure by region could be provided only at disproportionate cost.

RAF Contracts

Mr. Sillars: To ask the Secretary of State for Defence what is the total value of RAF contracts, in the latest available year, to external contractors, at Linton-on-Ouse, Shawbury and Church Fenton.

Mr. Archie Hamilton: In the current financial year, the total value of RAF contracts placed with external contractors at RAF Linton-on-Ouse, RAF Shawbury and RAF Church Fenton is approximately £9·6 million.

Medical Research

Mr. Sillars: To ask the Secretary of State for Defence what part of his Department's medical expenditure is devoted to medical research within military establishments.

Mr. Archie Hamilton: This information is not available in the form requested and could be obtained only at disproportionate cost.

Volunteer Reserves

Mr. Sillars: To ask the Secretary of State for Defence what was the turnover rate of the volunteer reserves in Scotland in the last year for which figures are available.

Mr. Archie Hamilton: I regret that this information is not available in the form requested.

Mr. Sillars: To ask the Secretary of State for Defence what was the turnover rate of the volunteer reserves in the past year.

Mr. Archie Hamilton: The outflow from the volunteer reserve forces during training year 1988-89 was 25,705, representing a turnover of 29·7 per cent. against strength at the beginning of the year. This outflow includes some 700 other ranks who left to take up commissions in the regular forces.

Non-strategic Nuclear Weapons

Mr. Sillars: To ask the Secretary of State for Defence when a decision on modernisation of the United Kingdom's non-strategic nuclear weapons is to be taken.

Mr. Archie Hamilton: The studies into a number of options for the possible replacement of the WE 177 free-fall bomb are continuing. It is not yet possible to forecast when a decision may be taken.

Chemical Weapons

Mr. Sillars: To ask the Secretary of State for Defence whether work undertaken at the Chemical Defence Establishment is capable of conversion to the production of offensive chemical weapons.

Mr. Neubert: The role of the Chemical Defence Establishment is to provide effective protective measures for the United Kingdom Armed Forces against the threat that chemical or biological weapons may be used against them. The United Kingdom abandoned all offensive chemical warfare work over 30 years ago and CDE has no facilities capable of conversion to significant production of offensive chemical weapons.

Major Equipment Projects

Mr. Sillars: To ask the Secretary of State for Defence which companies are the main contractors for the major equipment projects set out in table 3.2 of Cm. 675-II; and how many of these have head offices located in *(a)* Scotland and *(b)* England.

Mr. Neubert: The main contractors for the major equipment projects set out in table 3.2 of Cm. 675-II are as follows:

Project	*Main contractor*
Trident	VSEL Consortium plc
Type 23 Frigate	Yarrow Shipbuilders Ltd.
Single Role Minehunter	Vosper Thorneycroft (UK) Ltd.
Auxiliary Oiler Replenishment Vessel	Harland and Wolff plc
Type 2400 Submarine	VSEL Consortium plc
Sea Dart missile	British Aerospace plc
Sea Wolf missile	British Aerospace plc
GWS26 MOD 1 vertical launch Sea Wolf	British Aerospace plc
Harpoon surface launched	McDonnell-Douglas Missile Systems Company
Stingray	The Marconi Co. Ltd.
Spearfish	The Marconi Co. Ltd.
Sonar 2054	Plessey UK Ltd.
Challenger MBT	Vickers plc
TOGS	Barr and Stroud Ltd.
Warrior MICV	GKN Sankey Ltd.
Milan	British Aerospace plc
Rapier Field Standard B	British Aerospace plc
Rapier Self-Propelled	British Aerospace plc
Rapier Field Standard C	British Aerospace plc
Blowpipe/Javelin	Short Brothers plc
High Velocity missile	Short Brothers plc
MLRS 1	European Production Group
LAW 80	Hunting Engineering Ltd.
Trigat Medium Range	British Aerospace plc
Trigat Long Range	British Aerospace plc
Ptarmigan	Plessey UK Ltd.
European Fighter Aircraft	Eurofighter Jadflugzeug GmbH
	Eurojet Turbo GmbH
Tornado GR1	Panavia Aircraft GmbH
	Turbo Union Ltd.
Tornado ADV	British Aerospace plc
E3-AEW	The Boeing Company
Harrier GR5	British Aerospace plc
Tristar 1st batch	Marshall of Cambridge (Engineering) Ltd.
Tristar 2nd batch	Marshall of Cambridge (Engineering) Ltd.
EH101	EH Industries Ltd.
Sky Flash	British Aerospace plc
ALARM	British Aerospace plc
JP 233	Hunting Engineering Ltd.
Foxhunter A1	The Marconi Co. Ltd.
Skynet 4 stage 1	British Aerospace plc

Of these, two have their major works in Scotland and 10 in England.

Operational Fuels

Mr. Sillars: To ask the Secretary of State for Defence which companies have contracts to supply operational fuels to the armed services; and how many of these companies have their head offices in *(a)* Scotland and *(b)* England.

Mr. Archie Hamilton: The Ministry of Defence currently holds contracts with 28 different companies for the supply of operational fuels to the armed services. Of these, two have their head offices in Scotland and 17 have their head offices in England.

Ethnic Minorities

Mr. Sillars: To ask the Secretary of State for Defence which firms of consultants have been commissioned to study recruitment of ethnic minorities to the armed services; and what is the value of each contract.

Mr. Archie Hamilton: The contract for the study into ethnic minority recruitment to the armed services was placed with Peat Marwick McLintock, who conducted the study in conjunction with their sub-contractors, Mass Observation. It is not our practice to disclose the value of such contracts.

Belize (Accommodation)

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what consideration is being given to the replacement of locally-rented accommodation for service families on Belize by purpose-built accommodation; and if he will make a statement.

Mr. Archie Hamilton: Taking into account the uncertainty over the period British Forces will remain in Belize, it has been previously assessed that it would not be cost-effective to replace locally rented accommodation for families in Belize with purpose-built accommodation. We are currently in the process of looking at this matter again, although no decision has yet been reached.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what proposals he has to improve the single and married accommodation of Her Majesty's forces serving in Belize.

Mr. Archie Hamilton: We are currently in the middle of a five-year programme for the replacement of the older single accommodation in Belize, which is due to be completed in 1992. We are also in the middle of rebuilding the 10 old-style married quarters in Airport camp, which will be replaced by 1991.

Service Pay

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give the percentage and actual increases in pay for each year since 1964 for *(a)* at private rank, *(b)* at sergeant rank, *(c)* at captain rank and *(d)* at a major, and for the equivalent Royal Air Force and Royal Navy rank, in each case.

Mr. Archie Hamilton: The present system of pay in the Armed Forces, which introduced what is known as the military salary, was implemented in two stages in 1970 and 1971.

Prior to this, service men were paid partly in cash and partly by the provision of free food and accommodation, with different rates for married personnel. Information on these earlier rates of pay is not readily available and would not in any case be comparable with the present system. Rates of pay and the increase from 1971 are set out in the table. The variations in percentage increases between the ranks in some years of the 1970s arose in part from the effects of various income policies in force at the time and subsequent catching-up awards.

Year	Private[1]			Sergeant[1]		
	Annual pay	Increase amount	Increase per cent.	Annual pay	Increase amount	Increase per cent.
1971	1,296	—	—	1,752	—	—
1972	1,445	149	11·50	2,091	339	19·35
1973	1,657	212	14·67	2,241	150	7·17
1974	1,869	212	12·79	2,522	281	12·54
1975	2,405	536	28·68	3,285	763	30·25
1976	2,718	313	13·01	3,598	313	9·53
1977	2,854	136	5·00	3,778	180	5·00
1978	3,245	391	13·70	4,307	529	14·00
1979	4,055	810	24·96	5,486	1,179	27·37
1980	5,011	956	23·58	6,826	1,340	24·43
1981	5,482	471	9·40	7,552	726	10·64
1982	5,785	303	5·53	8,004	452	5·99
1983	6,215	430	7·43	8,616	612	7·65
1984	6,676	461	7·42	9,293	677	7·86
1985	7,154	478	7·16	9,979	686	7·38
1986	7,687	533	7·45	10,757	778	7·80
1987	8,136	449	5·84	11,470	713	6·63
1988	8,625	489	6·01	12,228	758	6·61
1989	9,224	599	6·94	13,082	854	6·98

Year	Captain (Army)[2]			Major[2]		
	Annual pay	Increase amount	Increase per cent.	Annual pay	Increase amount	Increase per cent.
1971	2,555	—	—	3,322	—	—
1972	3,000	445	17·42	3,950	628	15·90
1973	3,180	180	6·00	4,170	220	5·57
1974	3,573	393	12·36	4,679	509	12·21
1975	4,121	548	15·34	5,103	424	9·06
1976	4,434	313	7·60	5,416	313	6·13
1977	4,642	208	4·69	5,624	208	3·84
1978	5,917	1,275	27·47	7,457	1,833	32·59
1979	7,397	1,480	25·01	9,432	1,975	26·49
1980	9,136	1,739	23·51	11,994	2,562	27·16
1981	10,424	1,288	14·10	13,494	1,500	12·51
1982	11,129	705	6·76	14,498	1,004	7·44
1983	12,144	1,015	9·12	15,830	1,332	9·19
1984	13,169	1,025	8·44	17,115	1,285	8·12
1985	14,188	1.019	7·74	18,509	1,394	8·14
1986	15,279	1,019	7·69	20,049	1,540	8·32
1987	16,272	993	6·50	21,352	1,303	6·50
1988	17,418	1,146	7·04	22,849	1,497	7·01
1989	18,812	1,394	8·00	24,433	1,584	6·93

[1]The pay of non-commissioned ranks is divided into different pay bands according to their technical and other skills. The pay shown is for the middle pay band and for personnel committed to between six to nine years service. Pay for RAF and RN personnel of equivalent ranks is broadly similar but full pay banding is not used in the RN and minor variations can therefore occur.

[2]Officers are paid on a scale related to the number of years in rank. The rates shown are for the top of the scale. There is no difference for the pay of equivalent ranks in the RN and RAF.

European Fighter Aircraft

Mr. Jack: To ask the Secretary of State for Defence what steps are being taken to resolve the outstanding decision on the choice of radar for the European fighter aircraft; and if he will make a statement.

Mr. Alan Clark: Since taking office my right hon. Friend the Secretary of State for Defence has met his German opposite number of two occasions during which the choice of radar for European fighter aircraft was considered. Further meetings will take place with the Defence Minister of European fighter aircraft nations as necessary. Senior officials are also in regular contact with their counterparts in the other European fighter aircraft countries. Every opportunity is taken during these meetings to seek an early resolution of this issue.

Colonial Service Pensions

Mr. Stanbrook: To ask the Secretary of State for Defence what steps he is taking to clear the back-log of claims for certification of war service submitted by colonial service pensioners at the Army records office, Hayes.

Mr. Archie Hamilton: Of the 2,551 inquiries received by the Army record office at Hayes for verification of war service, 2,342 have been completed and returned to the Overseas Development Administration. The outstanding 209 await further information from the ex-service men themselves or from the Department of Social Security before they can be verified and returned to the Overseas Development Administration.

Bird Strike Risk

Mr. Wallace: To ask the Secretary of State for Defence what consultation have taken place since 1983 between officials of his Department or service personnel and representatives of the Nature Conservancy Council to discuss bird strike risk in low-level flying exercises; and the possible effects of such exercises on seabird colonies; and if he will make a statement.

Mr. Neubert: I am not aware of any formal discussions between my Department and the Nature Conservancy Council on bird strike risk in low flying exercises, but areas of major bird concentrations, including the locations of major seabird colonies in Scotland, are notified to aircrew who will take account of the potential hazards in the planning and execution of their low-flying sorties. My Department also has regular discussions with the Nature Conservancy Council, at which matters of mutual concern, including the effect of low-flying aircraft on seabird colonies, are discussed.

Land, Wales

Mr. Livsey: To ask the Secretary of State for Defence if he will indicate how much land has been purchased by his Department to add to that already owned by them on Mynydd Eppynt in Brecon and Radnor in the following years: *(a)* 1987, *(b)* 1988 and *(c)* the present year to 30 September.

Mr. Archie Hamilton: I refer the hon. Member to the reply given to him on 6 July 1988 at column *646*. A further 25 acres in the Brecon and Radnor areas have been purchased from the Forestry Commission this year.

Holy Loch

Mrs. Ray Michie: To ask the Secretary of State for Defence what estimate he has of the contribution to the local economy made by the United States Government as a result of the use of Holy Loch by the United States Navy and as to who benefits therefrom.

Mr. Archie Hamilton: I refer the hon. Member to the answer I gave to my hon. Friend, the Member for Tayside, North (Mr. Walker) on 9 May 1989 at column *426*.

TRANSPORT

Network SouthEast

Mr. Sillars: To ask the Secretary of State for Transport what is his estimate of public subsidy for Network SouthEast in each of the past three years.

Mr. Portillo: Figures for Government support paid to the British Railways board, including public service obligations grant under EC regulation 1191/69 and section 3 of the Railways Act 1974, and level crossings grant under EC regulation 1192/69, are given in the table. Final claims have not yet been agreed.

The table also shows the figures for total investment by British Rail in the railways.

£m cash (rounded to nearest £m)

	Grant	*Investment*
1986-87	709	399
1987-88	782	526
1988-89	557	570

In the annual report and accounts for 1987-88 British Rail estimated the PSO grant requirement for Network SouthEast at £231 million; in 1988-89 British Rail put NSE's requirement at £141 million.

Air Traffic Movements

Mr. Foulkes: To ask the Secretary of State for Transport if he will list all planning or other environmental measures limiting air traffic movements at *(a)* Heathrow airport and *(b)* other airports in the United Kingdom.

Mr. McLoughlin: This information is not held centrally. The hon. Member may wish to seek it from the airports direct.

BAA (Land)

Mr. Foulkes: To ask the Secretary of State for Transport (1) if he will list the acreage and asset value of land owned by BAA at the time of its privatisation at each of the airports in its ownership; and what assurances were sought from the management of BAA plc regarding the future disposal of such land;

(2) what was the value of the total land owned by BAA at Prestwick airport at the time of privatisation.

Mr. McLoughlin: The 1987 BAA company accounts show the following gross current cost valuations for freehold property, comprising land and buildings, at the seven BAA airports:

	£ thousand
Heathrow	624,100
Gatwick	181,000
Stansted	49,106
Glasgow	46,617
Edinburgh	27,942
Prestwick	27,552
Aberdeen	19,220

The prospectus isued when BAA plc shares were offered for sale showed the acreages of the principal properties of the BAA group at 8 July 1987 as follows:

	Acres
Heathrow	2,750
Gatwick	1,642
Stansted	2,406
Glasgow	699
Edinburgh	873
Prestwick	555
Aberdeen	497

In addition, the company held approximately 1,815 acres of land and buildings which were not directly or immediately required for airport operations.

BAA's articles of association provide that the company may not dispose of an airport designated for the purposes of economic regulation under the 1986 Act without the prior consent of the holder of the special share. This may only be held by a Minister or other person acting on behalf of the Crown. Heathrow, Gatwick and Stansted are the BAA airports currently designated and my right hon. Friend holds the share.

Scottish Lowlands Airports Policy

Mr. Foulkes: To ask the Secretary of State for Transport if he will list those officials and advisers who will be involved in carrying out the consultation exercise on Scottish lowland airports policy.

Mr. McLoughlin: No. The consultation is being conducted by the Department of Transport in association with the Scottish Office. My right hon. Friend will consider the Government's policy in the light of the responses received.

Flight Diversions

Mr. Foulkes: To ask the Secretary of State for Transport on how many occasions have flights been diverted from *(a)* Glasgow and *(b)* other airports to Prestwick airport since 1980.

Mr. McLoughlin: This information is published monthly and annually by the Civil Aviation Authority, and copies are placed in the library. The relevant figures are as follows:

Year	Landings diverted to Prestwick from Glasgow	Landings diverted to Prestwick from other United Kingdom and from overseas airports
1980	148	67
1981	123	100
1982	38	47
1983	35	62
1984	77	59
1985	71	74
1986	15	65
1987	43	74
1988	66	87
to end June 1989	1	39
Total	617	674

Source:
CAA "Annual Statistics" 1980, 1981, 1982.
CAA "UK Airports: annual statements of movements, passengers and cargo" 1983 to 1988.
CAA "UK Airports: monthly statements of movements, passengers and cargo" January to June 1989.

West London Assessment Study

Sir Barney Hayhoe: To ask the Secretary of State for Transport (1) what consultation arrangements he is making to ensure that local opinion is taken into account before Government decisions are made on the issues covered by his consultants' stage 2B report of the west London assessment study;

(2) when he expects to receive the stage 2B report of the west London assessment study from his consultants; and whether he will publish it without delay.

Mr. Atkins: We expect to receive reports from the consultants for all four London assessment studies in the next month or so. Arrangements for printing will be put in hand as soon as possible for publication early in December. The reports will be available for purchase and there will be free summaries. Displays will be offered at town halls and public libraries in the study areas.

In order to reduce uncertainty we intend to announce at the time the reports are published which options will not be considered further. We shall be inviting comments from local authorities, other organisations and members of the public before reaching firm decisions on the remaining options.

London Regional Transport (Anti-inflation Policy)

Mr. Spearing: To ask the Secretary of State for Transport what advice, instructions or indications he has given to, London Regional Transport and its subsidiary undertakings concerning their part in supporting the anti-inflation policy of Her Majesty's Government.

Mr. Portillo: London Regional Transport is fully aware of the Government's determination to win the fight against inflation and I have satisfied myself that LRT appreciates the significance of its own pay and price increases. My right hon. Friend has no powers to issue instructions to LRT on these matters.

Air Traffic (Near Misses)

Mr. Wallace: To ask the Secretary of State for Transport how many near-miss cases over Orkney involving both civilian and military aircraft have been reported to the Civil Aviation Authority since 1 January 1985.

Mr. McLoughlin: There have been three reported airmisses over Orkney since 1 January 1985. Each involved civil and military aircraft and all were graded by the joint airmiss working group as category C—no risk.

Transatlantic Flights

Mr. Wray: To ask the Secretary of State for Transport what is the average real or notional extra cost for each transatlantic flight which has to use Prestwick as a gateway airport.

Mr. McLoughlin: The Department does not hold the information needed to establish this figure.

Written Answers to Questions

Tuesday 24 October 1989

HOME DEPARTMENT

Police (Initiation Rites)

Mr. Ashley: To ask the Secretary of State for the Home Department (1) how many policemen have been dismissed because of their involvement with initiation rites;

(2) how many policemen have had disciplinary action taken against them because of their involvement with initiation rites.

Mr. Peter Lloyd: The information requested is not held centrally.

Mr. Ashley: To ask the Secretary of State for the Home Department what information is collected by his Department regarding the prevalence of initiation rites in the police forces.

Mr. Peter Lloyd: No such information is being collected. It is the responsibility of chief officers of police to maintain discipline within their forces, and to investigate and deal with, severely if necessary, allegations of misconduct by their officers.

Electronic Tagging

Mr. Bermingham: To ask the Secretary of State for the Home Department what proposals he has to ensure that private firms will be publicly answerable for their role in the penal system in relation to electronic tagging; what controls are envisaged with respect to subcontracting by Government contractors; and if he will make a statement.

Mr. John Patten: Contracts have been awarded to two companies to operate experimental trials of electronic monitoring in three areas. The companies are accountable to the Home Office for their performance of those contracts, which permit the use of subcontractors only with the Home Office's prior approval.

Departmental Staff

Mr. Nellist: To ask the Secretary of State for the Home Department what were the numbers, by grades, employed by his Department on 30 September who were *(a)* permanent staff, part-time counting as one, *(b)* permanent part-time staff and *(c)* casual staff.

Mr. Hurd: The total number of non-industrial staff in post on 23 October 1989 was 41,130, of whom 1,813 were part-time. I shall write to the hon. Member with a breakdown of this total by grade. Information for 30 September 1989 could be obtained only at disproportionate cost. Information on the numbers of casual staff recruited by the Department is not held centrally and could be obtained only at disproportionate cost.

TRADE AND INDUSTRY

Pistons (Imports)

Mr. Rowlands: To ask the Secretary of State for Trade and Industry what his estimate is during the last three years of the level of imports in money and volume terms of pistons and piston rings for diesel engines; and what percentage of the United Kingdom market is covered by such imports.

Mr. Douglas Hogg: Figures for imports are shown in the table. However, figures for the United Kingdom market for these products are not available.

United Kingdom imports of pistons and piston rings for diesel engines
Pistons suitable for use solely or principally with compression-ignition internal combustion piston engines (ie diesel or semi-diesel engines) (Code no. 84069910 (1986,87), 84099001 (1988,89))

	1986	1987	1988	1988 January-July	1989 January-July
United Kingdom Imports					
Volume (tonnes)	814·6	1,370·5	2,088·4	1,272·1	2,126·9
Value (£ million)	5·5	6·7	9·2	5·6	6·7

Piston rings suitable for use solely or principally with compression-ignition internal combustion piston engines (ie diesel or semi-diesel engines) (Code no. 84069920 (1986,87) 84099003 (1988,89))

	1986	1987	1988	1988 January-July	1989 January-July
United Kingdom Imports					
Volume (tonnes)	269·9	371·3	459·7	266·5	244·4
Value (£ million)	3·1	3·8	4·7	2·9	2·2

Source: Overseas Trade Statistics.

Consumers' Rights

Mr. David Martin: To ask the Secretary of State for Trade and Industry whether he has any plans to introduce legislation giving a legal right to customers who have purchased an article which cannot be satisfactorily repaired to have a refund or replacement from the supplier.

Mr. Forth: The Sale of Goods Act 1979 already provides adequate protection in these circumstances: if the consumer acts within a reasonable time, he can reject goods which are not of merchantable quality; after acceptance, the consumer is still entitled to claim damages. The Government intend to implement changes recommended by the Law Commissions (Cm. 137) which will

clarify consumers' rights, in particular by replacing the present requirement of "merchantable quality" with a more up-to-date definition.

Shipbuilding

Mr. Clay: To ask the Secretary of State for Trade and Industry (1) to which shipbuilding yards in the United Kingdom his Department would recommend a ship owner or broker to direct an inquiry for a series of 25,000 tonnes bulk carriers;

(2) to which shipbuilding yards in the United Kingdom his Department would recommend a ship owner or broker to direct an inquiry for a series of 15,000 tonnes mixed cargo vessels.

Mr. Douglas Hogg: If any such inquiry were to be received by my Department, the inquirer would be advised of a number of yards who could build the relevant ships. The placing of orders would of course be a commercial matter for the ship owner or broker and the shipbuilder.

Refrigerators

Mr. Cryer: To ask the Secretary of State for Trade and Industry if he will introduce legislation to ensure that refrigerators are sold with accurate thermometers and that the refrigerators are set to adequate temperatures to ensure proper storage of food; and if he will make a statement.

Mr. Forth: The Government have no plans at present to introduce legislation requiring the manufacture of domestic refrigerators with thermometers. All domestic refrigerators currently on the market with BEAB approval can meet the temperatures required to ensure the proper storage of food. The position regarding commercial refrigeration is being considered in the context of the revision food hygiene regulations and is a matter for my right hon. and learned Friend, the Secretary of State for Health.

Industry Council

Mr. Baldry: To ask the Secretary of State for Trade and Industry if he will make a statement on the Industry Council held on 26 September.

Mr. Douglas Hogg: The Council, at which I represented the United Kingdom, discussed a Commission proposal on the restructuring of the Italian steel industry and the present EC/US steel negotiations. A statement was also made by the Commission on the current state of the steel market. A draft resolution, setting out a programme for improving conditions for sub-contractors in the Community, was agreed by the Council. Discussion also took place on the Community's handicraft industry and there was a Commission presentation on the current proposal to extend the life of pharmaceutical patents.

German Democratic Republic (Imports)

Mr. Denzil Davies: To ask the Secretary of State for Trade and Industry whether he will list those goods and products from the German Democratic Republic which are allowed to be imported into *(a)* the European Economic Community and *(b)* the Federal Republic of Germany free from tariff.

Mr. Redwood *[holding answer 23 October 1989]:* The European Community's common external tariff applies to all goods from the German Democratic Republic (GDR). There are special arrangements for trade between the GDR and the Federal Republic under which authorised imports originating in the GDR are permitted duty-free entry into the Federal Republic. Goods on a list comprising most industrial categories may be traded between the GDR and the Federal Republic free of import duty and other restrictions. Re-exported goods are not automatically subject to import duties in other member states. Under the EC treaty's protocol on inner German trade, member states are able to take safeguard action against GDR goods entering their territory via the Federal Republic. If there are specific complaints about the entry of GDR goods into the United Kingdom by this route they should be made known to the DTI and FCO who regularly review this question with the Ministry of Economics in Bonn.

WALES

Health Service

Mr. Nicholas Bennett: To ask the Secretary of State for Wales how many new hospitals have been opened in each year since 1970 in Wales.

Mr. Grist: Ten new hospitals have been opened in Wales since 1970. Their names and years of opening are shown in the table:

1970—Bryn-y-Neuadd
1971—University Hospital of Wales
1978—Prince Charles Hospital
—Withybush Hospital
1980—Ysbyty Glan Clwyd
1984—Ysbyty Gwynedd
—Mold Community Hospital
1985—Princess of Wales Hospital
1986—Ystradgynlais Community Hospital
1987—Prestatyn Community Hospital

Note: New hospitals includes replacement buildings but excludes hospitals which reopened following a period of closure.

In addition there were two major developments of existing hospitals at Wrexham Maelor hospital and Morriston hospital, which were completed in 1985.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list for each Welsh health district the cost of the 10 most commonly performed operations in the National Health Service for the latest year for which figures are available.

Mr. Grist: The information requested is not available centrally.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will provide the following information for the latest year for which statistics are available together with figures for 1979 and the period 1974 to 1979: *(a)* the number of general practitioners, *(b)* general practitioners' list sizes, *(c)* the number of nurses, *(d)* the number of junior hospital doctors, *(e)* the number of consultants, *(f)* the number of in-patients treated, *(g)* the number of out-patients treated and *(h)* the total spending on the National Health Service.

Mr. Grist: The information is shown in the table:

	1974	1975	1976	1977	1978	1979	1988
General medical practitioners[1]	1,291	1,290	1,286	1,304	1,323	1,339	1,599
General medical practitioners—average list size[2]	2,189	2,193	2,199	2,175	2,148	2,133	[7]1,851
Nursing and midwifery staff[3]	20,282	21,255	21,804	21,860	22,386	23,031	27,920
Junior hospital doctors[4]	906	976	989	1,047	1,091	1,172	1,375
Consultants[5]	534	553	588	601	614	614	771
In-patient cases	328,973	320,042	338,908	342,967	349,628	349,695	456,378
Out-patient total attendances	1,742,748	1,646,720	1,727,870	1,739,806	1,761,693	1,803,313	2,294,927
	1974-75	*1975-76*	*1976-77*	*1977-78*	*1978-79*	*1979-80*	*1988-89*
NHS expenditure (gross)[6]	209·9	281·8	316·8	358·6	411·2	481·6	1,270·5

[1] Unrestricted principals as at 1 October.
[2] As at 1 October.
[3] Whole-time equivalents as at 30 September. The figures have not been adjusted to take account of the change in hours, in 1980, from 40 to 37·5.
[4] Whole-time equivalents as at 30 September. Includes house officers, senior house officers, registrars, senior registrars, associate specialists and senior hospital medical officers. Excludes dentists.
[5] Whole-time equivalents as at 30 September. Excludes dentists.
[6] £ million outturn prices.
[7] Provisional.

Roads

Mr. Alan Williams: To ask the Secretary of State for Wales what is the latest estimate of the cost of constructing the M4 link at Baglan; what is the length of time that the actual construction would take; and what is the latest date at which a decision could be taken to start the construction in April 1991.

Mr. Wyn Roberts *[holding answer 23 October 1989]:* Construction of the M4 Baglan-Lonlas section of the M4 is planned as three separate schemes as follows:

	Contract period (months)	*Roads in Wales timeband for start*	*Estimated cost at November 1988 prices (Roads in Wales) £ million*
Earlswood-Lonlas	36	Before April 1990	33
Briton Ferry-Earlswood	36	Between 1 April 1991 and 31 March 1994	48
Baglan-Briton Ferry	30	Between 1 April 1991 and 31 March 1994	35

Tenders have been invited for the Earlswood-Lonlas contract with a view to letting before the end of this financial year. Preparation work on the remaining schemes is proceeding in accordance with the Roads in Wales programme. The Briton Ferry-Earlswood and Baglan-Briton Ferry contracts will be let six months apart to achieve simultaneous completion. The decision to proceed will depend on the availability of finance. The time required for tendering procedures, including EC journal notification and for advance earthworks is around 12 months.

ENERGY

Nuclear Accident, Kyshtym

Dr. Thomas: To ask the Secretary of State for Energy when Her Majesty's Government received from the International Atomic Energy Agency a copy of the IAEA report, drafted by the Soviet Union, on the accident in 1957 at the nuclear facility at Kyshtym; what new information relevant to the United Kingdom is included in the report; and if he will place a copy in the Library.

Mr. Michael Spicer: The IAEA's report on a radiological accident in the southern Urals on 29 September 1957, provided by the State Committee on the Utilisation of Atomic Energy, was issued on 28 July 1989. It contains interesting information on radiation exposure and monitoring, but nothing which requires changes to present United Kingdom monitoring arrangements. I am arranging for a copy to be placed in the Library.

Oil Companies (Ministerial Meetings)

Mr. Sillars: To ask the Secretary of State for Energy how many ministerial meetings have been held with oil companies in the past 12 months.

Mr. Peter Morrison: My right hon. Friend and I maintain close contact with oil companies active in the United Kingdom and meet them frequently.

Campaign for Nuclear Disarmament

Dr. Thomas: To ask the Secretary of State for Energy if he will list the correspondence he or officials of his Department have had with the Campaign for Nuclear Disarmament since 1 July, in the context of the involvement of his Department and Campaign for Nuclear Disarmament at the Hinkley C inquiry.

Mr. Michael Spicer: The Campaign for Nuclear Disarmament wrote to my Department on 10 July with a number of questions arising from earlier correspondence on plutonium accounting. A reply was sent on 4

September. In addition, a letter was sent to the Campaign for Nuclear Disarmament on 18 July about the preparation of the annual plutonium statistics.

Oldbury

Dr. Thomas: To ask the Secretary of State for Energy if he will make a statement on the outcome of the International Atomic Energy Agency operational safety review team's visit to the Oldbury nuclear power plant; and what access to operational data in regard to plutonium production and dispatch was afforded to the Soviet inspector on the visit.

Mr. Michael Spicer: The principal conclusion of the International Atomic Energy Agency's operational safety review team (OSART) team was that the Oldbury nuclear power station is being operated at a high level of safety. The team also drew attention to a large number of other praiseworthy features, including the high degree of professionalism of station management and staff. They also considered that the plant was well prepared to respond to emergencies.

When the IAEA has finalised its report on the mission, I shall arrange for a copy to be placed in the Library of the House.

Data on the plutonium content of irradiated fuel is held at each station and is published annually by my Department. The Soviet member of the OSART team would have been allowed access to such data but in the event he did not ask to see it.

Plutonium

Dr. Thomas: To ask the Secretary of State for Energy if, pursuant to his reply to the hon. Member for Meirionnydd Nant Conwy of 28 July, *Official Report*, column *978*, on plutonium, he is now in a position to make a decision on the format for future publication of civil plutonium data.

Mr. Michael Spicer: I have nothing to add to the reply of my right hon. Friend the Secretary of State to the hon. Member. The plutonium data for 1988-89 will be published shortly.

Magnox Power Stations

Mr. Blair: To ask the Secretary of State for Energy what is the current best estimate for *(a)* reprocessing costs and *(b)* decommissioning costs for Magnox nuclear power stations; and what estimate he has received from National Power and when.

Mr. Flynn: To ask the Secretary of State for Energy, pursuant to the answer to the hon. Member for Newport, West on 28 July, *Official Report*, column *981*, if he will now state the total cost of *(a)* decommissioning, *(b)* dismantling and *(c)* guarding Magnox reactors during the next 10 decades.

Mr. Wakeham: The CEGB will be finalising its estimates of Magnox liabilities for publication in its report and accounts for 1988-89.

Mr. Flynn: To ask the Secretary of State for Energy, pursuant to the written answer to the hon. Member for Newport, West on 28 July, *Official Report*, column *981*, when he was informed of the likely final total cost of decommissioning, dismantling and guarding Magnox nuclear reactors during the next 10 decades.

Mr. Michael Spicer: I refer the hon. Member to the statement that my right hon. Friend the Member for Hertsmere (Mr. Parkinson) made on 24 July, at column 744.

Colliery Closures

Mr. Redmond: To ask the Secretary of State for Energy how many collieries where the Union of Democratic Mineworkers is the main or sole union, have closed since 1985; how many are under threat of closure; and if he will list them in chronological order.

Mr. Michael Spicer: Colliery closures are a matter for the British Coal Corporation. I have asked the chairman to write to the hon. Member.

Oil and Pipelines Agency

Mr. Hanley: To ask the Secretary of State for Energy if he will make a statement on his responsibility for the Oil and Pipelines Agency.

Mr. Wakeham: Following the Government's decision to cease taking royalty in kind from 31 December 1988, the work of the Oil and Pipelines Agency has been progressively wound up and its only remaining role is that of managing agent for the Government pipeline and storage system (GPSS). In accordance with the decision announced by my predecessor in October last year responsibility for the GPSS was transferred from the Department of Energy to the Ministry of Defence on 1 April 1989. The Ministry of Defence has decided to retain the Oil and Pipelines Agency as managing agent for the GPSS and responsibility for the agency is therefore being transferred today with the approval of my right hon. Friend, the Prime Minister to my right hon. Friend, the Secretary of State for Defence.

OVERSEAS DEVELOPMENT

Nicaragua

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the aid provided to Nicaragua in 1988 and the current year to the most recent practicable date and state the amount allocated to each project.

Mrs. Chalker: In 1988 we provided £180,000 for disaster relief, following Hurricane Joan. In 1989 we have provided £80,000 for this purpose. Our share of European Community aid in 1988 was approximately £3·3 million. This included food aid, technical assistance for agricultural reform and emergency aid. No figures are available for 1989.

Details of amounts provided for projects jointly funded with British voluntary agencies are available for the financial year 1988-89 but not for calendar years 1988 and 1989. They are:

	£
Agricultural development programme	867
Installation of potable water supplies	5,961
Traditional medicine programme	4,546
Bee-keeping	2,500
Esteli herbs	20,257
Las Segovias mother and child programme	4,650

NORTHERN IRELAND

Rail Link (Belfast to Dundonald)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has for the provision of a rail link from *(a)* Belfast to Dundonald and *(b)* Dundonald to Comber; what proposals there are for selling the former tracks of the Dundonald to Comber railway line; and if he will make a statement on the improvement of transport connections between Belfast and Comber.

Mr. Peter Bottomley: The Northern Ireland Transport Holding Company is about to commission Queen's university and the University of Ulster to undertake a "Comprehensive Appraisal of Alternative Urban Transport Technologies for Belfast". This will include an investigation into the application of light rapid transit to Belfast and surrounding areas. There are no proposals to improve transport connections between Dundonald and Comber. Part of the track between Ballyloughran and Ballyrainey is currently on offer for sale.

Northern Ireland Assembly

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many persons are employed by the Northern Ireland Assembly at Parliament Buildings, Stormont; what is the annual expenditure of the Northern Ireland Assembly; and if he will make a statement about the Northern Ireland Assembly.

Mr. Cope: Eleven, including one part-time. The Northern Ireland Assembly cost £318,000 last year and £341,000 has been allocated for 1989-90. This figure includes £97,000 granted for deficiency contributions to pension funds of the Assembly and former House of Commons. The salary of the Clerk is (under section 24(6) of the Northern Ireland Constitution Act 1973) charged to the Consolidated Fund.

It continues to be the Government's policy to encourage progress towards devolution. Pending the resumption of such a role by elected representatives, staff of the Northern Ireland Assembly, which was dissolved on 23 June 1986, continue to perform residual functions.

Ulster Defence Regiment

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many members of the Ulster Defence Regiment were arrested on Sunday 8 October; how many members of the Royal Ulster Constabulary were involved in this operation; what is the estimated cost of the Royal Ulster Constabulary participation in this operation; if the authorities in the Republic of Ireland were given advance notice of this operation; how many of the arrested Ulster Defence Regiment men were subsequently charged with offences; how many of the arrested Ulster Defence Regiment men were remanded in custody; and if he will make a statement.

Mr. Cope *[holding answer 17 October 1989]:* All police operations in the Province are the responsibility of the Chief Constable of the Royal Ulster Constabulary and he has informed me that 28 members of the UDR were arrested on Sunday 8 October. The police operation involved 334 RUC officers and cost an estimated £45,000. Six UDR soldiers have been charged with criminal offences and all were initially remanded in custody; four have now been released on bail by the High Court. No advance notice was given of the operation to the authorities in the Republic of Ireland.

ATTORNEY-GENERAL

Republic of Ireland (Extradition)

Mr. John D. Taylor: To ask the Attorney-General how many applications to the Republic of Ireland for the extradition of persons in connection with alleged terrorist crimes have been successful since 15 November 1985.

The Attorney-General: A total of three persons whose return was sought in connection with alleged terrorist crimes have been returned to the United Kingdom since 15 November 1985.

Father Patrick Ryan

Mr. John D. Taylor: To ask the Attorney-General when the initial application for the extradition of Father Patrick Ryan was lodged with the authorities in the Republic of Ireland; if he can report progress; and if he will make a statement.

The Attorney-General: I refer the right hon. Gentleman to my reply to a private notice question from the hon. Member for Norwood (Mr. Fraser) on 14 December 1988. The decision of the Irish Attorney-General on 12 December 1988 effectively precludes any further attempt to seek an order for Patrick Ryan's return from the Republic of Ireland.

Croydon Court Centre

Mr. Fraser: To ask the Attorney-General what steps are being taken to improve the procedure for taxing bills at the Croydon combined court centre.

The Attorney-General: Arrears in the taxation of solicitors' bills in civil proceedings were identified in July 1989. Immediate steps were taken to rectify the position, including the provision of some additional registrar time and overtime for court staff. The arrears have now been substantially cleared.

County Courts (Midland and Oxford Circuit)

Mr. Corbett: To ask the Attorney-General what, at each of the county courts on the Midland and Oxford circuit by name is the *(a)* shortest and *(b)* longest time currently being taken to obtain a hearing for possession of land actions; and what was the position one and two years earlier.

The Attorney-General *[holding answer 20 October 1989]:* The tables show the current position for possession hearings at each county court on the Midland and Oxford circuit. Apart from Birmingham county court, the present position is much as it was one and two years ago. At Birmingham the city council has substantially increased the number of possession actions in respect of rent arrears in recent months. Consideration is being given to ways of reducing the time taken to obtain a hearing at Birmingham county court.

Shortest and longest time taken to obtain a hearing for possession of land actions at county courts by court administrator group
Birmingham Group

Court	Shortest (weeks)	Longest (weeks)
Banbury County	8	8
Birmingham County	7	22
Corby County	7	7
Huntingdon County	5	6
Kettering County	7	7
Nuneaton County	4	8
Rugby County	8	8
Stratford County	4	7
Wellingborough County	7	7
Coventry combined	6	6
Northampton combined	7	7
Oxford combined	7	7
Peterborough combined	5	9
Warwick combined	6	6

Shortest and longest time taken to obtain a hearing for possession of land actions at county courts by court administrator group
Nottingham Group

Court	Shortest (weeks)	Longest (weeks)
Alfreton County	7	8
Boston County	4	11
Buxton County	7	10
Chesterfield County	6	6
Derby County	5	9
Gainsborough County	4	8
Grantham County	6	9
Grimsby County	7	9
Ilkeston County	6	14
Leicester County	8	9
Lincoln County	6	12
Loughborough County	4	8
Mansfield County	5	6
Matlock County	6	6
Melton Mowbray County	4	13
Newark County	5	7
Nottingham combined	6	7
Scunthorpe County	7	7
Skegness County	5	8
Sleaford County	7	8
Spalding County	4	8
Worksop County	5	7

Shortest and longest time taken to obtain a hearing for possession of land actions at county courts by court administrator group
Stafford Group

Court	Shortest (weeks)	Longest (weeks)
Burton on Trent	6	6
Dudley	5	6
Evesham	9	9
Great Malvern	5	8
Hereford	6	8
Kidderminster	5½	7½
Lichfield	4	4
Ludlow	6	8
Market Drayton	5	5
Oswestry	7	10
Redditch	6	9
Shrewsbury	7	9
Stafford	4	8
Stoke on Trent	6	6
Stourbridge	6	8
Tamworth	6	7
Telford	4	9
Walsall	7	8
West Bromwich	4	4
Wolverhampton	6	10
Worcester	4	7

PRIME MINISTER

Energy Conservation

Q7. **Mr. Bowis:** To ask the Prime Minister if she has received recent representations regarding energy conservation.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of representations regarding energy conservation and energy efficiency. Over the last four years for which figures are available the United Kingdom's ratio of energy use to GDP has increased at twice the EC average.

East Germany

Q19. **Mr. Leigh:** To ask the Prime Minister if she has received recent representations regarding human rights in East Germany.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of representations. There is widespread and justified concern in this country about human rights abuses in the German Democratic Republic.

USSR

Q27. **Mr. Alexander:** To ask the Prime Minister if she has received recent representations regarding United Kingdom relations with the USSR.

Sir Geoffrey Howe: I have been asked to reply.

The Government receive many representations about Anglo-Soviet relations both from members of the public and from interested organisations. There is widespread support for our determination to strengthen these relations and to support perestroika. The Prime Minister emphasised this when she was in Moscow in September.

Environmental Policy

Q39. **Mr. Malins:** To ask the Prime Minister if she has received recent representations regarding environmental policy.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister received a number of recent representations about the environment, stimulated by the pace of our initiatives on environmental protection.

Water Industry

Q83. **Mr. Marland:** To ask the Prime Minister if she has received recent representations regarding the water industry.

Sir Geoffrey Howe: I have been asked to reply.

The Government have received a wide range of representations, especially on the subject of privatisation, which in our view represents the best way of achieving even higher standards of water quality more quickly and more cost effectively.

Local Government (London)

Q92. **Mr. Fishburn:** To ask the Prime Minister if she has received recent representations regarding local government in London.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister frequently receives representations about local government.

Hungary

Q106. **Sir Anthony Grant:** To ask the Prime Minister if she has received recent representations regarding United Kingdom relations with Hungary.

Sir Geoffrey Howe: I have been asked to reply.

Our relations with Hungary are currently excellent. My right hon. Friend the Prime Minister is looking forward to meeting Hungarian State Minister Imre Pozsgay again on 27 October, and to the visit of Mr. Nemeth, the Hungarian Prime Minister in December. We welcome the many positive changes that are happening in Hungary. We have recently announced that we shall be establishing a fund to spend £25 million over five years to support progress towards democracy and a market economy in Hungary.

Poland

Q115. **Mr. Page:** To ask the Prime Minister if she has received recent representations regarding United Kingdom relations with Poland.

Sir Geoffrey Howe: I have been asked to reply.

Our relations with Poland are excellent. We wish the new, Solidarity-led Government every success. It has made a courageous start. The Prime Minister had talks with General Jaruzelski and with Professor Geremek of Solidarity in June, and very much looks forward to meeting Mr. Walesa here soon. We are committed to a major international effort to support Polish economic reform and recovery based on an IMF programme. Bilaterally we are giving £25 million over five years to provide training in the political and economic skills Poland needs. For example, last week a group of Polish members of parliament was here to study how our own parliamentary system works. The European Community is sending food to Poland. 200 million ecus from next year's budget will concentrate on projects for agriculture, the environment and vocational training.

Llanfihangel-y-fedw

Q125. **Mr. Flynn:** To ask the Prime Minister if she will make an official visit to the village of Llanfihangel-y-fedw in Newport, West.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has at present no plans to do so.

Nuclear Waste

Q130. **Sir Hugh Rossi:** To ask the Prime Minister if she has received recent representations regarding nuclear waste disposal.

Sir Geoffrey Howe: I have been asked to reply.

Recently a number of representations have been received from Norwegian citizens and three have been received from United Kingdom residents about nuclear waste disposal.

Steel Industry

Q147. **Mr. William Powell:** To ask the Prime Minister if she has received recent representations regarding the British steel industry.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received representations on this subject.

Cyprus

Q194. **Mr. Cyril D. Townsend:** To ask the Prime Minister if she has received recent representations regarding United Kingdom relations with Cyprus.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has received a number of such representations from various quarters. I am happy to say that our relations with Cyprus are excellent.

Economy

Q195. **Mr. Cash:** To ask the Prime Minister if she has received recent representations regarding the performance of the economy.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister regularly receives a large number of representations.

Federal Republic of Germany

Q209. **Mr. John Butcher:** To ask the Prime Minister if she has any plans to meet the Chancellor of the Federal Republic of Germany.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister expects to meet Chancellor Kohl at a meeting of European Community Heads of Government in Strasbourg on 8 and 9 December.

Lancashire

Mr. Jack: To ask the Prime Minister when she next proposes to visit Lancashire.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister has no plans to do so.

Engagements

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 24 October.

Sir Geoffrey Howe: I have been asked to reply.

My right hon. Friend the Prime Minister is returning from the Commonwealth Heads of Government meeting in Kuala Lumpur.

HOUSE OF COMMONS

Division Bells

Mr. Thurnham: To ask the Lord President of the Council how frequently the tests of the Division bells reveal defects; and if he will make a statement.

Sir Geoffrey Howe: Defects in the Division Bell system are revealed only infrequently; this level of performance is achieved by the daily maintenance and inspection of the system which includes attention to areas of potential weakness.

Bills (Timetables)

Dr. Cunningham: To ask the Lord President of the Council if he will produce a table showing for each Bill introduced in this Parliament the time taken at *(a)* Second Reading, *(b)* Committee stage, both in Standing Committee and on the Floor of the House of Commons, *(c)* Report stage, *(d)* Third Reading, *(e)* where applicable, time spent on the guillotined stages, *(f)* Lords amendments and *(g)* in total.

Sir Geoffrey Howe: A table showing the information requested for each Bill introduced in this Parliament could be provided only with disproportionate cost. The information for Government Bills introduced in this Session only, up to and including 18 October 1989, is given in the table. I would refer the hon. Member to the answer in *Official Report* of 3 November 1988, columns *717-720* for similar information relating to the 1987-88 Session.

Figures are quoted in hours and minutes

Bill	*(a) Second Reading*	*(b) Committee*[1]	*(c) Report*	*(d) Third Reading*	*(e) Allocation of time (all relevant stages)*[2]	*(f) Lords Amendments*	*(g) Total*
Antarctic Minerals *[Lords]*	3·00	4·05	3·48	1·05	—	—	11·58
Atomic Energy *[Lords]*	2·27	4·59	—	[4]0·54	—	—	8·20
Brunei Appeals *[Lords]*	0·03	0·01	—	—	—	—	0·04
Children *[Lords]*	5·39	38·41	—	—	—	—	44·20
Civil Aviation (Air Navigation Charges *[Lords]*	0·01	0·19	—	[4]0.01	—	—	0·21
Companies *[Lords]*	2·59	39·33	—	—	—	—	42·32
Continental Shelf *[Lords]*	0·01	[3]0.01	—	[4]0·01	—	—	0·03
Dock Work	5·50	46·27	4·07	3·59	(25·59)	—	60·23
Elected Authorities (Northern Ireland)	5·46	7·58	6·15	1·24	—	—	24·41
Electricity	11·18	127·14	20·58	1·04	—	9·24	169·58
Employment	6·14	41·39	14·02	1·01	—	—	62·56
Extradition *[Lords]*	0·13	[3]0·02	—	[4]0·06	—	—	0·21
Fair Employment (Northern Ireland)	5·10	35·08	3·33	1·58	—	3·05	57·08
Finance	5·56	{65·37 [3]{15·36	12·21	0·47	—	—	100·17
Football Spectators *[Lords]*	6·06	53·52	—	—	(17·13)	—	59·58
Human Organ Transplants	0·01	2·28	0·42	0·01	—	—	3·12
Law of Property (Miscellaneous Provisions)	0·01	0·01	0·09	0·04	—	—	0·15
Local Government and Housing	5·52	89·26	19·32	3·23	—	—	126·07
National Maritime Museum *[Lords]*	0·01	0·01	—	[4]0·28	—	—	0·30
Official Secrets	6·08	[3]29·34	4·09	1·13	(21·26)	0·32	41·36
Pesticides (Fees and Enforcement)	0·01	1·01	—	[4]0·14	—	—	1·16
Petroleum Royalties (Relief and Continental Shelf)	2·11	[3]0·08	—	[4]0·01	—	—	2·20
Police Officers (Central Service) *[Lords]*	0·36	0·01	—	[4]0·01	—	—	0·38
Prevention of Terrorism (Temporary Provisions)	4·56	57·38	5·04	1·15	(8·03)	0·02	68·55
Representation of the People	2·01	[3]2·18	—	[4]0·10	—	—	4·29
Road Traffic (Driver Licensing and Information Systems) *[Lords]*	2·06	4·37	1·55	0·42	—	—	9·20
Security Service	5·45	[3]9·21	—	[4]3·53	—	—	18·59
Self-Governing Schools &c. (Scotland)	5·47	127·13	7·18	1·15	(26·59)	—	141·33
Social Security	5·13	71·43	12·32	0·37	—	3·05	92·56

Bill	(a) Second Reading	(b) Committee[1]	(c) Report	(d) Third Reading	(e) Allocation of time (all relevant stages)[2]	(f) Lords Amendments	(g) Total
Transport (Scotland)	5·20	33·05	5·23	1·13	—	0·23	45·24
Water	10·39	145·42	17·17	3·48	(101·11)	9·01	

[1] Figures do not take account of suspensions of committees.
[2] Does not include time spent on allocation of time motions themselves.
[3] Committee of the whole House.
[4] Third reading includes formal report stage.

Security Passes

Mr. Tony Banks: To ask the Lord President of the Council how many Commons pass applications have been received during the summer recess in respect of overseas students working for Members; how many are still awaiting security clearance; what is the average time taken to process such applications.

Sir Geoffrey Howe *[pursuant to his reply, 18 October 1989, c. 141]:* Only one pass application received during the summer recess in respect of Members' temporary research assistants from overseas is now still awaiting clearance.

EDUCATION AND SCIENCE

Under-fives

Mr. Cohen: To ask the Secretary of State for Education and Science if he will list all submissions received by the committee on the education of under-fives; which of these have been circulated to all committee members; what criteria are used to determine which submissions will not be circulated; and if he will make a statement.

Mrs. Rumbold: The organisations and individuals listed in the table have submitted written evidence to the committee. Submissions from nationally representative organisations are circulated in full to members, assessors and observers as a matter of course. In the interests of efficiency other submissions are not automatically given full circulation but members receive salient details and may request copies of any item.

British Association for Early Childhood Education
Geographical Association
National Association for Gifted Children Ltd.
National Childminding Association
National Curriculum Council
National Association of Head Teachers
Northamptonshire Early Childhood Centre
Rachel McMillan Nursery School
Pre-school Playgroups Association
Society of Education Officers
University of Warwick Department of Education

Mr. C. Blyth and Mr. F. Wallace
Mrs. J. M. Burns
Ms. Beryl Johnson
Mrs. Carolyn A. Jones
Ms. Jane Kirby
Ms. M. Lally
Ms. Caroline Matusiak
Mrs. Janet Morris
Mrs. Mary Richardson
Mr. J. Thackray and Ms. F. Sturt
Jay Trevis
Ms. H. Waddup and Ms. M. Randell
Ms. Sylvia Walker

Teacher Vacancies

Mr. Redmond: To ask the Secretary of State for Education and Science if he will list by *(a)* county and *(b)* local education authority the number of teacher vacancies to date; and if he will show this figure also as a percentage.

Mr. Alan Howarth: Numbers of vacancies in January 1989 for full-time permanent teachers in maintained schools in England are given in the table.

Full-time permanent teacher vacancies in maintained nursery, primary and secondary schools—England, January 1989

Local Education authority/region	Number of vacancies	As a percentage of teachers in post
Gateshead	31	1·8
Newcastle upon Tyne	50	2·3
North Tyneside	0	0·0
South Tyneside	0	0·0
Sunderland	13	0·5
Cleveland	12	0·2
Cumbria	22	0·6
Durham	15	0·3
Northumberland	11	0·4
North	154	0·6
Barnsley	5	0·3
Doncaster	22	0·8
Rotherham	32	1·4
Sheffield	12	0·3
Bradford	28	0·6
Calderdale	20	1·2
Kirklees	30	0·9
Leeds	61	1·0
Wakefield	70	2·6
Humberside	29	0·4
North Yorks	46	0·9
York and Humberside	355	0·9
Knowsley	10	0·6
Liverpool	20	0·4
St. Helens	9	0·5
Sefton	3	0·1
Wirral	19	0·7
Bolton	11	0·5
Bury	14	1·0
Manchester	55	1·4
Oldham	7	0·3
Rochdale	33	1·7
Salford	58	2·8
Stockport	14	0·6
Tameside	38	2·1
Trafford	9	0·6
Wigan	9	0·3
Cheshire	24	0·3
Lancashire	193	1·8
North West	526	1·0
Derbyshire	76	1·0
Leicestershire	44	0·6
Lincolnshire	52	1·2
Northamptonshire	10	0·2

Local Education authority/region	Number of vacancies	As a percentage of teachers in post
Nottinghamshire	108	1·3
East Midlands	290	0·9
Birmingham	188	2·2
Coventry	24	0·9
Dudley	48	1·9
Sandwell	25	0·9
Solihull	27	1·6
Walsall	4	0·2
Wolverhampton	24	1·0
Hereford and Worcester	50	1·0
Shropshire	13	0·4
Staffordshire	50	0·6
Warwickshire	31	0·8
West Midlands	484	1·1
Cambridgeshire	39	0·8
Norfolk	31	0·6
Suffolk	36	0·8
East Anglia	106	0·7
Barking	51	4·0
Barnet	85	3·9
Bexley	31	1·9
Brent	32	1·6
Bromley	10	0·6
Croydon	39	1·7
Ealing	116	5·5
Enfield	72	3·6
Haringey	128	8·5
Harrow	16	1·2
Havering	51	2·7
Hillingdon	58	3·5
Hounslow	24	1·5
Kingston	9	0·9
Merton	47	4·1
Newham	194	8·2
Redbridge	36	2·3
Richmond	1	0·1
Sutton	21	1·9
Waltham Forest	75	4·2
ILEA	1,028	6·5
South East Greater London	2,124	4·3
Bedfordshire	117	2·8
Berkshire	91	1·7
Buckinghamshire	73	1·6
East Sussex	74	1·9
Essex	123	1·1
Hampshire	134	1·3
Hertfordshire	109	1·4
Isle of Wight	0	0·0
Kent	224	2·1
Oxfordshire	9	0·3
Surrey	131	2·2
West Sussex	74	1·7
Other South East	1,159	1·6
Avon	21	0·3
Cornwall	47	1·4
Devon	122	1·9
Dorset	11	0·3
Gloucestershire	0	0·0
Somerset	73	2·4
Wiltshire	68	1·7
South West	342	1·1
Total England	5,540	1·5

Overseas Teachers

Mr. Redmond: To ask the Secretary of State for Education and Science if he will list by local education authority the number of overseas teachers who have taken up posts since the beginning of the current school year and the countries from which they come.

Mr. Alan Howarth: The information is not available in the form requested. During the month of September, 323 teachers trained outside the United Kingdom have been considered for qualified teacher status by the Department. Of these, 153 have been accorded status. The country in which their qualifications were obtained are as follows:

Country	Teacher number considered	Accepted	Rejected
Australia	78	23	55
Austria	1	0	1
Bangladesh	5	0	5
Belgium	3	3	0
Brazil	2	1	1
Canada	6	0	6
Chile	1	0	1
Denmark	2	2	0
East Africa	1	0	1
France	5	5	0
Gambia	1	0	1
Germany (West)	13	13	0
Ghana	2	0	2
India	21	0	21
Israel	1	0	1
Italy	2	2	0
Kenya	4	0	4
Morocco	1	0	1
Netherlands	2	2	0
New Zealand	56	21	35
Nigeria	4	0	4
Norway	1	0	1
Peru	1	1	0
Philippines	4	0	4
Poland	1	0	1
Republic of Ireland	72	72	0
South Africa	9	1	8
Spain	4	4	0
Sri Lanka	2	0	2
Sweden	3	1	2
Trinidad and Tobago	1	0	1
Turkey	1	0	1
USA	9	2	7
USSR	1	0	1
West Africa	2	0	2
Yugoslavia	1	0	1
Total	323	153	170

Teacher Shortages (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for Education and Science what are the current figures of teacher shortages in south Yorkshire by *(a)* local education authority and *(b)* subject.

Mr. Alan Howarth: Numbers of vacancies in January 1989 for full-time permanent teachers in nursery, primary and secondary schools maintained by the four local education authorities in South Yorkshire are shown in the table.

Full-time teacher vacancies in maintained nursery, primary and secondary schools in South Yorkshire, January 1989

	Number
Total vacancies	71
By LEA:	
Barnsley	5
Doncaster	22
Rotherham	32
Sheffield	12
By sector and subject/age group:	
Nursery and primary schools	
nursery age group	3
infant age group	13
junior age group	9
more than one age group	17
Total nursery and primary	42
Secondary schools	
mathematics	
chemistry	2
physics	1
other science	1
French	2
other language	1
English	1
drama	3
geography	1
religious education	1
music	4
physical education	4
remedial	2
others	1
Total secondary	[1]5

[1] Including three deputy heads for whom no subject specified.

Institute of Food Research

Mr. Spearing: To ask the Secretary of State for Education and Science if he will state the number of scientific officers being made redundant or eligible for early retirement from the Institute of Food Research, Bristol, together with the numbers of such officers being transferred to each of other named institutions.

Mr. Jackson: This information is not available. It will not be known until the level of funding beyond 1990-91 for the AFRC Institute of Food Research, of which the Bristol laboratory is part, is known; the consequences in terms of identifying surplus posts and carrying out the redundancy procedures of the Council have been completed; and discussions with third parties concluded.

Student Loans (Northern Ireland)

Mr. Beggs: To ask the Secretary of State for Education and Science if he will make a statement on the implications of student loans for Northern Ireland students.

Mr. Jackson: Students ordinarily resident in Northern Ireland attending full-time higher education courses in Great Britain will be eligible for top-up loans, as will students ordinarily resident in England, Scotland or Wales attending courses in Northern Ireland.

Teachers' Pay

Mr. Beggs: To ask the Secretary of State for Education and Science whether he will allow the interim advisory committee freedom to determine pay levels in the teaching profession by removing restrictions arising from cash limits.

Mrs. Rumbold: No.

Teacher Training

Mr. Andrew Smith: To ask the Secretary of State for Education and Science how much central Government have contributed to the local education authority training grants scheme in each of the past five years; how much they plan to contribute up to 1991-92; and if he will make a statement on the trend in the central Government contribution in percentage terms.

Mr. Alan Howarth: The table shows how much money the Government have made available through the scheme, and how much expenditure this has supported, for each financial year since the scheme began:

England and Wales, (£000s)

Year	Total expenditure supported	Total government grant allocated	Per cent
1987-88	205,360	108,510	53·0
1988-89	218,937	125,700	57·0
1989-90	227,380	131,640	58·0
1990-91	229,090	134,165	59·0
1991-92	[1]—	—	

[1] Not yet determined.

Under the former in-service teacher training grants scheme, which this scheme replaced, a further £17·27 million was made available in 1985-86 and £20·74 million in 1986-87 to support in-service training.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science how much is currently spent on in-service training for teachers; and if he will also express this figure as a percentage proportion of the total teachers' salaries bill.

Mr. Alan Howarth: Local education authorities in England have indicated that they are planning to spend £289 million on the in-service training of teachers in 1989-90. This represents about 4 per cent. of the total teachers salary bill for that year. Support for in-service training is also available through the Universities Funding Council, the Polytechnics and Colleges Funding Council, the Open University, the National Curriculum Council and other agencies.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what plans he has to set up a national advisory body for in-service training and teachers.

Mr. Alan Howarth: None.

Assisted Places

Mr. Andrew Smith: To ask the Secretary of State for Education and Science how much is currently spent on the assisted places scheme.

Mr. Alan Howarth: Provision for expenditure on the assisted places scheme in England for the financial year 1989-90 is £59,049,000.

Student Accommodation

Mr. Hardy: To ask the Secretary of State for Education and Science how many students in institutions of higher education are currently residing in sub-standard or unsatisfactory accommodation.

Mr. Jackson: Information about sub-standard or unsatisfactory accommodation is not held centrally. Student accommodation is the responsibility of institutions.

Mandatory Grants

Mr. Madden: To ask the Secretary of State for Education and Science if he will make it his policy to reduce the residential qualification for mandatory grants especially in cases where applicants wish to take courses necessary in obtaining a teaching qualification.

Mr. Jackson: No.

SCOTLAND

Housing

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table showing central Government support per house in each district council area in each year in the period 1977-78 to 1988-89.

Lord James Douglas-Hamilton: If the hon. Member could be more specific about the information he is seeking, I shall try to provide it.

Loan Charges

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table showing the annual total loan charges payable by the four city district councils in each of the past five years.

Lord James Douglas-Hamilton: The information for the latest available years is as follows:

Loans charges paid

	1983-84 £ million	*1984-85 £ million*	*1985-86 £ million*	*1986-87 £ million*	*1987-88 £ million*
Aberdeen	25·1	28·9	29·6	28·5	32·6
Dundee	20·7	23·7	26·3	27·3	34·3
Edinburgh	35·4	41·6	41·0	42·2	45·8
Glasgow	126·1	142·1	155·7	160·6	167·9

Mr. Sillars: To ask the Secretary of State for Scotland what is his estimate of the effect of current interest rates on the loan charges facing Scottish local authorities in the present financial year.

Lord James Douglas-Hamilton: Local authorities have budgeted for loan and leasing charges of £605 million on services relevant for revenue support grant in 1989-90. The latest available estimates—which do not take account of the most recent increase in interest rates—indicate that this figure may be £20 million higher as a result of interest rate changes. The majority of the loans taken out by local authorities are at fixed rates of interest. Therefore, loan charges depend to a large extent on the interest rate current when a loan was taken out, and fluctuations in interest rates have a lesser effect than would otherwise be the case.

Loan charges, budgeted to be met from housing revenue accounts, amount to £495 million for 1989-90 and the effect of increased interest rates is under consideration. If necessary, a housing support grant variation order will be made in due course.

Lithotriptor Centre

Mr. Sillars: To ask the Secretary of State for Scotland what is the average time a National Health Service patient would wait for first treatment at the Scottish lithotriptor centre.

Mr. Michael Forsyth: Patients with severe symptoms requiring immediate treatment are treated immediately. Other urgent patients are treated within three to four weeks. Patients whose symptoms are less severe may have to wait up to one year for treatment although if their condition deteriorates their priority for treatment will be reassessed. Recent changes at the unit have enabled more patients to be treated each week. This should help to reduce waiting times.

Capital Debt

Mr. Sillars: To ask the Secretary of State for Scotland what is the outstanding capital debt of Scottish local authorities; and what is the housing capital debt within the total.

Lord James Douglas-Hamilton: The latest returns available show that at 31 March 1988, the total outstanding capital debt of Scottish local authorities was £8 billion, of which £4·4 billion was housing capital debt.

Bracken

Mrs. Ray Michie: To ask the Secretary of State for Scotland what research his Department has conducted into the possible link between inhalation of spores from bracken fern and cancer; if he will publish the results; and if he will make a statement.

Lord James Douglas-Hamilton: The Department is not directly involved in such research. However research work has been carried out for a number of years at the Royal Botanic Garden, Edinburgh, on the biology of bracken, including the periodicity of spore release, and its control. Work on bracken control and on monitoring its distribution in Scotland has been carried out by the Macaulay land use research institute.

Untreated Sewage

Mrs. Ray Michie: To ask the Secretary of State for Scotland what representations have been received regarding the disposal of untreated domestic sewage at sea off the west coast of Scotland; what steps his Department intends to take to prevent this from happening; and what provision is made by regional councils for the disposal of septic tank wastes.

Lord James Douglas-Hamilton: From time to time specific representations are received about discharges of sewage at particular sites off the west coast of Scotland.

Responsibility for discharges from public sewerage systems and outfalls lies with the regional or islands council concerned. All discharges to the sea of sewage effluent require the consent of the local river purification authority who can set conditions which may include the volume and quality of the discharges. Failure to comply with consent conditions may result in prosecution.

Most regional and island councils collect and dispose of septic tank wastes as part of their overall sewage disposal operation. In many areas septic tank waste is dealt with at local sewage treatment works. In other cases disposal to land or to sea may provide the best practicable environmental option.

Dyslexia

Dr. Godman: To ask the Secretary of State for Scotland how many sufferers of dyslexia were assessed as registered disabled persons and had their names entered on the registered disabled persons' register in each of the past seven years; and if he will make a statement.

Mr. Lang: Information on the number of persons in particular categories of disability is not collected centrally. Local authorities are required to inform themselves of the numbers of chronically sick and disabled persons within their areas. They are not, however, required to keep registers for the purpose.

Historic Monuments

Mr. Wallace: To ask the Secretary of State for Scotland if he will state the sums spent on *(a)* preservation of monuments in care, *(b)* archaeology and *(c)* assisting with the repair of historic buildings in (i) Scotland, (ii) Shetland and (iii) Orkney in each financial year since 1983-84.

Lord James Douglas-Hamilton: The sums spent are in the table.

£000s

	1983-84	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
(a) Presentation of monuments in care						
(i) Scotland	286	624	771	1,150	968	2,027
(ii) Shetland	—	—	—	35	16	7
(iii) Orkney	—	—	—	—	6	40
(b) Rescue Archaeology and Archaeology at monuments in care						
(i) Scotland	698	745	781	866	1,006	1,138
(ii) Shetland	12	1	—	3	5	7
(iii) Orkney	118	136	137	147	133	13
(c) Historic Building Repair Grant						
(i) Scotland	2,734	2,618	3,871	3,651	5,443	6,474
(ii) Shetland	1	—	—	14	—	2
(iii) Orkney	34	16	28	77	38	76

Note: 1. The Scotland figure for 1988-89 under (a) includes £1·370 million at Edinburgh Castle.
2. Rescue archaeology predominates in (b), and expenditure is incurred in response to threats to sites from development or natural causes such as erosion.
3. Expenditure on historic building repair grant arises from application by owners.

Forestry

Sir Hector Monro: To ask the Secretary of State for Scotland if he will review the criteria for the release of agricultural land for forestry planting in Scotland.

Mr. Rifkind: Since I announced revised criteria for forestry planting on agricultural land in Scotland on 24 March 1986, there have been a number of significant developments affecting forestry and agriculture. In particular, the Government have introduced a number of new initiatives to encourage planting on better quality land as well as increasing the overall planting target to 33,000 hectares a year for new forestry planting, with an additional 12,000 hectares a year for planting under the farm woodland scheme. It is clear that there will continue to be considerable interest in new forestry planting in Scotland. I have, therefore, considered changes which might be made to the criteria for the release of agricultural land to facilitate this achievement of the type and level of planting for which we are aiming while preserving an acceptable balance with agriculture, the environment and other interests. I have also taken the opportunity to simplify the criteria. In bringing forward these proposals I have consulted both the Countryside Commission for Scotland and the Nature Conservancy Council.

There is a continuing need to retain in agriculture prime quality land, which is in general too scarce and important a resource in Scotland to be put to any other use, and to protect the land necessary to maintain a thriving hill sheep farming industry to underpin the economy of the hill areas. In the present situation, however, there is not generally so pressing a need to preserve other land for agricultural use and I am in particular willing in appropriate circumstances to support the release for forestry planting of non-prime arable land—that is, land falling within classes 3.2 and 4 of the land capability classification for agriculture—where such planting could play an important part in reducing agricultural surpluses, and bring significant environmental benefits.

Applications under the Forestry Commission's woodland grant scheme and the commission's own proposed land acquisitions will continue to be considered on their merits through the usual procedures for consultation between the commission and other interested authorities. To simplify the criteria for the release of agricultural land

for forestry planting, a single threshold of 40 hectares has been set for consultation with my Department. Consultation will not be required for planting applications in respect of areas of land falling below this threshold except in the following cases:

applications relating to prime quality agricultural land, for that is, land falling within classes 1, 2 and 3·1 of the land capability classification for agriculture, and to specifically identified areas where the scope for afforestation has to be severely constrained to ensure that the hill sheep industry continues to thrive. In these cases my Department will apply a general presumption against release of the land for forestry planting. Separate applications for areas of land of less than 40 hectares submitted either simultaneously or consecutively and relating to the same agricultural unit, which together exceed 40 hectares. Applications relating to areas of land in respect of which agricultural grant has been paid within the previous two years where consultation is necessary to ensure that there is no conflict between the requirements of the relevant agricultural grant scheme and the planting proposals. For the same reason consultation will also be necessary in relation to land which is the subject of a conservation agreement under the environmentally sensitive area scheme (ESA). The Forestry Commission will continue generally to take account of the special status of ESAs in considering applications within the designated areas.

The requirement for consultation on all applications in these categories does not, however, necessarily imply that objections to the planting proposals involved will be raised on agricultural grounds. There will otherwise be a general presumption in favour of the release of agricultural land for forestry planting. This means that the Department will have to demonstrate that the presumption in favour of release should not apply in any particular case where a planting proposal is regarded as being unacceptable on agricultural grounds, for instance because release of the land involved would undermine the agricultural structure of the area.

A map, copies of which have been placed in the Library of the House, is being made available to interested parties showing the areas of hill sheep land and of prime quality agricultural land where a general presumption against release for forestry planting will apply; the map also shows the boundaries of the Scottish ESAs. The location of the prime quality agricultural land in Scotland can be found in greater detail, in maps produced by the Macaulay land use research institute.

I have also taken the opportunity to revise the procedures for carrying out assessments of planting proposals to reduce the time taken to deal with applications.

I hope that these changes in criteria and procedures will result in a better understanding of the circumstances in which agricultural land will be released for forestry planting and will help to promote an increase in the levels of new planting in areas where this can be accommodated without detriment to, and in many cases with positive benefit for, the environment.

Procurator Fiscal

Mr. Maclennan: To ask the Secretary of State for Scotland what proportion of reports submitted by the police and other reporting agencies to the procurator fiscal were marked "no proceedings" in the fiscaldom of *(a)* Wick and *(b)* Dornach for the whole of 1987 and 1988.

Lord James Douglas-Hamilton *[holding answer 23 October 1989]:* The proportion of reports submitted by the police and other reporting agencies to the procurator fiscal of Wick and Dornach which were marked "no proceedings" for the whole of 1987 and 1988 were 18 per cent. and 17 per cent. and 11 per cent. and 7 per cent. respectively.

FOREIGN AND COMMONWEALTH AFFAIRS

Political Groups (EC)

Mr. Meale: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will tabulate in the *Official Report*, the amounts paid, in 1988 pound sterling equivalents, to each of the political groups of the European Parliament, together with an indication of any allocated expenditure within the totals and the total expected expenditure in 1990.

Mr. Maude: The information requested for 1988 is not immediately available, but a reply will be given as soon as possible.

The EC budget for 1990, and hence the European Parliament provision, cannot be adopted before the December plenary session of the European Parliament.

Border Controls

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to monitor the work of the Schengen group of European Community countries in its planning for the abolition of border controls; and if he will make a statement.

Mr. Maude: We are naturally interested in the experience of the Schengen partners in seeking to reduce frontier controls. We are monitoring progress closely through contacts with the member states concerned. I understand that they are unlikely to meet the 1990 deadline for abolishing land frontiers between them.

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs why Her Majesty's Government are not participating in the Schengen group's work on European Community border controls.

Mr. Maude: The Schengen agreement is an arrangement between France, the Federal Republic and the Benelux countries. Their work is entirely separate from the wider discussions on free movement of people which are taking place among all member states of the European Community, in which the United Kingdom participates fully and actively.

Ukraine

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to establish a British embassy in the Ukraine; and if he will make a statement.

Mr. Waldegrave: No. The British embassy in Moscow handles all work relating to British interests in the Ukraine.

Punjab

Mr. Geoffrey Robinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Indian Government about the continuing troubles in the Punjab.

Mr. Sainsbury: None. We co-operate closely with the Government of India in the fight against a violent challenge to the rule of law from ruthless terrorists. We have no sympathy with people who use violence to threaten India's unity and cohesion.

Mr. Geoffrey Robinson: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government have protested to the Indian Government over human rights abuses in the Punjab.

Mr. Sainsbury: No. We have always made clear our views on the need for all Governments to respect human rights. For their part, the Indian Government have recently reaffirmed their resolve to take action where there are abuses of human rights in Punjab.

Hong Kong

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs what deputations and representations have been received from Hong Kong during the summer adjournment on the issue of the right of abode.

Mr. Maude: We have received numerous representations on this subject from people in Hong Kong and from others with a close interest in Hong Kong. For example, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs had a very useful discussion on this and other current Hong Kong issues with a delegation from OMELCO in the margins of the Commonwealth Heads of Government meeting in Kuala Lumpur.

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to further extend the number of full British passport holders in Hong Kong.

Mr. Maude: We are working on a scheme to give the assurance of right of abode in the United Kingdom to people in the private and public sectors, whose skills are essential to the continued prosperity of Hong Kong. Our aim is to give such people the confidence to remain in the territory. No decision has yet been taken on what form these assurances should take.

EC (Moslem Population)

Mr. Galloway: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what information he has on the size of the Moslem population and the country of origin in each of the member states of the European Economic Community;

(2) what information he has on the number of the Moslem population and their country of origin in *(a)* the United Kingdom, *(b)* Scotland, *(c)* Wales, *(d)* Northern Ireland, *(e)* the Channel Islands, *(f)* each of the county towns of England, Wales and Northern Ireland and *(g)* each of the towns containing the regional or islands councils in Scotland.

Mr. Hurd: I have been asked to reply.

Official data on persons' religions are not available, but an unofficial estimate of the number of active members of the Moslem religion in the whole of the United Kingdom is given in table 11.8 of the Central Statistical Office publication "Social Trends 19".

ENVIRONMENT

Seals

Dr. Thomas: To ask the Secretary of State for the Environment if, pursuant to the reply to the hon. Member for Meirionnydd Nant Conwy of 28 July, *Official Report*, column *117*, on seal deaths, he will publish that letter to which reference is made in the *Official Report*.

Mrs. Virginia Bottomley: I wrote to the hon. Member on 23 August. A copy of the letter has been placed in the Library of the House.

London Docklands

Mr. Leighton: To ask the Secretary of State for the Environment how much the London Docklands Development Corporation is spending on social housing and community facilities in the current year in the London Borough of Newham; and what are the future plans.

Mr. Moynihan: LDDC's programme includes £24 million of expenditure on social housing and community projects specific to Newham in the current year, in addition to expenditure on various Docklandswide initiatives which will also benefit this area.

Future plans will be decided in the light of the Department's expenditure plans for 1990-91 to 1992-93 which will be announced by the Secretary of State at the time of the autumn statement.

333 Whapload Road, Lowestoft

Mr. David Porter: To ask the Secretary of State for the Environment whether the appeal against refusal by Waveney distict council to demolish listed building 333 Whapload road, Lowestoft, Ref.: APP/T3535/89/804854 and Ref.: APP/T3535/A/89/130250 will be dealt with by written representation or public inquiry; why his Department has announced both methods for determination; and whether he will assist the appellant financially on his second appeal for the same building.

Mr. Moynihan: Although the appeals in question were originally to be dealt with by an exchange of written representations, the submissions made indicated that a public local inquiry was necessary in order to inform the inspector of all the relevant issues. This change in procedure does not make a further appeal necessary.

Toxic Waste

Mr. Hardy: To ask the Secretary of State for the Environment if he has received a copy of the report on the movement and management of toxic waste approved by the Parliamentary Assembly of the Council of Europe; and if he will make it his policy that the United Kingdom complies fully with the recommendations made in this report.

Mrs. Virginia Bottomley: We have seen the provisional edition of the recommendations on transfrontier movement of toxic waste by the Parliamentary Assembly of the Council of Europe. The United Kingdom, by signing the Basel convention on transboundary movements of hazardous waste and working within the European Community for its ratification and implementation, intends to comply with the recommendations.

Sites of Special Scientific Interest

Mr. Hardy: To ask the Secretary of State for the Environment what action he proposes to take in response to the loss of wildlife habitat and the damage or destruction of sites of special scientific interest; and if he will make a statement.

Mrs. Virginia Bottomley: The Wildlife and Countryside Act 1981 and the guidance given in the Department's circular 27/87 "Nature Conservation" ensures that planning authorities are able to take full account of the nature conservation interest of land which is the subject of development proposals. It is the responsibility of planning authorities to consider these interests together with the requirements of other legitimate land uses in reaching their decisions. A high proportion of damage is the incidental result of third party activities. We are ready to consider, with the NCC and others, practicable action to minimise them. Damage to SSSIs from agricultural operations is now a tiny proportion of the total.

Wath Recycling Company

Mr. Hardy: To ask the Secretary of State for the Environment what information he has as to when the toxic waste received by the Wath Recycling Company from the United States of America is to be moved from Wath upon Dearne and what information he has as to the intended destination.

Mrs. Virginia Bottomley: The Department has no information as to when the waste imported from the United States of America to Wath Recycling Ltd. will be moved from Wath upon Dearne nor as to its destination.

Mr. Hardy: To ask the Secretary of State for the Environment whether he expects to take criminal action against any party involved in the importation of contaminated waste by the Wath Recycling Company.

Mrs. Virginia Bottomley: The question as to whether criminal legal proceedings should be taken concerning the importation of waste by Wath Recycling Ltd. is a matter for Rotherham metropolitan borough council, the appropriate waste disposal authority, to decide.

City Grant

Mr. Cryer: To ask the Secretary of State for the Environment if he will introduce legislation giving powers to local authorities to conduct a referendum on any proposed development which is subject to an application for city grant; and if he will make a statement.

Mr. Moynihan: No.

Mr. Cryer: To ask the Secretary of State for the Environment what criteria are applied when assessing a company which is making an application for city grant; and if he will make a statement.

Mr. Moynihan: The criteria applied in appraisal of an application for city grant are described in the city grant guidance notes. The appraisal process seeks to establish that the private sector participant has the necessary financial strength and expertise to carry out the project, and whether any external finance needed is in place.

Mr. Cryer: To ask the Secretary of State for the Environment (1) whether planning consent is required for

any development before city grant is made; what is the general level of city grant as a proportion of total anticipated expenditure; and if he will make a statement;

(2) what safeguards exist to prevent local authorities from being prejudiced in dealing with planning applications which are subject to city grant requests by accepting plans on the basis that the grant will be made; and if he will make a statement.

Mr. Moynihan: City grant applications are not accepted for appraisal unless planning permission for the project has already been granted, or is due to be considered shortly by the local planning authority. As a decision on city grant is not made until there is a final determination of planning permission, the local authority, in considering planning applications is not in a position to accept them on the basis that grant will be given.

On average, approximately £1 of city grant levies is £4 of private sector investment.

Bradford IDO

Mr. Cryer: To ask the Secretary of State for the Environment whether a full application has yet been received from Bradford for the rebuilding and diversion of Bradford beck under the Bradford integrated development operation; whether the application has been considered by the IDO co-ordinating committee; and if he will make a statement.

Mr. Moynihan: A full application incorporating elements from the Yorkshire water authority has been received from Bradford metropolitan borough council for the rebuilding and diversion of Bradford beck under the Bradford integrated development operation. This application requires to be supported by a cost benefit analysis, which is awaited. When this is received and properly evaluated, the application will be submitted to the IDO co-ordinating committee.

Genetically Altered Organisms

Mr. Bermingham: To ask the Secretary of State for the Environment (1) if it is his intention to allow public consultation under rules to specify legal procedures for the release outdoors of genetically altered organisms; and if he will make a statement;

(2) what representations he has had concerning the establishment of a safety directorate to oversee the application of safety rules to all research and production involving the use of genetically engineered organisms; and if he will make a statement.

Mr. Trippier: Controls over the release of genetically engineered or manipulated organisms are administered principally by the Health and Safety Executive at present. Improvements in the existing controls to provide greater protection for the environment are being considered in the light of the 13th report of the Royal Commission on Environmental Pollution and of comments received in response to the consultation paper "Proposals for Additional Legislation on the Intentional Release of Genetically Manipulated Organisms" which was published jointly by my Department and the Scotttish and Welsh Offices. This consideration includes the possible structure of any revised system of controls and the extent to which there should be public consultation on proposed releases, but no decisions have yet been taken.

Community Liaison Officers

Mr. O'Brien: To ask the Secretary of State for the Environment if he will list the urban development corporations who have appointed community liaison officers and the dates of any such appointments.

Mr. Moynihan: The following urban development corporations have an officer or officers carrying out community liaison work, with the date of the first such appointment in brackets:

Black Country Development Corporation (October 1987);
Central Manchester Development Corporation (1 December 1988);
London Docklands Development Corporation (10 January 1983);
Sheffield Development Corporation (12 December 1988);
Trafford Park Development Corporation (27 February 1989);
Tyne and Wear Development Corporation (20 October 1988 as a consultant).

The Teesside development corporation has an officer whose duties include community liaison work.

Teesdale

Mr. O'Brien: To ask the Secretary of State of the Environment what is the total amount of money spent so far by the Teesside urban development corporation on the purchase and reclamation of the Teesdale site in Stockton-on-Tees; how much is budgeted for future expenditure on this site; how much has been spent by other public agencies; what resources are being provided for creating an access to the site; and if he will make a statement.

Mr. Moynihan: The Teesside development corporation has, to date, spent £5·7 million on the purchase and reclamation of the Teesdale site. I am not aware of any significant expenditure on this site by other public agencies.

The total cost for the acquisition, site preparation and infrastructure works for the Teesdale site is estimated at £57 million. This figure includes the cost of providing access to the site and the construction of the new bridges and barrage across the River Tees which are the subject of a private Bill promoted by the development corporation which is currently before Parliament.

Mr. O'Brien: To ask the Secretary of State for the Environment what proposals have been put forward from the private sector for the Teesdale site; when any development is likely to take place; and if he will make a statement.

Mr. Moynihan: There is significant private sector interest in the development of the Teesdale site for commercial, industrial and housing uses. The Teesside development corporation must, however, await the progress of the River Tees Barrage and Bridges Private Bill before detailed proposals for the comprehensive development of the site can be finalised.

Social Housing (Docklands)

Mr. O'Brien: To ask the Secretary of State for the Environment what provisions are to be made by the Government to the London Docklands development corporation for the social housing programme for the years 1990-91 to 1992-93; and if he will make a statement.

Mr. Moynihan: This will be decided in the light of the Department's expenditure plans for 1990-91 to 1992-93 which will be announced by the Secretary of State at the time of the autumn statement.

Rural Development Commission

Dr. David Clark: To ask the Secretary of State for the Environment if he will make a statement on the work of the Rural Development Commission, in particular regarding its programme of assisting balanced and viable local communities in the more remote regions of England.

Mr. Trippier: The annual report of the Rural Development Commission for 1988-89 has recently been published and copies have been placed in the Library. The Rural Development Commission is the principal agency in England charged with carrying forward the Government's policy of diversifying the rural economy. Its programmes for that purpose make a major contribution to maintaining balanced and viable communities in rural areas, and it also assists that objective by measures to increase the supply of affordable housing in rural areas and by helping community groups and community development projects. The bulk of the Commission's expenditure is targeted towards its priority areas, the rural development areas, which are mostly in the more remote regions of England.

Dr. David Clark: To ask the Secretary of State for the Environment whether there are any plans to increase the measures available to the Rural Development Commission for promoting community development.

Mr. Trippier: The Rural Development Commission has already increased the proportion of its funds devoted to community development and self-help. It is now planning to launch a new fund targeted on the problems of disadvantaged groups in rural areas.

Sewerage Works

Mr. Evennett: To ask the Secretary of State for the Environment when he expects to determine the applications for time-limited consents in respect of certain sewage treatment works submitted to him in response to his announcement on 7 December 1988 of an accelerated investment programme designed to improve effluent quality.

Mr. Howard: My right hon. Friend the Secretary of State has today issued the first directions to the National Rivers Authority to grant time-limited consents in respect of a number of applications for sewage treatment works. Further directions, including where relevant refusals of applications, will be issued as the individual applications are considered. All those who submitted representations on individual applications will be notified of my right hon. Friend's decision together with the reasons for it in due course. It will be for the National Rivers Authority to place these consents on the public register in the usual way.

Ocean Circulation Experiment

Dr. Thomas: To ask the Secretary of State for the Environment, if he will make a statement on the plan for and purpose of the world ocean circulation experiment based at the Institute of Oceanographic Sciences at Deacon laboratory in Wormley, Surrey.

Mr. Jackson: I have been asked to reply.

The World Ocean Circulation Experiment (WOCE) is an international experiment which will study the role of ocean circulation in determing climate change. The United Kingdom has played a major role in the planning of WOCE and will contribute both to the data collection and the development of models of ocean circulation. WOCE will take place mainly between 1990 and 1996 and in the United Kingdom will involve the Natural Environment Research Council (NERC), higher education institutions, the Ministry of Agriculture, Fisheries and Food, and the Meteorological Office.

Water Privatisation

Dr. Cunningham: To ask the Secretary of State for the Environment when he intends to announce the K factors to be given to the statutory water companies.

Mr. Chris Patten *[holding answer 19 October 1989]:* I plan to announce before the end of December the K values which I propose to determine in respect of statutory water companies.

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list for each water company region the number of members of the public who have registered an interest in purchasing shares in the water industry.

Mr. Chris Patten *[holding answer 19 October 1989]:* No. The prospectus will contain all information on registration that is material to investors' decisions.

Algae

Dr. Cunningham: To ask the Secretary of State for the Environment if he will make a statement on algae blooms both in Britain's reservoirs and lakes and in estuaries and around the coastline.

Mr. Chris Patten *[holding answer 19 October 1989]:* Algal blooms are normal in United Kingdom surface waters. In the particular cases of toxic blue-green algae in reservoirs this summer it has been prudent for owners to prohibit public access for recreational uses. The incidence of blue-green algae is now declining. The National Rivers Authority is monitoring the situation closely.

Committee Statistics

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list the composition of each customer services committee, showing for each member their age, sex and background leading to their being appointed to the committee and which interests they represent.

Mr. Chris Patten *[holding answer 19 October 1989]:* Appointments to the customer service committees for the water industry are a matter for the Director General of Water Services. I understand that the Director General is currently considering nominations received from a large number of interest groups and that he hopes to announce the membership of the committees in the near future.

Mr. Cryer: To ask the Secretary of State for the Environment how many meetings and on what dates have been held between his departmental officials, representatives of 3Ds Ltd. and officials of Bradford local

authority; what advice was given to both bodies by his officials regarding any application for city grant for the West End development in Bradford; and if he will make a statement.

Mr. Moynihan: Members of the Department's team of professional appraisers and other officials have had many discussions on the proposals for the West End development, with representatives of 3D Ltd., and officials from the local authority, at both the regional office and headquarters. Details of the precise dates are not readily available.

Advice given to the developers and local authorities regarding any application for city grant is the standard guidance contained in the city grant guidance notes. For reasons of commercial confidentiality it is not our practice to comment on individual city grant proposals.

HEALTH

Rabies

Mr. Knox: To ask the Secretary of State for Health how many people died from rabies in the United Kingdom in each of the past five years; and what were the comparable figures in each of the other European Community countries.

Mr. Freeman: The information requested for the United Kingdom is show in the table; data for other European Community countries are not available.

Number of deaths with underlying cause of death of rabies[1], United Kingdom, 1984-88

	Number of deaths
1984	—
1985	—
1986	1
1987	1
1988	1

[1] International Classification of Diseases (9th revision) code 071.

Disease Control

Mr. Burns: To ask the Secretary of State for Health what progress has been made in implementing the recommendation of the chief medical officer's report "Public Health in England" that the Public Health (Control of Disease) Act 1984 should be reviewed.

Mr. Freeman: As a first step in the review process a consultation document inviting comments on an extensive range of options and proposals to amend the law on infectious disease control is today being issued to a wide variety of health and local authority bodies. Copies have been placed in the Library. The closing date for replies will be 31 January 1990.

This is the first full review of infectious disease control since before the second world war. Many of the provisions in the current legislation date back to the late 19th and early 20th century. Our aim is to bring up to date the law relating to infectious diseases so that it reflects our current modern situation.

Voluntary Organisations

Mr. Hinchliffe: To ask the Secretary of State for Health why new core grants awarded to voluntary organisations under the provisions of section 64 of the Health Service and Public Health Act 1968 will be limited from the next financial year to a period which will not exceed five years.

Mr. Freeman: The primary objective of this change in relation to new grants is to ensure that the section 64 budget retains enough flexibility to encompass a range of new applications each year. The overall value of the section 64 budget has not been reduced, and we shall keep the outcome of this change under review.

Community Treatment Orders

Mr. Bermingham: To ask the Secretary of State for Health what research has been conducted in the United Kingdom on the justification for community treatment orders; whether any such research is under consideration; and if he will make a statement.

Mr. Freeman: We have just received the preliminary results of research commissioned by the Department of Health from Dr. Tom Sensky of Riverside health authority, London which examined the need for a community treatment order. I am not aware of any further research under consideration at present.

Mr. Bermingham: To ask the Secretary of State for Health when he intends to publish his proposals for the introduction of community treatment orders; and if he will make a statement.

Mr. Freeman: We understand that in due course, the Royal College of Psychiatrists will be giving us their views on the possible role of new legal powers to ensure compulsory treatment in the community. We will then explore this issue with all the interested parties involved. Without prejudicing the discussion, we would need to be very clear both of the benefits, and that they could not be achieved through voluntary means, before seriously considering asking Parliament to create provision for compulsory treatment in the community.

Operations

Mr. Nicholas Bennett: To ask the Secretary of State for Health if he will list the cost of the 10 most commonly performed operations in the National Health Service in the 10 highest cost and 10 lowest cost districts for the latest year for which figures are available.

Mr. Freeman: I regret that this information is not collected centrally and to do so would be at disproportionate cost.

Health Service Statistics

Mr. Nicholas Bennett: To ask the Secretary of State for Health if he will provide the following information for the latest year for which statistics are available together with figures for 1979 and the period 1974 to 1979: *(a)* the number of general practitioners, *(b)* general practitioners' list sizes, *(c)* the number of nurses, *(d)* the number of in-patients treated, *(e)* the number of out-patients treated, *(f)* the number of junior hospital doctors, *(g)* the number of consultants and *(h)* the total spending on the National Health Service.

Mr. Freeman: The information for England is as follows:

	1974	1975	1976	1977	1978	1979	1988
(a) Number of General Practitioners	20,219	20,377	20,551	20,796	21,040	21,357	25,322
(b) General Practitioners' average list size	2,384	2,365	2,351	2,331	2,312	2,286	1,999
(c) Number of nurses[1]	314,000	332,200	341,700	343,200	351,000	358,400	403,900
(d) In-patients treated	5,171,706	4,975,750	5,254,551	5,344,967	5,370,319	5,400,120	[2]6,619,354
(e) Out-patients treated	7,824,826	6,925,922	7,498,484	7,612,057	7,711,912	7,713,465	[2]8,529,759
(f) Number of junior hospital doctors	15,274	16,304	16,799	17,402	18,091	18,902	21,493
(g) Number of consultants	9,373	9,625	9,992	10,124	10,382	10,632	13,177

	Financial year	£ millions
(h) Gross NHS expenditure	1974-75	3,426
	1975-76	4,511
	1976-77	3,149
	1977-78	5,689
	1978-79	6,525
	1979-80	7,755
	[3]1988-89	19,639

[1] Excluding nurses employed by general medical practitioners.
[2] Figures are for the 1987-88 financial year.
[3] Estimate.

Babies (Special Care)

Ms. Harman: To ask the Secretary of State for Health if he will state for each regional health authority *(a)* in 1983 and *(b)* the latest figures available (i) the number of live births, (ii) the number of births of babies less than 1,000 grams, (iii) the number of special care baby cots and (iv) the number of babies under 1,000 grams per special care baby cot.

Mr. Freeman: The figures are shown in the tables.

(i) Total live births: area of usual residence

Regional Health Authority	1983	1988
Northern	39,117	40,105
Yorkshire	46,507	49,972
Trent	57,165	61,618
East Anglia	23,075	26,600
North West Thames	45,596	50,639
North East Thames	49,894	56,466
South East Thames	44,007	51,402
South West Thames	34,688	39,258
Wessex	33,044	37,942
Oxford	30,948	35,698
South Western	35,523	40,981
West Midlands	68,224	72,809
Mersey	31,850	33,515
North Western	53,617	57,358

(ii) Livebirths less than 1,000 grams

RHA	1983	1988
Northern	145	102
Yorkshire	186	172
Trent	243	167
East Anglia	70	58
North West Thames	165	165
North East Thames	199	199
South East Thames	164	195
South West Thames	124	121
Wessex	98	84
Oxford	134	105
South Western	124	134
West Midlands	297	287
Mersey	123	106
North Western	226	190

(iii) Number of special and neonatal intensive care cots

RHA	1983	1987-88
Northern	307	258
Yorkshire	333	324
Trent	348	321
East Anglia	139	134
North West Thames	299	280
North East Thames	333	295
South East Thames	292	266
South West Thames	205	185
Wessex	195	178
Oxford	190	193
South Western	201	198
West Midlands	449	395
Mersey	190	166
North Western	377	333
Special Health Authorities	40	47

Source: 1983: SH3—Special Care Baby Unit Cots
1987-88 Form KHO3—Neonatal cots not in maternity units (including regionally designated intensive care cots)

(iv) Number of live births under 1,000 grams divided by the number of special and neonatal intensive care cots

Regional Health Authority	1983	1988
Northern	0·5	0·4
Yorkshire	0·6	0·5
Trent	0·7	0·5
East Anglia	0·5	0·4
North West Thames	0·6	0·6
North East Thames	0·6	0·7
South East Thames	0·6	0·7
South West Thames	0·6	0·7
Wessex	0·5	0·5
Oxford	0·7	0·5
South Western	0·6	0·7
West Midlands	0·7	0·7
Mersey	0·6	0·6
North Western	0·6	0·6

Note:
Although the information is provided as requested, it is not a

reliable measure of the use made of special and neonatal intensive care provision. For example, it does not take into account the facilities provided by the Special Health Authorities nor that special and neonatal intensive care facilities are provided to some babies born weighing over 1,000 grams.

TRANSPORT

Central London Rail Study

Mr. John Marshall: To ask the Secretary of State for Transport if he will make a statement about the central London rail study.

Mr. Portillo: We are currently considering the proposals put forward in the central London rail study. Decisions will be announced shortly.

A46

Mr. Pawsey: To ask the Secretary of State for Transport if he has any plans to uprate to motorway standard the A46 where it bypasses Kenilworth in Warwickshire.

Mr. Atkins: No.

Transport Act 1985 (Review)

Mr. Matthew Taylor: To ask the Secretary of State for Transport if he will order a review of the working of the Transport Act 1985; and if he will make a statement.

Mr. Portillo: I have no plans to review the working of the Transport Act 1985. Bus deregulation has encouraged a greater diversity of services, with more bus miles being provided by more operators at lower cost to local authorities.

Roads White Paper

Mr. Jack: To ask the Secretary of State for Transport what representations he has received from bodies located in the north-west of England on his roads White Paper.

Mr. Atkins: A number of representations, both from individuals and bodies, on the White Paper "Roads for Prosperity" published in May have been received from the north-west of England. Many of these have been concerned with particular schemes added to the national road programme by the White Paper and with the letting of design commissions.

Motorways

Mr. Simon Coombs: To ask the Secretary of State for Transport what information he has on traffic volumes on the A419/A417 link between the M4 and the M5 in the last five years.

Mr. Atkins: Traffic flows on the A417/A419 route have been recorded as follows:

Stratton St. Margaret—north of Swindon

	Vehicles per day
1984	17,234
1985	18,845
1986	19,671
1987	22,156
1988	25,312
1989	27,009

North of Cirencester

1984	9,813
1985	10,813
1986	10,698
1987	10,956
1988	12,261
1989	12,558

Aircraft (Aborted Take-offs)

Mr. Lambie: To ask the Secretary of State for Transport how many aborted take-offs of twin-engine aircraft have taken place in 1988 and 1989 at *(a)* United Kingdom and *(b)* Scottish airports.

Mr. McLoughlin: The overwhelming majority of aborted take-offs occur soon after the engines should reach full thrust; the aircraft's speed is less than 50 mph and there is more than a mile of runway remaining in which the aircraft can be safely stopped.

Aborted take-offs are required to be reported only if they occur near the speed where the pilot has to decide quickly whether to stop or continue the take-off. The numbers of such aborts by twin-engine aircraft were 24 in 1988, of which eight were in Scotland, and 19 so far in 1989, of which six were in Scotland.

Airports (Costs)

Mr. Lambie: To ask the Secretary of State for Transport (1) if he will set out all expenditures deriving from governmental and public sector sources at the following airports from the creation of the BAA in 1966 to its privatisation: *(a)* Gatwick, *(b)* Heathrow, *(c)* Stansted, *(d)* Edinburgh, *(e)* Glasgow, *(f)* Aberdeen and *(g)* Prestwick;

(2) if he will set out all expenditures deriving from governmental and public sector sources in the road and rail infrastructure serving the following airports from the creation of the BAA in 1966 until its privatisation: *(a)* Gatwick, *(b)* Heathrow, *(c)* Stansted, *(d)* Edinburgh, *(e)* Glasgow, *(f)* Aberdeen and *(g)* Prestwick.

Mr. McLoughlin: This information is not held centrally.

Trunk Roads

Mr. Matthew Taylor: To ask the Secretary of State for Transport if he will reconsider the decision not to accept the need for a link road from Elkesley village to the B6387 in Nottinghamshire in the light of the increasingly motorway character of the A1 trunk road and the recent announcements of major sums available for improvements in trunk road/motorway provision; whether he has made any estimate of the cost of building this road; and what representations he has received on the issue.

Mr. Atkins: The provision of a link road is a matter for Nottinghamshire county council, as highway authority for the B6387.

The Department's White Paper "Roads for Prosperity", published in May, announced a study of the strategic needs of the A1 corridor from Stamford to south

of Doncaster including possible motorway status. Junctions and accesses, including those at Elkesley, will be considered. It is hoped to appoint consultants soon.

Representations have been received from my hon. Friend the Member for Newark (Mr. Alexander), Bassetlaw district council and the Elkesley Bridge action group.

Mr. Robert Hicks: To ask the Secretary of State for Transport what is the current position regarding the proposed A38 trunk road improvements between Saltash and Trerulefoot and Liskeard-Bodmin; when he hopes to announce the preferred lines of route; and if he will make a statement.

Mr. Atkins: Consultants were appointed in October 1987 to investigate options for the proposed improvement of the A38 from Liskeard to Bodmin. We plan to carry out public consultation on alternative routes next year and to announce a preferred route early in 1991.

We expect to appoint consultants for the scheme from Saltash to Trerulefoot very shortly. One of their first tasks will be to review the earlier work done for this scheme; subject to the outcome of this we hope to carry out public consultation and announce a preferred route during 1992.

Manchester Metrolink

Mr. Favell: To ask the Secretary of State for Transport when he will announce his decision on funding for the Manchester Metrolink project.

Mr. McLoughlin: I am today writing to Councillor Harkin, chairman of the Greater Manchester passenger transport authority, to say that I am approving phase I of the Manchester Metrolink project for grant under section 56 of the Transport Act 1968. Grant will be paid at 50 per cent. of eligible costs within a cash ceiling; borrowing approval will be available for other eligible costs.

I welcome this important and innovatory scheme, which is the first new street-running light railway in this country to be approved for many years. It will link Manchester's main railway termini, and will provide much-improved services to Bury and Altrincham. The scheme will also bring a new form of private sector involvement: it is to be designed, built, operated and maintained by a single consortium, the GMA Group. The net capital cost is expected to be about £110 million.

SOCIAL SECURITY

Social Fund

Mr. Jim Marshall: To ask the Secretary of State for Social Security what statistical information he has as to the reasons given to applicants by social fund officers at the local offices in Leicester for the nil awards in respect of an application for community care grant.

Mr. Scott: Information on the number of times each reason for decision has been used in refusing an application for a community care grant is given in the table.

Table: Numbers of each reason given for refusing a community care grant—period 4 April to 30 September 1989

Local Office	*Reason for Decision*										
	(1)	*(2)*	*(3)*	*(4)*	*(5)*	*(6)*	*(7)*	*(8)*	*(9)*	*(10)*	*(11)*
Leicester (Burleys Way)	2	18	5	1	2	1	8	2	15	3	125
Leicester (Lower Hill Street)	4	26	16	[1]112	5	0	17	2	104	1	110
Leicester (Norton Street)	6	52	24	3	7	2	31	15	0	2	231
Leicester (Yeoman Street)	4	63	25	2	10	2	21	3	90	1	315

[1] Figure inflated by error in interpreting computer input code

Key

(1) Applicant has savings over £500 which meet the full cost.
(2) Applicant is not in receipt of IS.
(3) Item(s) excluded by Secretary of State Direction.
(4) Applicant excluded by Secretary of State Direction.
(5) Applied for less than the minimum award of £30.
(6) Adjusted amount less than the minimum award of £30.
(7) Decision given on application for same item in same circumstances in the previous 26 weeks.
(8) Help available from another source.
(9) Priority too low to meet from the budget.
(10) Alternative available to the whole application.
(11) Others not covered above—includes refusals where general criteria for CCG are not satisfied.

Nursing Home Fees

Mr. Stern: To ask the Secretary of State for Social Security if he has any plans to review the maximum levels of private nursing home fees funded by his Department; and if he has assessed whether existing levels are still relevant in the Bristol area.

Mrs. Gillian Shepard: The Government are currently reviewing all the limits and a general uprating statement will be made shortly in the usual way.

Overpayments

Mr. Clay: To ask the Secretary of State for Social Security if he will provide the most recent figures broken down by *(a)* year and *(b)* section on (i) the number of overpayments recovered under section 53 of the Social Security Act 1986, section 119 of the Social Security Act 1975 and section 20 of the Supplementary Benefit Act 1976, (ii) the number of standard letters sent indicating that recovery of overpayments through civil proceedings and (iii) the number of cases pursued under (ii) which are successful.

Mrs. Gillian Shepard: I refer the hon. Member to the reply given to him on 10 May 1989 at *column 447*.

Funeral Grant

Mr. Cryer: To ask the Secretary of State for Social Security if he will provide payment of funeral grant in cases where a person dies in the United Kingdom but the

body is buried elsewhere to cover all the costs incurred in the United Kingdom with the exception of air transit costs provided that the applicant would qualify in all other respects; and if he will make a statement.

Mr. Scott: No. The Social Fund Maternity and Funeral Expenses (General) Regulations 1987 stipulate that a social fund funeral payment can be made for funeral expenses only where the burial or cremation takes place in the United Kingdom.

EMPLOYMENT

Wages Councils

Mrs. Mahon: To ask the Secretary of State for Employment if he has come to a decision about the future of wages councils.

Mr. Nicholls: No.

Southern Tourist Board

Mr. Atkinson: To ask the Secretary of State for Employment what are the top 20 tourist attractions in the area covered by the Southern tourist board in numbers visiting; and if he will indicate the numbers in each instance for the previous comparable year.

Mr. Nicholls: The Englisn tourist board's annual survey of visits to attractions gives the following figures for the Southern tourist board area in 1987 and 1988:

	Number of visits	
	1988	*1987*
Needles Pleasure Park	600,000	600,000
Beaulieu	537,750	513,481
Winchester Cathedral	400,000	400,000
Mary Rose Exhibition	370,360	362,105
Paultons Country Park	366,100	372,930
Queen Elizabeth Country Park	340,530	292,126
HMS Victory	332,238	326,051
HMS Warrior	300,000	[1]—
Marwell Zoo	280,405	248,052
Moors Valley Country Park	250,000	150,000
Osborne House	247,873	240,149
Birdworld and Underwater World	219,190	220,000
Natural World, Poole	181,700	170,522
Robin Hill Zoo and Adventure Park	180,000	180,000
Tank Museum, Bovington	175,469	169,746
Buckler's Hard Maritime Museum	164,795	170,180
Corfe Castle	161,754	149,279
Carisbrooke Castle	152,993	152,459
Poole Pottery	143,682	[1]—
Studland, Dorset	142,510	144,294

[1] Not known.

Bridging Allowances

Mr. Loyden: To ask the Secretary of State for Employment how many persons aged 16 and 17 years were in receipt of bridging allowance by region during April, May and June.

Mr. Nicholls: Figures for the number of young people in receipt of bridging allowance by region are provided in the table.

Numbers in receipt of Bridging Allowance

Region[1]	*April (13 April 1989)*	*May (11 May 1989)*	*June (8 June 1989)*
East Midlands and Eastern	1,170	1,075	942
West Midlands	1,298	1,202	1,159
Wales	671	569	583
London and South East	1,617	1,427	1,261
South West	630	538	436
Northern	1,021	885	868
Yorkshire and Humberside	1,487	1,376	1,214
Scotland	1,912	1,978	2,115
North West	2,235	1,934	1,732
Total	12,041	10,984	10,310

[1] The figures given relate to the Employment Department's Employment Service regions which do not equate to the Standard Economic Regions.

Ms. Short: To ask the Secretary of State for Employment, by region, how many persons aged 16 and 17 years were in receipt of bridging allowance at the mid point of August, September and October.

Mr. Nicholls: Figures for the number of young people in receipt of bridging allowance by region for August and September are provided in the table. Figures for October are not yet available.

Numbers of receipt of bridging allowance

Region[1]	*August (10 August 1989)*	*September (14 September 1989)*
East Midlands and Eastern	922	878
West Midlands	1,141	960
Wales	630	514
London and South East	1,400	1,354
South West	464	466
Northern	876	640
Yorkshire and Humberside	1,276	1,103
Scotland	1,701	1,556
North West	1,851	1,639
Total	10,261	9,110

[1] The figures given relate to the Employment Department's Employment Service regions which do not equate to the Standard Economic Regions.

Child Care

Mr. Leighton: To ask the Secretary of State for Employment if he will make a statement on the Government's plans for work force child care.

Mr. Nicholls: The Government believe that child care is a matter for parental choice and that it is best left to employers and employees to decide which arrangements for combining work and family responsibilities best suit their individual needs and resources.

The Government take every opportunity to encourage employers to adopt flexible working practices, including assistance with child care and the introduction of flexible working hours and family leave.

Workplace nurseries are one possible way of helping parents with child care, but may not always be the most practicable solution. Other possibilities include help with child care costs in the local home area and rearrangement of working hours and holidays to fit in with school hours and terms.

The Government have also taken steps to encourage the growth of child care provision to assist working parents through the ministerial group on women's issues of which I am a member. The group recently announced a five-point plan designed to pave the way for the provision of child care to suit family needs. Work on this plan is progressing.

Labour Statistics

Mr. Galloway: To ask the Secretary of State for Employment (1) how many men aged 45 to 65 years there are *(a)* in the United Kingdom, *(b)* in Scotland, *(c)* in full-time employment in the United Kingdom, *(d)* in full-time employment in Scotland, *(e)* in part-time employment in the United Kingdom, *(f)* in part-time employment in Scotland, *(g)* registered as unemployed in the United Kingdom and Scotland and *(h)* unemployed for one year, two years, three years and four or more years in the United Kingdom and Scotland;

(2) how many women aged 45 to 65 years there are *(a)* in the United Kingdom, *(b)* in Scotland, *(c)* in full-time employment in the United Kingdom, *(d)* in full-time employment in Scotland, *(e)* in part-time employment in the United Kingdom, *(f)* in part-time employment in Scotland, *(g)* registered as unemployed in the United Kingdom and Scotland and *(h)* unemployed for one year, two years, three years or four or more years in the United Kingdom and Scotland.

Mr. Nicholls: Estimates from the preliminary results of the 1988 labour force survey (LFS), of the number of men and women aged 45 to 64 years inclusive, as requested in *(a)* to *(f)* of the questions, are shown in table 1.

Table 1
Men and women aged 45-64 years inclusive—United Kingdom and Scotland
Spring 1988

Thousands

	Men		*Women*	
	United Kingdom	*Scotland*	*United Kingdom*	*Scotland*
All aged 45-64 years inclusive	5,943	525	6,135	575
Of which:				
in full-time[1] employment	4,228	345	1,439	142
in part-time[1] employment	156	13	1,660	132

[1] Based on the respondent's hour assessment, not on the number of hours usually worked.
Source: Preliminary 1988 LFS estimates.

The number of men and women aged 45 to 64 years inclusive, who were unemployed and claiming benefit on 13 July 1989, as requested in *(g)* and *(h)* of the questions, are shown in table 2.

Table 2
Unemployed[1] men and women aged 45-64 years inclusive—United Kingdom and Scotland
13 July 1989

	Men		*Women*	
	United Kingdom	*Scotland*	*United Kingdom*	*Scotland*
All unemployed aged 45-64 years inclusive	363,448	42,890	126,056	16,116
Of which:				
unemployed 52 weeks or less	150,551	15,905	56,589	7,390
unemployed over 52 weeks up to 104 weeks	46,113	5,686	18,755	2,494
unemployed over 104 weeks up to 156 weeks	33,257	3,863	11,243	1,492
unemployed over 156 weeks up to 208 weeks	27,805	3,245	9,468	1,166
unemployed over 208 weeks	105,722	14,191	30,001	3,574

[1] People claiming benefit at UBO's on the day of the monthly count, who on that day were unemployed and able and willing to do any suitable work.

Mr. Allen McKay: To ask the Secretary of State for Employment how many persons in the Barnsley metropolitan district there were in *(a)* full-time employment, *(b)* part-time employment and *(c)* temporary employment for each year from 1979 (i) by gender and (ii) as a percentage of all employees in *(x)* manufacturing industry and *(y)* the service sector industry.

Mr. Nicholls *[holding answer 20 October 1989]:* The available employee estimates for the area are from the censuses of employment taken in September 1981, September 1984 and September 1987 and are given in the table.

Employees in employment[1] in the Barnsley metropolitan district[2]

Standard Industrial Classification (SIC) 1980	*Divisions of SIC*	*September 1981* *Number (thousand)*	*Per cent.[3]*	*September 1984* *Number (thousand)*	*Per cent.[3]*	*September 1987* *Number (thousand)*	*Per cent.[3]*
Manufacturing industries	2-4	19·2	24·5	16·5	22·6	17·3	25·7
Male full-time		10·1	12·8	8·9	12·2	9·2	13·7
Male part-time		0·1	0·2	0·1	0·1	0·1	0·1

Standard Industrial Classification (SIC) 1980	Divisions of SIC	September 1981 Number (thousand)	September 1981 Per cent.[3]	September 1984 Number (thousand)	September 1984 Per cent.[3]	September 1987 Number (thousand)	September 1987 Per cent.[3]
Female full-time		6·9	8·7	6·0	8·2	6·5	9·6
Female part-time		2·1	2·7	1·5	2·1	1·5	2·2
Service industries	6-9	34·2	43·6	35·4	48·6	37·7	55·9
Male full-time		12·0	15·2	12·9	17·8	13·2	19·5
Male part-time		1·4	1·8	1·4	2·0	2·5	3·8
Female full-time		9·6	12·2	9·8	13·5	9·7	14·4
Female part-time		11·3	14·4	11·2	15·4	12·3	18·2
All industries and services	0-9	78·5	100·0	72·8	100·0	67·5	100·0
Male full-time		45·8	58·3	41·5	57·0	33·9	50·3
Male part-time		1·6	2·1	1·6	2·2	2·8	4·1
Female full-time		17·3	22·1	16·7	22·9	16·7	24·8
Female part-time		13·7	17·5	13·0	17·9	14·0	20·8

[1] Excludes the self-employed and members of Her Majesty's Forces: employees in temporary employment are included but are not separately identified in the census; part-time workers are defined as those working not more than 30 hours a week.
[2] The district is defined in terms of ward boundaries as at 1981.
[3] Percentage of all industries and services total.

Mr. William Powell: To ask the Secretary of State for Employment if he will list in the *Official Report* all parliamentary constituencies in which the number of people out of work and claiming benefit declined between August 1984 and August 1989 by 70 per cent. or more, giving *(a)* the percentage decline, *(b)* the numbers claiming such benefit in August 1984 and *(c)* the numbers claiming such benefit in August of the current year.

Mr. Nicholls: Between August 1984 and August 1989 the number of unemployed claimants fell by 70 per cent. or more in 13 parliamentary constituencies. The table lists the constituencies concerned showing the numbers of unemployed claimants in August 1984 and 1989 along with the percentage changes. The figures are affected by the change in the compilation of the count in March 1986 to reduce over-recording and by the change of coverage from September 1988 resulting from changes in benefit regulations affecting people aged under 18 years. Direct comparisons cannot therefore be made.

Parliamentary constituencies
Unemployed claimants

Constituency name	August 1984	August 1989	Change	Percentage change
Wantage	2,391	601	−1,790	−74·86
Horsham	2,180	572	−1,608	−73·76
Henley	2,020	540	−1,480	−73·27
Shoreham	2,053	550	−1,503	−73·21
Reading West	3,334	894	−2,440	−73·19
South West Bedfordshire	3,766	1,044	−2,722	−72·28
Mid Sussex	1,991	553	−1,438	−72·23
Witney	2,646	760	−1,886	−71·28
Milton Keynes	6,750	1,956	−4,794	−71·02
North West Hampshire	2,361	697	−1,664	−70·48
Newbury	2,650	783	−1,867	−70·45
North West Surrey	2,356	704	−1,652	−70·12
Corby	5,914	1,771	−4,143	−70·05

Training and Enterprise Councils

Mr. Wood: To ask the Secretary of State for Employment what progress is being made in establishing training and enterprise councils in the south-east; and if he will make a statement.

Mr. Eggar: I have been very encouraged by the excellent response from employers in the south-east and throughout the country since we issued the invitation to form training and enterprise councils (TECs).

Some 40 groups of senior employers from around the country have applied for development funding of which six are from employer groups in the south-east.

Unfair Dismissal

Mr. Allen: To ask the Secretary of State for Employment if he has any proposals to bring forward relating to mandatory reinstatement of those employees found to be unfairly dismissed.

Mr. Eggar: I have no such proposals.

YTS

Mr. Kirkwood: To ask the Secretary of State for Employment what further steps he proposes to take to assist those persons aged 16 and 17 years who are still unable to secure places on the YTS scheme because no suitable places are available.

Mr. Nicholls: Current arrangements to ensure that the Government's guarantee is delivered have achieved their objective. Any individual cases of difficulty should be brought to the attention of the Training Agency which will take whatever steps are necessary to provide a place suited to a young person's needs and abilities.

Restart

Ms. Short: To ask the Secretary of State for Employment in the most recent 12-month period, how many claimants called for Restart interview have failed to

attend their interview; how many of those failing to attend are believed to have found work; how many of those failing to attend have not found work; how many failing to attend have had their benefit stopped and how many of these have successfully appealed against the benefit decision; and how many failing to attend have subsequently re-registered as unemployed.

Mr. Eggar: Between August 1988 and August 1989 a total of 3,033,000 people were called in for Restart interview of which 316,400 were referred to unemployment benefit offices for failing to attend that interview. A total of 28,000 (8·8 per cent.) of these had their benefits or credits disallowed.

The other information requested is not available.

Mr. Wallace: To ask the Secretary of State for Employment why it was decided to exclude from the questionnaires to be completed by those attending Restart interviews any specific questions regarding any university degree or professional qualification which the interviewee may have.

Mr. Eggar: Question 4 of the employment interview form collects details of the most commonly held qualifications. It is limited in order to keep the form to a reasonable length. Question 5 contains a space which enables interviewees to insert any qualifications held which are not already included on the form that will help them in their search for work. Degree or professional qualifications can be shown in this space.

Employment Training

Ms. Short: To ask the Secretary of State for Employment what are the revised numbers of approved places allocated under employment training; what are the area budgets for the programme; and what are the allocations of supplementary grant, for each training agency area.

Mr. Nicholls: Up to 265,000 Employment Training (ET) places have been allocated for 1989-90. Following the annual round of recontracting, regions and areas are currently revising their detailed plans of numbers of places, of budgets, and of supplementary grants for ET in the light of these new contracts.

Health and Safety Executive

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment what proportion of those in the following Civil Service grades in his Department possess a formal professional management qualification: *(a)* members of the Health and Safety executive management board, *(b)* higher executive officers, *(c)* senior executive officers, *(d)* principals, *(e)* senior principals and *(f)* all grades above senior principal.

Mr. Eggar: Our records show that one of the 11 members of the Health and Safety Executive management board holds a professional management qualification. To supply the information regarding administration group grades for higher executive officer and above would entail disproportionate cost.

Hazardous Substances

Mr. Bermingham: To ask the Secretary of State for Employment what steps are being taken to monitor and enforce the operation of the Control of Substances Hazardous to Health Regulations; and if he will make a statement.

Mr. Nicholls: The Health and Safety Executive and local authorities will enforce the Control of Substances Hazardous to Health Regulations and monitor the implementation through their normal inspection arrangements. There will be an evaluation of the impact of the regulations in 1991.

Toxic Substances

Mr. Hardy: To ask the Secretary of State for Employment what toxic substances were contained in a shipment of copper hydroxide sludge received by Wath Recycling Company from the FMC Corporation of the United States of America; and to what health risks those *(a)* employed in this plant and *(b)* in the neighbouring communities were exposed.

Mr. Nicholls *[holding answer 19 October 1989]:* The Health and Safety Executive's analysis of the copper hydroxide sludge showed that Xylene, 2, 3,—dihydro-2, 2—dimethyl benzofuran, and chlorinated phenolic compounds were present.

Xylene is a skin and eye irritant, which can affect the liver and cause loss of consciousness when concentrations are high. It is not a carcinogen. No documented toxicological data is available for 2, 3—Dihydro—2, 2—dimethyl benzofuran but related substances are known to be either carcinogenic to animals and possibly humans or toxic. Chlorinated phenolic compounds are toxic and possibly carcinogenic.

The Health and Safety Executive considered that whilst the bulk stack of sludge was left undisturbed there was unlikely to be any significant risk to people on or off site. This risk would increase during the process of repacking, but Health and Safety Executive inspectors ensured that suitable precautions were taken by both employees and the neighbouring communities.

DEFENCE

Department-Industry Links

17. **Mr. John Greenway:** To ask the Secretary of State for Defence what measures his Department undertakes for staff interchanges with industry.

Mr. Alan Clark: We attach considerable importance to the benefits of staff interchages with industry and this is underscored by our very successful secondment programme which is the largest in the Civil Service—in 1988 we achieved our best ever total of 221 secondments to and from industry. Additionally, we have also recently established seven non-executive directorships for senior staff with non-defence related companies.

Low Flying

18. **Mr. Henderson:** To ask the Secretary of State for Defence what discussions he has had with his NATO allies concerning possible height restrictions on low flying.

22. **Mr. Steinberg:** To ask the Secretary of State for Defence what discussions he has had with his NATO allies concerning possible height restrictions on low flying.

30. **Mr. Norman Hogg:** To ask the Secretary of State for Defence what discussions he has had with his NATO allies concerning possible height restrictions on low flying.

96. **Mr. Fatchett:** To ask the Secretary of State for Defence what discussions he has had with his NATO allies concerning possible height restrictions on low flying.

Mr. Neubert: My right hon. Friend has had discussions with those NATO allies involved about a package of measures designed to reduce the impact of low-flying training in the Federal Republic of Germany. The outcome of these discussions, which concerned among other subjects the height at which training was undertaken, was reported to the Bundestag by the Federal German Minister of Defence, Dr. Stoltenberg, on 29 September 1989 and a translation of this report has been placed in the Library.

87. **Mr. Kennedy:** To ask the Secretary of State for Defence if he has any plans to amend the rules governing low-flying military activity in the United Kingdom; and if he will make a statement.

Mr. Neubert: There are no plans to alter the fundamental structure of the United Kingdom low-flying system which has worked well since its inception in 1979.

Frigates

19. **Mr. Douglas:** To ask the Secretary of State for Defence if he will make a statement on the progress made in ordering the latest batch of type 23 frigates.

Mr. Neubert: We are currently evaluating and clarifying tenders received from Yarrow Shipbuilders Ltd., Swan Hunter Shipbuilders Ltd. and VSEL/Cammell Laird for the construction of up to four type 23 frigates. I would hope to announce the outcome of this competition by the end of the year.

NATO Secretary General

20. **Mr. Menzies Campbell:** To ask the Secretary of State for Defence when he next intends to meet the Secretary General of NATO; and what subjects he proposes to discuss with him.

Mr. Tom King: I hope to meet Dr. Woerner this evening at the nuclear planning group meeting in Portugal. We will discuss a range of matters concerning nuclear issues.

Troop Numbers

21. **Mr. Pike:** To ask the Secretary of State for Defence what assessment he has made of the effect on the British Army of the proposals tabled in Vienna for ceilings on troop numbers.

Mr. King: I refer the hon. Member to the reply I gave earlier to the hon. Member for Makerfield (Mr. McCartney).

United States Defence Secretary

23. **Mr. Mullin:** To ask the Secretary of State for Defence when he last met his United States counterpart; and what issues were discussed.

29. **Mr. Buckley:** To ask the Secretary of State for Defence when he last met his United States counterpart; and what issues were discussed.

95. **Ms. Armstrong:** To ask the Secretary of State for Defence when he last met his United States counterpart; and what issues were discussed.

10. **Mr. Galbraith:** To ask the Secretary of State for Defence when he last met his United States counterpart; and what issues were discussed.

Mr. Tom King: I hope to meet Mr. Cheney for the first time later today, at the meeting of the nuclear planning group in Portugal. We will be discussing a wide range of matters of mutual interest, both at the NPG and during Mr. Cheney's subsequent visit to the United Kingdom.

NATO (Southern Flank)

24. **Mr. David Evans:** To ask the Secretary of State for Defence what recent discussions have taken place within NATO regarding its southern flank; and what proposals are currently being considered.

Mr. Archie Hamilton: Matters affecting the southern flank are kept under constant review within NATO.

Defence Studies

Mr. Butler: To ask the Secretary of State for Defence whether non-provocative defence is studied at the service colleges.

46. **Mr. Knapman:** To ask the Secretary of State for Defence whether non-provocative defence is studied at the service colleges.

38. **Mr. Fishburn:** To ask the Secretary of State for Defence how much time is allocated in the service colleges to defence studies.

25. **Mr. Amess:** To ask the Secretary of State for Defence to what extent NATO's strategy of flexible response is studied at the service colleges.

Mr. Archie Hamilton: I assume that my hon. Friends are referring to the Royal College of Defence Studies, the Joint Service Defence College and the three single-service staff colleges. Their syllabuses are concerned with matters relating to defence, including the strategic political, economic and social factors that bear upon it. It is appropriate that considerable emphasis is placed upon study of the United Kingdom's and NATO's defence policies, including the strategy of flexible response which underpins those policies, but students are also given an insight into alternative policies and strategies. There is insufficient time, however, for the detailed study of specific alternatives such as so-called non-provocative defence.

Conventional Forces (Limitation)

26. **Mr. Gregory:** To ask the Secretary of State for Defence what part his Department is playing in the CFL negotiations.

33. **Mr. David Martin:** To ask the Secretary of State for Defence what part his Department is playing in the CFL negotiations.

76. **Mr. Burt:** To ask the Secretary of State for Defence what part his Department is playing in the conventional forces limitation negotiations.

Mr. Archie Hamilton: The Ministry of Defence is playing a full part in the United Kingdom's contribution to the conventional armed forces in Europe talks now under way in Vienna.

Demography

27. **Mr. McWilliam:** To ask the Secretary of State for Defence what is his latest assessment of the effects of demographic changes upon Her Majesty's Government's defence policy.

65. **Mr. Battle:** To ask the Secretary of State for Defence what is his latest assessment of the effects of demographic changes upon Her Majesty's Government's defence policy.

Mr. Neubert: I have nothing further to add to the answer I gave earlier today to the hon. Members for Manchester, Central (Mr. Litherland) and for Edinburgh, South (Mr. Griffiths).

WE177 Bomb

28. **Mr. Mans:** To ask the Secretary of State for Defence what progress has been made in his plans for modernising the Royal Air Force's WE177.

Mr. Archie Hamilton: The studies into a number of options for the possible replacement of the WE177 free-fall bomb are continuing. It is not yet possible to forecast when a decision may be taken.

32. **Mr. Morgan:** To ask the Secretary of State for Defence what consultations he has had with the West German Government about the possible replacement of the WE177 free-fall nuclear bomb.

61. **Mr. Doran:** To ask the Secretary of State for Defence what consultations he has had with the West German Government about the possible replacement of the WE177 free-fall nuclear bomb.

98. **Mr. Harry Barnes:** To ask the Secretary of State for Defence what consultations he has had with the West German Government about the possible replacement of the WE177 free-fall nuclear bomb.

Mr. Archie Hamilton: None.

Women Personnel

31. **Mrs. Maureen Hicks:** To ask the Secretary of State for Defence how his Department intends increasing the role of women in the services.

Mr. Archie Hamilton: The services are implementing a number of proposals, and are considering others, to increase significantly the range of duties that may be undertaken by women, subject to the Government's policy of not employing them in direct combat roles.

Defence Exports

34. **Mr. Gerald Bowden:** To ask the Secretary of State for Defence how many jobs are currently directly and indirectly supported by defence exports.

Mr. Alan Clarke: I refer my hon. Friend to the "Statement on the Defence Estimates 1989" (Cm. 675-II, volume 2, table 6-8).

Combat Aircraft

35. **Mr. Alan W. Williams:** To ask the Secretary of State for Defence what assessment he has made of the effect on the Royal Air Force of the proposals tabled in Vienna for ceilings on numbers of combat aircraft.

44. **Mr. Lamond:** To ask the Secretary of State for Defence what assessment he has made of the effect on the Royal Air Force of the proposals tabled in Vienna for ceilings on numbers of combat aircraft.

72. **Mr. Corbyn:** To ask the Secretary of State for Defence what assessment he has made of the effect on the Royal Air Force of the proposals tabled in Vienna for ceilings on numbers of combat aircraft.

93. **Ms. Primarolo:** To ask the Secretary of State for Defence what assessment he has made of the effect on the Royal Air Force of the proposals tabled in Vienna for ceilings on numbers of combat aircraft.

Mr. Archie Hamilton: It is too early to say what the effect of any agreement on conventional forces in Europe would be on the forces of particular states.

Tornado

36. **Mr. Ron Davies:** To ask the Secretary of State for Defence what comparative figures he has for the accident rates for Tornado aircraft for each of the European countries which operate these aircraft.

57. **Mr. Tony Lloyd:** To ask the Secretary of State for Defence what comparative figures he has for the accident rates for Tornado aircraft for each of the European countries which operate these aircraft.

75. **Mr. Harry Ewing:** To ask the Secretary of State for Defence what comparative figures he has of the accident rates for Tornado aircraft for each of the European countries which operate these aircraft.

Mr. Neubert: I have nothing further to add to the answer I gave earlier today to the hon. Member for Bridgend (Mr. Griffiths).

Disaster Relief

39. **Mr. Stevens:** To ask the Secretary of State for Defence what role the services have taken this year in disaster relief operations.

Mr. Archie Hamilton: So far in 1989, the principal contribution to disaster relief overseas by the armed forces has been in the eastern Caribbean in September, dealing with the effects of Hurricane Hugo. HMS Alacrity and RFA Brambleleaf were delployed to the striken region where they carried out and co-ordinated relief operations in Montserrat and on neighbouring islands. An RAF Hercules was used to fly in a disaster relief team of Royal Engineers together with stores from the garrison in Belize. Hercules aircraft also undertook a regular shuttle of stores from Antigua to Montserrat and transported elements of the Bermuda Defence Regiment to assist with relief work in the British Virgin Islands.

The armed forces have also provided support to the civil emergency authorities in the United Kingdom. After the tragic air disasters at Lockerbie and Kegworth all three

services rendered assistance. At Lockerbie, up to 500 personnel per day were involved in the operation to recover bodies and search for wreckage during the period December 1988—January 1989. Similar assistance was given at Kegworth in January 1989 but on a smaller scale.

Nuclear Missiles

40. **Mr. French:** To ask the Secretary of State for Defence if he will make a further statement on the Government's modernisation programme for short-range nuclear missiles.

Mr. Archie Hamilton: I have nothing to add to the reply I gave the right hon. Member for Llanelli (Mr. Davies) on 14 June at column *478*.

Nuclear Weapons (Carriage by Sea)

41. **Mr. Parry:** To ask the Secretary of State for Defence what is his assessment of the efficiency of current technology to ascertain whether nuclear weapons are being carried at sea.

85. **Mr. Galloway:** To ask the Secretary of State for Defence what is his assessment of the efficiency of current technology to ascertain whether nuclear weapons are being carried at sea.

Mr. Alan Clark: I have nothing further to add to the answer I gave earlier today to the hon. Member for Liverpool, Garston (Mr. Loyden).

Stand-off Missiles

42. **Mrs. Clwyd:** To ask the Secretary of State for Defence what discussions he has had with his United States counterpart about stand-off missiles.

69. **Mrs. Mahon:** To ask the Secretary of State for Defence what discussions he has had with his United States counterpart about stand-off missiles.

74. **Mr. Livingstone:** To ask the Secretary of State for Defence what discussions he has had with his United States counterpart about stand-off missiles.

Mr. Alan Clark: I have nothing further to add to the answer I gave earlier today to the hon. Member for Redcar (Ms. Mowlam).

Service Accommodation

43. **Mr. Haynes:** To ask the Secretary of State for Defence what assessment he has made of the need to upgrade service accommodation.

56. **Mr. Stott:** To ask the Secretary of State for Defence what assessment he has made of the need to upgrade service accommodation.

59. **Mr. Jack Thompson:** To ask the Secretary of State for Defence what assessment he has made of the need to upgrade service accommodation.

67. **Mr. Frank Cook:** To ask the Secretary of State for Defence what assessment he has made of the need to upgrade service accommodation.

Mr. Archie Hamilton: The need to upgrade service accommodation, brought about by the continuing aging process and the ongoing and comparatively recent changes to enhance accommodation standards, is assessed by the three services and the Property Services Agency. Each service operates a rolling programme of modernisation for single living accommodation and married quarters and provision is made within the Defence Estimates for this purpose. In order to enhance the present rate of modernisation a further £260 million has been provided over the next 10 years.

NATO Defence Ministers

45. **Mr. Gerald Howarth:** To ask the Secretary of State for Defence when was the last meeting of NATO Defence Ministers; and what matters were discussed.

Mr. Tom King: NATO Defence Ministers are meeting at the nuclear planning group in Portugal today to discuss a range of nuclear issues.

NATO (Out-of-Area Capability)

47. **Mr. Ward:** To ask the Secretary of State for Defence what part the United Kingdom armed forces play in NATO's out-of-area capability.

100. **Mr. Devlin:** To ask the Secretary of State for Defence if he will make a statement on the United Kingdom's armed forces role in NATO's out-of-area capability.

Mr. Archie Hamilton: NATO has no out-of-area role. The United Kingdom's armed forces do, however, maintain an out-of-area capability, as described in successive "Statements on the Defence Estimates."

Soviet Navy

48. **Mr. Franks:** To ask the Secretary of State for Defence whether his Department has any evidence that the Soviet Union is reducing its naval capability.

90. **Mr. Hayward:** To ask the Secretary of State for Defence whether his Department has any evidence that the Soviet Union is reducing its naval capability.

Mr. Archie Hamilton: There is no evidence to suggest that the Soviet Union is reducing its naval capability. Despite the announced intention to cut Soviet military spending, the pace of modernisation in the Soviet Navy continues unabated in all the key areas of capability.

Environmental Protection

49. **Mr. Vaz:** To ask the Secretary of State for Defence what consideration he has given to ensuring that the activities pursued by his Department have minimal adverse effect upon the natural environment.

52. **Ms. Walley:** To ask the Secretary of State for Defence what consideration he has given to ensuring that the activities pursued by his Department have minimal adverse effect upon the natural environment.

63. **Mr. Martlew:** To ask the Secretary of State for Defence what consideration he has given to ensuring that the activities pursued by his Department have minimal adverse effect upon the natural environment.

68. **Mr. Eastham:** To ask the Secretary of State for Defence what consideration he has given to ensuring that the activities pursued by his Department have minimal adverse effect upon the natural environment.

Mr. Alan Clark: The Ministry of Defence has long recognised the importance of policies which respect the environment whilst meeting operational needs. I would in particular refer the hon. Members to the reply my hon. Friend the then Parliamentary Under-Secretary of State for the Armed Forces gave on 9 May at column *418* to my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick).

Chemical Weapons

50. **Mr. Burns:** To ask the Secretary of State for Defence whether his Department has any evidence that the Soviet Union is reducing its chemical warfare capability.

83. **Mr. Carttiss:** To ask the Secretary of State for Defence whether his Department has any evidence that the Soviet Union is reducing its chemical warfare capacity.

Mr. Archie Hamilton: We have no evidence that the Soviet Union is reducing its chemical warfare capability.

Warsaw Pact

51. **Mr. Leigh:** To ask the Secretary of State for Defence whether his Department has any evidence that the Warsaw pact has reduced its capability to undertake surprise large-scale offensive operations.

99. **Mr. Jacques Arnold:** To ask the Secretary of State for Defence whether his Department has any evidence that the Warsaw pact has reduced its capability to undertake surprise, large-scale offensive operations.

Mr. Archie Hamilton: Some of the unilateral force withdrawals announced by Gorbachev and other Warsaw pact leaders have now been completed. However, we have no evidence that the Warsaw pact has reduced its ability to undertake large-scale offensive operations, even though the element of surprise which they could achieve may have been reduced.

91. **Mr. Robert G. Hughes:** To ask the Secretary of State for Defence whether the conventional forces limitation negotiations will reduce the Warsaw pact's capability to undertake surprise, large-scale offensive operations.

Mr. Archie Hamilton: A successful outcome to the negotiations on conventional armed forces in Europe will achieve a stable and secure balance at lower levels of forces, as well as the elimination of disparities and the capacity for launching surprise attack and large-scale offensive action.

Nuclear Test Veterans

53. **Dr. Moonie:** To ask the Secretary of State for Defence what further considerations he has given to compensation arrangements for nuclear test veterans and their dependants.

77. **Mr. George Howarth:** To ask the Secretary of State for Defence what further consideration he has given to compensation arrangements for nuclear test veterans and their dependants.

79. **Mr. Hinchliffe:** To ask the Secretary of State for Defence what further consideration he has given to compensation arrangements for nuclear test veterans and their dependants.

82. **Mr. Michael J. Martin:** To ask the Secretary of State for Defence what further consideration he has given to compensation arrangements for nuclear test veterans and their dependants.

Mr. Archie Hamilton: We will pay compensation where there is firm evidence to show that participants in the United Kingdom nuclear test programme suffered ill-health as a result of exposure to radiation during the course of their duties. There are no plans to give further consideration to these compensation arrangements.

Nuclear Depth Charges

55. **Mr. Patchett:** To ask the Secretary of State for Defence what decision he has reached about the possible replacement of the Royal Navy's nuclear depth charges.

Mr. Lofthouse: To ask the Secretary of State for Defence what decision he has reached about the possible replacement of the Royal Navy's nuclear depth charges.

Mr. Wareing: To ask the Secretary of State for Defence what decision he has reached about the possible replacement of the Royal Navy's nuclear depth charges.

Mr. Alan Clark: No decisions have yet been taken. The studies related to modernising the United Kingdom's theatre nuclear weapons capability are still continuing. Within these studies consideration is being given to the replacement of the full spectrum of United Kingdom tactical nuclear weapons, including sea-based systems.

European Fighter Aircraft

58. **Mr. Ray Powell:** To ask the Secretary of State for Defence what decision has been reached on the development contract for the European fighter aircraft radar.

103. **Mr. McKelvey:** To ask the Secretary of State for Defence what decision has been reached on the development contract for the European fighter aircraft radar.

Mr. Alan Clark: I have nothing further to add to the answer I gave earlier to my hon. Friend the Member for Romsey and Waterside (Mr. Colvin).

Nuclear Submarines

60. **Mr. Dunnachie:** To ask the Secretary of State for Defence if he will make a further statement about his Department's plans for the decommissioning of nuclear submarines.

89. **Mr. McAllion:** To ask the Secretary of State for Defence if he will make a further statement about his Department's plans for the decommissioning of nuclear submarines.

Mr. Alan Clark: I have nothing further to add to the answer I gave earlier to the hon. Member for Motherwell, North (Dr. Reid).

109. **Mr. Sillars:** To ask the Secretary of State for Defence what representations he has received from Strathclyde regional council in the past month about the continued positioning of nuclear armed submarines on the Clyde.

Mr. Archie Hamilton: I am not aware of any.

Territorial Army

62. **Mr. Patrick Thompson:** To ask the Secretary of State for Defence whether he has any intention of increasing the size of the Territorial Army.

Mr. Archie Hamilton: We continue to keep this matter under review as part of the continuing overview of our overall defence effort. It remains our intention to expand the Territorial Army to the strengths already announced in "Defence Open Government Document 84/02", a copy of which is held in the Library. All of the new units planned —which include six infantry battalions—have formed and are recruiting.

81. **Mr. Tony Banks:** To ask the Secretary of State for Defence what has been the result to date of the current recruitment drive for the Territorial Army.

37. **Ms. Quin:** To ask the Secretary of State for Defence what has been the result to date of the current recruitment drive for the Territorial Army.

102. **Mr. Lewis:** To ask the Secretary of State for Defence what has been the result to date of the current recruitment drive for the Territorial Army.

Mr. Archie Hamilton: It must be stressed that the current volunteer reserve forces campaign has as its prime aim improving retention in the reserve forces, although we would expect to see some measure of spin-off on recruitment. Given the nature of the campaign, we do not yet have a sufficient spread of data to provide a statistical measure of any improvements. Nevertheless, the response from companies, trade organisations and individuals has been most encouraging.

Falkland Islands

64. **Mr. Hunter:** To ask the Secretary of State for Defence whether he intends reviewing Her Majesty's Government's military commitment to the Falkland Islands.

Mr. Archie Hamilton: The Government remain committed to defend the Falkland Islanders' right to live in peace and security under a government of their own choosing. We keep the level of our military commitment to the Falkland Islands under constant review. We are satisfied that the garrison remains adequate for the present.

Deptartmental Assets

70. **Mr. Graham:** To ask the Secretary of State for Defence whether he has any new proposals to sell assets currently owned by his Department.

84. **Mr. Skinner:** To ask the Secretary of State for Defence whether he has any new proposals to sell assets currently owned by his Department.

54. **Mr. Barron:** To ask the Secretary of State for Defence whether he has any new proposals to sell assets currently owned by his Department.

66. **Mr. O'Brien:** To ask the Secretary of State for Defence whether he has any new proposals to sell assets currently owned by his Department.

Mr. Archie Hamilton: We continue to pursue opportunities to dispose of land, property and material which have become surplus to our requirements and to rationalise our assets in order to provide better value for money for the taxpayer.

Soviet Nuclear Forces

71. **Mr. Hague:** To ask the Secretary of State for Defence whether his Department has made an assessment of the Soviet short-range nuclear forces capability.

Mr. Archie Hamilton: An assessment of Soviet short-range nuclear capability is contained in chapter 6 of the "Statement on the Defence Estimates 1989" (Cm. 675–I). This capability has been marginally affected by force restructuring and unilateral withdrawals in Eastern Europe. The Soviets, however, continue to possess a formidable inventory of short-range nuclear-capable systems.

Gurkha Regiments

73. **Mr. Atkinson:** To ask the Secretary of State for Defence if he has any plans to deploy Gurkha regiments to combat terrorism in Northern Ireland.

Mr. Archie Hamilton: There are no current plans to deploy Gurkha infantry regiments to Northern Ireland.

US Defence Department

78. **Mr. Flynn:** To ask the Secretary of State for Defence what subjects he expects to discuss when he next meets representatives of the United States Defence Department.

Mr. Tom King: I expect to discuss a wide range of matters of mutual interest.

Reserve Forces

80. **Mr. Bill Walker:** To ask the Secretary of State for Defence what measures his Department is taking to keep people in the reserve forces.

Mr. Archie Hamilton: There are a number of initiatives in train aimed at promoting retention within the reserve forces. Internal measures concentrate principally on improving the quality and interest of training, streamlining the dissemination of information to volunteers, review of a whole range of terms and conditions of service and rationalisation of the equipment programme. In the latter context, units will be re-equipped in strict accordance with role, whether they be regular or volunteer. In addition, recognising the need to harness the support of employers and family, we launched last year the volunteer reserve forces campaign, aimed at easing external pressures on volunteers by setting out in the clearest possible terms the vital role the reserve forces would be expected to play and, perhaps most importantly, highlighting the relevance of TA training to civilian life and thus drawing the attention of employers to how they can benefit from their employees in reserve forces activities.

Nuclear Weapons

86. **Dr. Twinn:** To ask the Secretary of State for Defence what further studies he has conducted of the consequences for NATO's strategy of flexible response to the removal of all nuclear weapons.

106. **Mr. Moss:** To ask the Secretary of State for Defence what further studies his Department has conducted of the consequences for British defence policy of the abandonment of all nuclear weapons.

Mr. Archie Hamilton: At the Brussels summit in May all NATO Heads of Government agreed that for the foreseeable future there was no alternative to the Alliance strategy of deterrence, and that this strategy required a mix of nuclear forces, including Europe-based ground-launched missiles. Given this, there is no reason to conduct any studies related to the removal of all nuclear weapons.

F111 Aircraft

88. **Mr. Cox:** To ask the Secretary of State for Defence what discussions the NATO nuclear planning group has had concerning the possible deployment of additional F111 aircraft.

92. **Mr. Flannery:** To ask the Secretary of State for Defence what discussions the NATO nuclear planning group has had concerning the possible deployment of additional F111 aircraft.

Mr. Tom King: I refer the hon. Members to the reply I gave earlier today to the hon. Member for Sheffield, Central (Mr. Caborn).

United Nations Peacekeeping Forces

94. **Mr. Hanley:** To ask the Secretary of State for Defence how many British service personnel are currently serving with United Nations peacekeeping forces; and in what locations.

Mr. Archie Hamilton: Currently 714 British service personnel are serving with the United Nations peacekeeping forces in Cyprus and 113 with the United Nations transition advisory group in Namibia, although this is not, strictly speaking, a peacekeeping force. There are also 37 British service personnel serving with the multinational force and observers group in Sinai, which is a multinational peacekeeping force not under United Nations control.

In addition to the provision of personnel, considerable logistic support is given to multinational peacekeeping operations. The sovereign base areas in Cyprus are used to provide logistic support for the multinational force and observers group in Sinai, the United Nations interim force in Lebanon and the United Nations disengagement observer force in the Golan Heights.

NATO (Central Front)

97. **Mr. David Shaw:** To ask the Secretary of State for Defence whether there are any proposals to alter the current force-to-space ratio on NATO's central front.

Mr. Archie Hamilton: NATO's forces in the central region are kept under constant review within the normal force planning cycle. In due course, the Alliance may need to take account of any changes in force structures agreed as a result of the current negotiations on conventional forces in Europe.

Cavalry Officers

101. **Mr. Marlow:** To ask the Secretary of State for Defence if he will make a statement on the importance of horsemanship skills for cavalry officers.

Mr. Archie Hamilton: Good equestrian skills are essential for all cavalry officers in units which have a mounted ceremonial role.

Trident

104. **Miss Widdecombe:** To ask the Secretary of State for Defence whether he intends altering the Trident programme.

Mr. Tom King: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Corby (Mr. Powell).

Crown Proceedings Act

105. **Mr. Ashley:** To ask the Secretary of State for Defence what estimate he has made of the annual number of service people likely to benefit financially from the repeal of section 10 of the Crown Proceedings Act; and at what annual cost.

Mr. Archie Hamilton: Since the repeal in May 1987 of section 10 of the Crown Proceedings Act 1947, we have received more than 700 claims. Of these, about 100 have so far been settled at a cost of around £550,000. A further 450 cases are still under consideration. It is not possible to provide an accurate estimate of either the annual number of service people likely to benefit from the repeal, or the cost to the Department.

Fishing Boat—Submarine Incidents

107. **Mr. Foulkes:** To ask the Secretary of State for Defence what recent representations he has received about incidents involving fishing boats and submarines; and what action he is taking.

Mr. Archie Hamilton: My Department has received a number of letters from fishermen's organisations and from other interested groups or individuals about various incidents in which submarines are alleged to have been involved. Though naval vessels have been involved in only a small number of incidents, the Royal Navy regards the avoidance by submarines of fishing vessels and their nets as a matter of considerable importance and is establishing closer links with fishermen's associations in order to promote mutual understanding. The Navy is also actively investigating methods of reducing the likelihood of such incidents.

Tanks

110. **Mr. Kilfedder:** To ask the Secretary of State for Defence what information he has on the numbers of battle tanks, in the European theatre, of the North Atlantic Treaty Organisation and Warsaw pact forces; and if he will make a statement.

Mr. Tom King: The numbers of main battle tanks of NATO and Warsaw pact in the European theatre are shown in the 1989 "Statement on Defence Estimates", as 16,400 for NATO and 51,500 for the Warsaw pact.

Recruitment

108. **Sir Geoffrey Johnson Smith:** To ask the Secretary of State for Defence if he will make a statement on the rate of recruitment for the armed forces.

Mr. Archie Hamilton: Total recruitment into the armed forces in 1988-89 was a little above the level achieved in the previous year, though it fell short of the targets set. This year we are taking measures to stimulate recruitment, including greater expenditure on advertising, some changes to entry requirements and the opening up of additional areas of employment to women. In addition a wide range of measures are being taken to improve retention.

Procurement (Savings)

Mr. Campbell-Savours: To ask the Secretary of State for Defence what proposals he has for further savings on his budget for defence procurements.

Mr. Alan Clark: We will continue to seek value for money through a commercial approach to procurement, including the use of competition to the maximum extent possible. Potential savings or additions to the programme itself are considered each year as part of the long-term costing process.

Procurement Project Managers

Mr. Sillars: To ask the Secretary of State for Defence how many procurement project managers are in post; what are their grades; what salaries attach to each grade; and where is the work location of each.

Mr. Alan Clark: There are 153 project managers in post in the equipment procurement branches of the Procurement Executive. The civilian project managers are in unified grade 6, while their military equivalents are captain (RN), colonel and group captain. Their current salary scales are:

	£ per annum
Unified Grade 6	[1]21,633-28,170
Captain RN	32,346-33,196
Colonel and Group Captain	32,346-35,748

[1] Under review.

Additional allowances are payable in London, and civilian staff may receive additions to their salary for consistent good performance. The main work locations are London (86 staff), Bath (38), Weymouth (13) and Portsmouth (13).

Collaborative Projects

Mr. Sillars: To ask the Secretary of State for Defence what was the value to United Kingdom companies or research bodies of the collaborative projects set out in table 6, page 32 of Cm. 675-I; and what was the proportion expended in *(a)* Scotland and *(b)* south-east England.

Mr. Alan Clark: In 1989-90 the proportion of the United Kingdom equipment budget spent on collaborative projects, including contracts placed with United Kingdom industry, was about 15 per cent. of the total £8,258 million. The further information requested could be made available only at disproportionate cost.

RAF Chivenor

Mr. Speller: To ask the Secretary of State for Defence (1) if he will take steps to ensure that helicopters with search and rescue night flying capacity are stationed at RAF Chivenor;

(2) if he will make it his policy to ensure that helicopters with a search and rescue night flying capacity are stationed at RAF Chivenor.

Mr. Archie Hamilton: We have no plans to do so.

Warsaw Pact Helicopters

Mr. Barry Field: To ask the Secretary of State for Defence what assessment his Department has made of current Warsaw pact helicopter capability for offensive warfare.

Mr. Tom King: The Warsaw pact has a large fleet of helicopters, about 4,000 in Europe alone, most of which can be armed with a variety of weapons systems. They could present a formidable offensive threat when used as part of a combined arms operation.

Marilyn Report

Mr. Wallace: To ask the Secretary of State for Defence what action he has now taken in the light of the recommendations of the Marilyn report.

Mr. Archie Hamilton: Work continues on a number of measures aimed at improving recruitment and retention in the Army. I told the House during the Army debate on 8 June 1989, at column 389, that additional funds have been devoted to recruitment publicity. This has resulted in a welcome increase in both inquiries and applications.

Work continues in a variety of areas described in the Marilyn report, for example the introduction of a remedial physical development course has enabled over 200 recruits, who would otherwise have failed to meet Army fitness standards, to complete their basic training and begin Army careers.

We have also successfully introduced a policy facilitating transfers between corps and regiments. The number of servicemen who were unhappy in their original choice of arm and have opted to transfer within the Army rather than to leave altogether has risen by almost 26 per cent.

The Army has decided to expand significantly the role of women. This could in due course result in up to 10,000 regular and reserve posts currently filled by men becoming available to women for the first time. The measures will provide the opportunity for women to join regiments and corps which until now have been all male.

Warsaw Pact (Military Observers)

Mr. Redmond: To ask the Secretary of State for Defence what results during the last five years have been obtained by British military observers in Warsaw pact countries, under the auspices of the Stockholm agreement.

Mr. Archie Hamilton: The Stockholm document was signed in September 1986 and came into force on 1 January 1987. Our experience has been that Warsaw pact exercises have been in compliance with the provisions of the Stockholm document.

NATO Nuclear Planning Group

Mr. Turner: To ask the Secretary of State for Defence when the NATO nuclear planning group last met; and what items were on the agenda.

Mr. Tom King: I refer the hon. Member to the reply I gave earlier today to the hon. Member for Lewisham, Deptford (Ms. Ruddock).

Channel Tunnel

Mr. Adley: To ask the Secretary of State for Defence if he will make a statement on his assessment of the defence implications of the construction of the Channel tunnel.

Mr. Archie Hamilton: The Channel tunnel is not at present included in our reinforcement plans, which continue to be based on the use of ferries with a line of communication through the low countries. The tunnel itself does not in our view pose a significant threat to the security of the United Kingdom. Plans to defend it in an emergency are being drawn up.

AGRICULTURE, FISHERIES AND FOOD

Irradiated Food

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the seminar on food irradiation, sponsored by the Agriculture and Food Research Council's Institute for Food Research, held on 18 September.

Mr. Maclean: The seminar was organised by the Institute of Food Research in view of the widespread current interest in food irradiation. My right hon. Friend the Minister of Agriculture, Fisheries and Food agreed to give the opening address. The seminar brought together United Kingdom and international experts in all aspects of the subject. Their review and evaluation of effects of the process confirmed the safety, wholesomeness—including the nutritional value—of food in line with the Government's recent decision. There was widespread acceptance of this overall conclusion and a general recognition of the useful part that food irradiation could play by killing such micro-organisms as salmonella, listeria and camplyobacter.

Farmers

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to increase the number of working farmers *(a)* aged under 40 years and *(b)* entering the industry at any age.

Mr. Maclean: The numbers of those becoming working farmers is entirely a matter for individual choice in response to personal circumstances and market forces.

Straw Burning

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food what representations he has received in the current year about straw stubble burning; and if he is proposing to take steps to ban the practice.

Mr. Maclean: By 20 October 1989, I had received 508 letters covering 744 representations on straw and stubble burning. My right hon. Friend the Minister of Agriculture, Fisheries and Food has already announced a far-reaching review of this matter in which we will be taking account of these and all the other representations received by my Department.

Pesticides

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food for which of the following pesticides he has given approval: *(a)* aldicarb, *(b)* camphechlor, *(c)* chlordane, *(d)* heptachlor, *(e)* chlordioleform, *(f)* DBCP, *(g)* DDT, *(h)* aldrin, *(i)* dieldrin, *(j)* endrin, *(k)* EDB, *(l)* HCH/BHC-olindane, *(m)* paraquat, *(n)* ethyl parathion, *(o)* methyl parathion, *(p)* pentachlorophenol and *(q)* 2-4-5- T; and if he will make a statement.

Mr. Maclean: I refer the hon. Member to Her Majesty's Stationery Office reference book 500 "Pesticides 1989" which lists those pesticides approved under the Control of Pesticides Regulations 1986 and is available in the Library of the House.

Abattoirs

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list for each of the last 10 years the amount of European Community money which has been used to upgrade abattoirs; how many abattoirs have received this aid; and if he will make a statement.

Mr. Maclean: It is entirely a commercial matter for the companies concerned whether or not they decide to upgrade their abattoirs. Over the last 10 years a number of red meat abattoirs have been upgraded to European Community-approved status with financial assistance from the European Community, but because of the way in which the funds are paid by the European Commission the information sought by the hon. Member is not readily available in the form requested. It will be supplied as soon as possible.

Laboratories

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the name and location of any of his laboratories he has closed since March; and if he will make a statement.

Mr. Maclean: Since March to date the subordinate microbiology laboratories of the ADAS farm and countryside service at Accrington, Newcastle and Wye have closed. Arrangements are in hand to maintain a full laboratory service to the areas affected.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the names and locations of the following: veterinary laboratories, including outstations and investigation centres, the Agricultural Development Advisory Service farm countryside laboratories, including the facilities for milk testing, the Agricultural Development Advisory Service research and development laboratories and fisheries research laboratories; and if he will make a statement.

Mr. Maclean: The information requested is as follows:

State Veterinary Service Laboratories

Central Veterinary Laboratory, Weybridge

The Cattle Breeding Centre, Shinfield
Lasswade Veterinary Laboratory, Edinburgh

Veterinary investigation centres in England and Wales
Aberystwyth
Bangor
Bristol
Cambridge
Carmarthen
Lincoln
Newcastle
Norwich
Penrith
Preston
Reading
Shrewsbury
Starcross
Sutton Bonington
Thirsk
Truro
Winchester
Worcester
Wye

Farm and countryside service laboratories
Bristol
Caernarfon
Cambridge
Carmarthen
Evesham
Kirton
Leeds
Llanishen, Cardiff
Newcastle
Reading
Rhydymwyn
Starcross
Trawsgoed
Wye

Research and development service
The Central Science Laboratory has sites at the following locations:
Harpenden
Slough
Tolworth
Worplesdon
There are also small units at Norwich and Stroud.

Fisheries laboratories
(a) Directorate of Fisheries Research Lowestoft with outstations at:
Conway
Whitehaven
Burnham on Crouch
Weymouth

(b) Torry Research Station
Aberdeen

Food Packaging

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list all the research projects he is funding into the packaging of food; which of these have been identified as being near market; and if he will make a statement.

Mr. Maclean: The following research projects relating to the packaging of food are currently being funded by my Department. Only projects 18 and 19 on the list are classified as near market and funding on this research will end before March 1990. The remainder will continue as necessary in line with the Government's commitment to address and resolve food safety and hygiene issues of concern to taxpayers, consumers, producers and industry.

(1) The effects of electron-beam irradiation on additives present in food contact plastics.
(2) Examination of the possibility of setting testing priorities for substances used in food contact materials.
(3) Mathematical and physical models of migration from food contact plastics.
(4) Assessment of consumer exposure to the differing types of retail packaging.
(5) Transformation of antioxidants during processing of polyolefins and subsequent migration.
(6) Feasibility study as to whether it is possible to set levels at which food contact materials become organoleptically unacceptable.
(7) Development of a simple method for the determination of fat on the surface of food.
(8) Migration from food-contact plastics (ovenable materials) at elevated temperatures.
(9) Migration from non-ovenable food contact materials at elevated temperatures.
(10) Migration testing of materials and articles intended for use in microwave ovens and combination ovens.
(11) Studies on vinyl chloride oligomers with a potential for migration into foods.
(12) Migration from metal containers into foods.
(13) Secondary interactions of species migrating into food.
(14) Development of analytical methods for substances on EC positive list of monomers for food contact materials.
(15) Feasibility of producing extracts of plastics for toxicological testing.
(16) Feasibility of setting up a reference collection of monomers and additives used in food contact plastics.
(17) Development of analytical methods for and measurement of migration of mineral hydrocarbons from food contact materials into foods.
(18) Optimum conditions for maintaining quality in packaged fruit and vegetables.
(19) Packaging Techniques for Improved Storage and Display.

Fishing Quotas

Mr. Godman: To ask the Minister of Agriculture, Fisheries and Food whether with reference to the interim order of the President of the European Court of Justice, Case No. 246/89R, made on 10 October, he is in a position to estimate the number of fishing vessels which are now enabled to fish under United Kingdom quotas; what their approximate share of the various quotas is likely to be; if he will list the species they may catch and in which fishing grounds they can operate; and if he will make a statement.

Mr. Curry: The European Court's order effects only the nationality criteria of part II of the Merchant Shipping Act 1988. The requirement that owners of British fishing vessels should be resident and domiciled in the United Kingdom remains, as does the need for vessels to be controlled and managed from here. We expect that these restrictions will seriously limit the number of de-registered vessels which will be able to come back on to our register and fish against our quotas.

Cash Limits

Mr. Robert G. Hughes: To ask the Minister of Agriculture, Fisheries and Food whether it is intended to change the cash limit on any departmental vote for which he has responsibility.

Mr. Gummer: Yes. Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for Class IV, Vote 4 (other agricultural and food services and support for the fishing industry) will be increased by £300,000 from £148,631,000 to £148,931,000 to make

provision for a single contribution to the International Sugar Organisation and the International Wheat Council. This contribution is being made towards a fund for stabilising rents over 10 years. The increase will be fully offset by a corresponding reduction by the Department of Trade and Industry in the cash limit for Class V, Vote 2 (support for industry (including research and development, protection of innovation, international trade, and enterprise and job creation programmes)) and will not therefore add to the planned total of public expenditure.

Written Answers to Questions

Wednesday 25 October 1989

HOME DEPARTMENT

Broadcasting

Mr. John Evans: To ask the Secretary of State for the Home Department if he will make a statement on plans to deregulate broadcasting.

Mr. Renton: We intend to introduce legislation which will authorise new television and radio services, set clear limits on broadcasting ownership, encourage competition and efficiency, and safeguard diversity and high quality in programming, to the benefit of viewers and listeners.

Immigration

Mr. Vaz: To ask the Secretary of State for the Home Department what is the current average length of time it takes his Department to process an application for *(a)* registration and *(b)* naturalisation.

Mr. Renton: The average time taken to complete applications for registrations and naturalisations in September 1989 was 20 and 24 months respectively. We anticipate that there will be a substantial improvement during 1990-91 when the backlog of 1987 registrations has been cleared.

Mr. Vaz: To ask the Secretary of State for the Home Department what was the current backlog of unopened mail at the immigration and nationality department as at 17 October.

Mr. Renton: On 17 October there were 7,201 items of mail unopened. The average delay in opening correspondence, in order to deal with it, is about two weeks.

Police Committees

Mr. Harry Greenway: To ask the Secretary of State for the Home Department if he will state the cost of running statutory police consultation committees for London boroughs in the past years *(a)* for Ealing borough and *(b)* for all those boroughs with a statutory police committee; and if he will make a statement.

Mr. Peter Lloyd: The cost of running the Ealing community and police consultative group in the 1988-89 financial year was £30,500.

Each group operates independently and levels of expenditure are affected by the amount of each group's activity, the nature and location of the borough and the degree of council support. In the case of Ealing, the majority party borough council has refused to take up its place on the group or provide any administrative support. The cost to the Metropolitan police fund has therefore to cover the cost of independent administrative support to the group.

The refusal of Ealing borough council—together with four other local authorities in London—to take part in the statutory process of police-community consultation is misconceived and irresponsible. I urge them to support arrangements which are playing an increasingly important role elsewhere in London and throughout England and Wales in involving local people in policing issues that concern them. Figures for the other consultative groups which come within the Metropolitan police district are as follows:

Figures for the 1988-89 financial year, rounded to the nearest £100

	£
Barking and Dagenham	8,000
Barnet	[1]9,200
Bexley	[1]8,900
Brent	6,500
Bromley	2,000
Camden	7,900
Cheshunt	[1]600
Croydon	7,800
Enfield	3,800
Epping Forest	5,000
Epsom and Ewell	4,200
Esher	4,000
Greenwich	2,100
Hackney	2,700
Hammersmith and Fulham	22,000
Haringey	6,900
Harrow	10,700
Havering	400
Hertsmere	[1]1,300
Hillingdon	6,300
Hounslow	10,000
Islington	15,000
Kensington and Chelsea	9,200
Kingston upon Thames	[1]5,200
Lambeth	51,400
Lewisham	17,900
Merton	6,200
Newham	[2]6,600
Redbridge	3,800
Reigate and Banstead	[1]200
Richmond upon Thames	12,000
Southwark	20,500
Spelthorne	[1]1,900
Sutton	[1]4,100
Tower Hamlets	23,000
Waltham Forest	10,000
Wandsworth	[1]16,700
Westminster (includes Paddington, South Westminster, West End Central groups and Westminster-wide co-ordinating group	47,500

[1] Estimated where final account not yet received or agreed.
[2] Part of a year only. Group in its first year.

Note:
Figures also include costs of lay visitors panels where established.

Crime (Compensation)

Mr. Frank Field: To ask the Secretary of State for the Home Department what moves he intends taking with EEC Governments to ensure that those British subjects who are victims of crime within the EEC are able to claim compensation equivalent to the criminal injuries compensation paid to EEC nationals who are victims of crime in the United Kingdom.

Mr. John Patten: When we ratify the Council of Europe convention on the compensation of victims of violent crime, British citizens who suffer criminal injuries (or their dependants if they are killed) in countries party to the convention will be able to obtain compensation in those countries. We have to examine some of the detailed requirements of the convention before we ratify it.

Once we have ratified, we shall take every opportunity to encourage other countries (including the European Community countries) to do likewise.

Fire Safety

Mr. Cartwright: To ask the Secretary of State for the Home Department what steps he is taking to improve fire safety in *(a)* offices and *(b)* schools.

Mr. John Patten: Offices where more than 20 persons are at work at any one time or more than 10 persons are at work elsewhere than on the ground floor, are already required to have a fire certificate unless they have been exempted by the fire authority from this requirement. Fire authorities have powers to enforce the requirements of fire certificates which require offices to be provided with adequate means of escape and means for fighting fire and to provide training for employees in action to be taken in the event of fire.

In offices which do not require a fire certificate, the occupier must by law provide such means of escape in case of fire and such means for fighting fire as may reasonably be required.

Guidance for occupiers in the form of a code of practice for fire precautions in factories, offices, shops and railway premises not required to have a fire certificate was issued in April. It is available to the public from HMSO outlets.

The Home Office will be publishing next month a basic guide to fire safety at work which will also be available from HMSO outlets. It is aimed not only at occupiers, but at all those with management responsibility.

Fire safety in schools is primarily a matter for my right hon. Friend the Secretary of State for Education and Science.

Public House Bombings (Guildford and Woolwich)

Mr. Mullin: To ask the Secretary of State for the Home Department if he will authorise the payment of interim compensation to the four persons whose convictions for the Guildford and Woolwich pub bombings were recently quashed.

Mr. Hurd: It is my normal practice to make interim compensation payments where these are requested. The amount will be decided by the independent assessor.

Mr. Mullin: To ask the Secretary of State for the Home Department if he will consider appointing lay assessors to Sir John May's inquiry into the Guildford and Woolwich bombings convictions; and if the evidence to the inquiry will be published.

Mr. Hurd: I would be prepared to consider the appointment of lay assessors if Sir John May feels this is necessary for the conduct of his inquiry.

Anybody giving evidence to the inquiry may, if they wish, publish it, and there will be hearings in public. The question of publishing evidence not given in public will be considered when the inquiry is complete.

Anglo-Irish Relations

Mr. Parry: To ask the Secretary of State for the Home Department if, with a view to improving Anglo-Irish relations, he will reconsider the request of Irish Republican category 'A' prisoners held in English prisons to be transferred to Northern Ireland to alleviate the suffering and hardship caused to their families; and whether there are any plans to close a high security prison in Northern Ireland due to the dwindling prison population in the Province.

Mr. Peter Lloyd: Requests by prisoners for permanent transfer to Northern Ireland are considered in the light of the criteria set out in the reply by my right hon. Friend to a question by my hon. Friend the Member for Bury, North (Mr. Burt) on Friday 23 June 1989 at column *263*. These criteria, which do not distinguish between category A and other inmates, deal not only with the circumstances of the inmate in question but also with any family circumstances which may be put forward in support of a transfer request. It is open to any inmate whose transer request is refused to make a fresh application which would be considered in the light of the criteria and the circumstances applying at the time of the fresh request.

Prisons in Northern Ireland are the responsibility of my right hon. Friend the Secretary of State for Northern Ireland from whom I understand that there are currently no plans to close any prison establishment in the Province.

NORTHERN IRELAND

Royal Ulster Constabulary

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what nationalities has the chief constable of the Royal Ulster Constabulary, Mr. Hugh Annesley.

Mr. Cope *[holding answer 23 October 1989]:* The nationality status of individuals is a private matter.

WALES

Speech Therapists

Mr. Michael: To ask the Secretary of State for Wales what steps he is taking to overcome the shortage of speech therapists in Wales.

Mr. Grist: Speech therapy requirements have been examined in the context of the annual manpower resource planning exercise undertaken by the Health Service in Wales in 1988 and 1989. The purpose of the exercise, initiated by the manpower steering group established by the Department in 1986, is to identify future manpower requirements and enable action to be taken to meet these requirements at the all-Wales level.

The report of the 1988 manpower resource planning exercise recommended an increase in speech therapy provision within Wales. This is being considered within the context of the provision of education and training within the NHS in Wales generally and taking into account the results of the 1989 manpower resource plans (a report of which will be available early next year), the implications of the proposals contained in the White Paper "Working for Patients" and the recommendations contained in the report of a review of the role of the combined training institute at Cardiff.

Water Supplies

Mr. Michael: To ask the Secretary of State for Wales what assessment he has made of the effectiveness of measures taken following the drought which affected Welsh water supplies in 1976, especially in the light of the shortage of supplies in the reservoirs this summer.

Mr. Grist: A number of improvements have been made to the water supply distribution system since 1976. Of particular note is the River Wye transfer scheme and the establishment of a mini-grid system in south-east Wales. Whilst this summer was the driest since 1910 in that area, the improvements have enabled Dŵr Cymru Cyf to maintain supplies despite the low level of water in local reservoirs.

Mr. Michael: To ask the Secretary of State for Wales what proposals he has to ensure that water supplies in Wales are dependable even in future periods of drought.

Mr. Grist: It is the responsibility of Dŵr Cymru to ensure that water supplies within its area can be maintained at times of below-average rainfall. The company, in liaison with the NRA who have overall responsibility for water resource management, will keep the position under review.

Primary Schools

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list for each Welsh local education authority the number of primary schools with *(a)* fewer than 10 pupils, *(b)* fewer than 20 pupils, *(c)* fewer than 30 pupils, *(d)* fewer than 40 pupils, *(e)* fewer than 50 pupils, *(f)* fewer than 60 pupils, *(g)* between 60 and 100 pupils, *(h)* between 100 and 150 pupils and *(i)* between 150 and 200 pupils.

Mr. Wyn Roberts: The information requested, based on the position at January 1989, is shown in the table:

Number of pupils	*Clwyd*	*Dyfed*	*Gwent*	*Gwynedd*	*Mid Glamogan*	*Powys*	*South Glamorgan*	*West Glamorgan*
Fewer than 10 pupils	0	0	0	0	0	0	0	0
Fewer than 20 pupils	8	5	1	2	1	2	0	0
Fewer than 30 pupils	17	36	9	19	3	20	1	1
Fewer than 40 pupils	29	77	11	35	7	29	2	4
Fewer than 50 pupils	39	106	13	55	12	41	2	5
Fewer than 60 pupils	52	133	20	74	15	49	4	5
60-99 pupils	39	55	24	50	35	31	10	15
100-149 pupils	50	60	35	28	62	13	12	15
150-199 pupils	31	35	56	22	107	8	36	45

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list the number of primary schools closed by each Welsh local education authority in each year since 1974 in each of the following categories, *(a)* fewer than 10 pupils, *(b)* fewer than 20 pupils, *(c)* fewer than 30 pupils, *(d)* fewer than 40 pupils, *(e)* fewer than 50 pupils, *(f)* fewer than 60 pupils, *(g)* between 60 and 100 pupils, *(h)* between 100 and 150 pupils and *(i)* between 150 and 200 pupils.

Mr. Wyn Roberts: Information in the form requested is not available. I will write to my hon. Friend.

NATIONAL FINANCE

Data Protection

Mr. Cohen: To ask the Chancellor of the Exchequer what is the purpose of the office and management support system for tax compliance based at Basingstoke, Telford and Worthing; and what measures have been taken to ensure the system will comply fully with the provisions of the Data Protection Act.

Mr. Lilley: The Inland Revenue has introduced a new office and management support system in its specialist investigation offices. The main purpose of this relatively small computer system is to collate factual information and avoid duplicate research by the Revenue's investigators in those offices. The system will also monitor progress on investigations and includes a full range of automated office functions such as diaries, electronic mail and computational facilities. The system became operational in September and is distinct from the large COP/CODA computer project which has been operational for sometime, and provides support for local tax districts.

The Data Protection Act has been fully complied with and the system has been registered with the Data Protection Register.

Tax Appeal Hearings

Mr. Wigley: To ask the Chancellor of the Exchequer what representations he has received about the revised system of testing taxpayers' cases for Inland Revenue apeal hearings before the general commissioners; and if he will take steps to ensure that the new computerised system meets the reasonable needs of accountants and others representing the appellants.

Mr. Lilley: Representations have been received from accountants and clerks to general commissioners on the new computerised procedures used by the Inland Revenue in listing cases for general commissioners hearings and printing the clerk's notices. An evaluation exercise will shortly be undertaken which will take full account of representations received.

Mortgage Tax Relief

Mr. Norman Hogg: To ask the Chancellor of the Exchequer if he will publish a table in the *Official Report* showing *(a)* the estimated total cost of mortgage tax relief in 1989-90, *(b)* the average value of relief per mortgagor and *(c)* the numbers receiving mortgage relief broken down in the income ranges (i) under £4,000, (ii) £4,000 to £5,000, (iii) £5,000, (iv) £5,000 to £6,000 (v) £6,000 to £7,000, (vi) £7,000 to £8,000, (vii) £8,000 to £9,000, (viii)

£9,000 to £10,000, (ix) £10,000 to £12,000, (x) £12,000 to £15,000, (xi) £15,000 to £20,000, (xii) £20,000 to £25,000, (xiii) £25,000 to £30,000 and (xiv) over £30,000.

Mr. Lilley: Information on the distribution of mortgage interest relief by range of total income is available from projections of the data from the 1986-87 survey of personal incomes and the 1986 family expenditure survey. However, all estimates are provisional.

Latest estimates for 1989-90 are given in the table and include mortgages formerly under the option mortgage scheme which are now subsumed within MIRAS. The estimates take account of the recently announced increases in mortgage interest rates.

Tax units receiving mortgage interest relief by range of total income 1989-90

Range of total income	*Number of tax units with mortgage interest relief* *Thousands*	*Average value of relief per mortgagor* *£*	*Cost of relief* *£ million*
Up to £4,000	470	520	240
£ 4,001 to £ 5,000	170	470	80
£ 5,001 to £ 6,000	170	510	90
£ 6,001 to £ 7,000	270	520	140
£ 7,001 to £ 8,000	410	640	260
£ 8,001 to £ 9,000	430	660	290
£ 9,001 to £10,000	420	670	280
£10,001 to £12,000	860	680	590
£12,001 to £15,000	1,400	680	950
£15,001 to £20,000	1,880	740	1,390
£20,001 to £25,000	1,200	750	900
£25,001 to £30,000	610	890	540
over £30,000	1,010	1,240	1,250
Total	9,300	750	7,000

Rugby Players (Income Tax)

Mr. Hinchliffe: To ask the Chancellor of the Exchequer what income tax receipts were received on fees paid to rugby union players in the last financial year.

Mr. Lilley *[holding answer 23 October 1989]:* I regret that it is not possible to identify from the information available about income tax receipts the amount paid by rugby union players.

TRADE AND INDUSTRY

Financial Reporting Council

Mr. Nicholas Bennett: To ask the Secretary of State for Trade and Industry when he expects to make an announcement about the appointment of a chairman of the Financial Reporting Council.

Mr. Redwood: In the light of my Department's consultations with interested parties about the implementation of the structural proposals in the Dearing report on the making of accounting standards, I have asked Sir Ronald Dearing, and he has agreed, to become chairman designate of the Financial Reporting Council. His task will be to negotiate terms with all concerned so that the new arrangements for making and enforcing accounting standards are in place next summer.

When the Financial Reporting Council is established, it is the intention of my right hon. Friend the Secretary of State for Trade and Industry, acting jointly with the Governor of the Bank of England, formally to appoint Sir Ronald as chairman of the council.

Clear unambiguous accounting standards which are effectively enforced are essential to the good working of a market economy. The report of the committee chairman by Sir Ronald has been widely welcomed as identifying the way to enhance the authority and general acceptance of accounting standards. I can think of nobody who is better qualified to carry through the important task of setting up the new arrangements, and I am delighted that Sir Ronald has agreed to undertake this role.

DRG (Takeover Bid)

Dr. David Clark: To ask the Secretary of State for Trade and Industry if he will make a statement on the action he is taking concerning the proposed takeover bid for DRG by Pembridge Investments.

Mr. Redwood *[holding answer 24 July 1989]:* The proposed acquisition by Pembridge Investments of DRG is currently being considered by the Director General of Fair Trading who will advise my right hon. Friend the Secretary of State in the normal way on the question of reference to the Monopolies and Mergers Commission.

China (Textiles)

Mr. Madden: To ask the Secretary of State for Trade and Industry if he will seek to arrange for the EEC Commission to renegotiate agreements with China concerning textile imports from China within the EEC; what representations he has received about increased Chinese textile quotas to the United Kingdom; what action he is taking to reduce Chinese textile imports into the United Kingdom; and if he will make a statement.

Mr. Redwood *[holding answer 24 July 1989]:* No. The bilateral textiles agreement negotiated between the European Community and China under the multi-fibre arrangement at the end of the last year lasts for four years. I understand the concern that has been expressed in a number of representations to me and to my Department about the increased levels of access for Chinese textile and clothing products under this agreement. However we were satisfied that the new agreement was the best that the Commission could achieve.

We continue to watch developments closely and if unrestrained imports from China cause or threaten to

cause disruption to the United Kingdom market, Ministers would be willing to consider whether it would be in the United Kingdom interest to put a case to the EC Commission for restraint action under the provisions of this agreement.

SCOTLAND

CBI

Mr. Sillars: To ask the Secretary of State for Scotland how many meetings he has had with the Confederation of British Industry in the past 12 months.

Mr. Lang: I refer the hon. Member to my reply on 18 October to my hon. Friend the Member for Stockport (Mr. Favell).

Labour Statistics

Mr. Sillars: To ask the Secretary of State for Scotland what are the total figures and percentage rates of unemployed people in each individual Glasgow constituency; and what were the comparable figures in 1979, 1983 and 1987.

Mr. Lang: The information is not available in the precise form requested. The table below gives the number unemployed in each Glasgow parliamentary constituency in August 1989, the latest date for which information is available, together with comparable figures for 1983 and 1987. There are no unemployment estimates for parliamentary constituencies prior to June 1983. Percentage rates for unemployment are not calculated for parliamentary constituencies.

Glasgow Parliamentary Constituencies	*August 1983*	*August 1987*	*August 1989*
Cathcart	4,249	4,196	2,976
Central	6,754	7,301	5,641
Garscadden	6,204	5,648	4,482
Govan	5,975	5,922	4,609
Hillhead	4,939	5,787	4,267
Maryhill	7,226	7,771	6,097
Pollok	7,405	6,945	5,382
Provan	9,437	7,915	5,902
Rutherglen	7,131	6,313	4,574
Shettleston	6,610	6,324	5,055
Springburn	8,334	8,152	6,402

[1] There have been a number of changes in the compiliation and coverage of the unemployment count. Therefore the figures given above are not directly comparable with each other.

Interest Rates

Mr. Sillars: To ask the Secretary of State for Scotland what recent representations he has received from the Confederation of British Industry about the effect of high interest rates on the Scottish economy.

Mr. Lang: I am aware of recent statements by the Confederation of British Industry on the interest rate rise announced on 5 October. The Government continue to believe that interest rates are the most effective weapon to counter the risks of inflation.

Forensic Scientists

Mr. Wray: To ask the Secretary of State for Scotland how many forensic scientists were employed by his office in *(a)* Scotland, *(b)* the Strathclyde region and *(c)* Greater Glasgow for each year since 1979.

Lord James Douglas-Hamilton: In Scotland, forensic scientists working in police laboratories are employed by the police authority concerned. Figures of the numbers so employed are as follows:

	Scotland	*Strathclyde region (all located in Glasgow)*
1979	21	14
1980	21	14
1981	21	14
1982	22	14
1983	24	14
1984	24	14
1985	25	14
1986	33	20
1987	33	20
1988	34	20
1989	38	20

Caledonian MacBrayne

Mr. Dewar: To ask the Secretary of State for Scotland if he is now in a position to announce the membership of the board of Caledonian MacBrayne.

Mr. Rifkind: I am at present considering possible membership of the board and will make an announcement as soon as possible.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Scotland what percentage of letters from hon. Members to his Department received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

Mr. Rifkind: Disproportionate costs would be incurred in the preparation of an answer in the form requested. An ad hoc survey conducted within my Department during a representative period in 1988 showed an average response time of 23 days.

Residential Homes

Mr. Norman Hogg: To ask the Secretary of State for Scotland how many mentally ill and handicapped people live in residential homes and hostels in Scotland.

Mr. Lang: As at 31 March 1988, the latest date for which information is available centrally, 226 mentally ill persons and 1,713 persons with mental handicap were resident in local authority homes and homes registered by them. Comprehensive information on unregistered accommodation is not available but 304 mentally ill and 464 mentally handicapped persons were recorded as resident in other establishments of which local authority social work departments were aware. Also at the same date 770 persons resident in homes for the elderly were described as mentally ill and some 620 as mentally handicapped.

Mr. Norman Hogg: To ask the Secretary of State for Scotland how many physically handicapped aged under 65 years live in residential homes in Scotland.

Mr. Lang: As at 31 March 1988, the latest date for which information is available, there were 749 persons under 65 reported as physically handicapped in local authority homes and homes registered by them.

One-parent Families

Mr. Norman Hogg: To ask the Secretary of State for Scotland what is the number of one-parent families recorded in Scotland.

Mr. Lang: From the latest available information it is estimated that there were some 100,000 one-parent families in Scotland in 1986.

Institutions

Mr. Norman Hogg: To ask the Secretary of State for Scotland what proportion of persons aged over 75 years live in institutions in Scotland.

Mr. Michael Forsyth: The latest information available is from the 1981 census of population which recorded 9·1 per cent. of residents of Scotland aged 75 years and over as residing in establishments other than private households.

Sheltered Housing

Mr. Norman Hogg: To ask the Secretary of State for Scotland what proportion of the total housing stock is comprised of sheltered housing; and what proportion is provided by local authorities, housing associations and the private sector in Scotland.

Lord James Douglas-Hamilton: Reliable information is available centrally only for public housing authorities and for housing associations. As at 31 March 1989, the latest date for which information is available, these agencies provided some 26,555 sheltered houses representing approximately 2·6 per cent. of the total stock of these agencies (1,016,000).

This total is broken down as follows:

	Number	*Percentage*
Local authorities	14,703	55·4
Scottish Special Housing Association	1,768	6·7
New towns	434	1·6
Housing associations	9,650	36·3
Total	26,555	

Dounreay

Mr. Bill Walker: To ask the Secretary of State for Scotland if he has completed his consideration of the application by the United Kingdom Atomic Energy Authority and British Nuclear Fuels plc for permission to construct a demonstration fast reactor fuel reprocessing plant at Dounreay.

Mr. Rifkind: I am announcing today my decision to approve this application, subject to conditions, and I have placed a copy of the decision letter in the Library.

EDUCATION AND SCIENCE

Youth Service Training

Mr. Bright: To ask the Secretary of State for Education and Science (1) how many voluntary youth and community workers have received grant support for training in the youth service under the Education (No. 2) Act 1986 since the scheme came into operation;

(2) how many youth and community workers not employed by local education authorities are likely to receive grant-supported training in the current financial year.

Mr. Alan Howarth: It is estimated that some 105,000 youth and community workers in England will have received training by the end of this financial year, with support through the local education authority training grants scheme. This includes more than 33,000 workers in 1989-90. Separate figures for voluntary workers are not collected centrally.

Education (Greenwich)

Mrs. Rosie Barnes: To ask the Secretary of State for Education and Science what action he intends to take in the light of the London borough of Greenwich's decision to change its secondary schools' admission policy contrary to the undertakings given in its education development plan as published in February 1989, thus excluding children living in the London borough of Lewisham from local schools; and if he will make a statement.

Mrs. Rumbold: Inner London borough development plans were published under section 165 of the Education Reform Act 1988 as a basis for local consultation designed to inform councils' formal policy decisions. In relation to school admissions, the relevent formal decisions are those subsequently reflected in admission arrangements published, by Greenwich as by other inner London boroughs, under section 8 of the Education Act 1980. Under section 6 of that Act, parents may express a preference for any school, regardless of its location; LEAs and governors are required to comply with that expression of parental preference, subject to strictly defined reliefs as set out in sections 6(3) and (6). LEAs and governors may not as part of their admission policy refuse to admit out-of-borough pupils. Where schools are oversubscribed, admission authorities may, however, give priority to in-borough children in the allocation of places, provided they make their policy clear in the information published under section 8.

ATTORNEY-GENERAL

Legal Aid

Mr. Madden: To ask the Attorney-General what representations he has received about the refusal rate to applications for legal aid from applications in Bradford; how many legal aid applications have been made by people living in Bradford in each of the last five years; and in each year to date how many applicants have been *(a)* successful and *(b)* unsuccessful.

The Attorney-General: The Lord Chancellor has received no representations about the refusal rate to

applications for legal aid from applicants in Bradford. Information is not collected for civil legal aid or legal aid in the Crown Court in the form requested by the hon. Member. The following figures relate to the applications for legal aid in the magistrates' courts in the Bradford police force area:

	Number of applications made	*Number granted*	*Number refused*	*Percentage refused*
1984	3,694	3,377	317	8·6
1985	4,511	3,984	527	11·7
1986	3,915	3,586	329	8·4
1987	4,885	4,461	424	8·7
1988[1]	3,514	3,241	273	7·8

[1]No returns were received for one quarter in 1988.

ENERGY

Nuclear Co-operation

Mr. Cohen: To ask the Secretary of State for Energy if he will give details of the agreement reached on nuclear co-operation between the United Kingdom and the Federal Republic of Germany; what levels of spent nuclear fuel and waste will be imported into the United Kingdom; and if he will make a statement.

Mr. Michael Spicer: Copies of the full text of the joint declaration on the peaceful use of nuclear energy, which was signed by the Governments of the United Kingdom ad the Federal Republic of Germany on 25 July 1989, have been placed in the Library of the House. No specific contracts for the reprocessing of spent nuclear fuel have yet been agreed as a result of the declaration. In line with Government policy, the contracts, when concluded, will provide for the return of wastes to the Federal Republic of Germany.

PRIME MINISTER

Downing Street

Mr. Fisher: To ask the Prime Minister if she will make a statement on the renovations and redecorations to the Prime Minister's personal apartment at Downing street; whether a designer or architect has been appointed; and what will be the overall cost of the work.

The Prime Minister *[holding answer 23 October]:* Apart from fitting cupboards, there has been no fundamental work on refurbishment or modernisation of the personal apartment at Downing street. Any redecoration or modernisation work has been undertaken by the Property Services Agency.

Mr. Fisher: To ask the Prime Minister whether Her Majesty's Government have invited designers or architects to submit plans for the erection of gates at the Whitehall entrance to Downing street.

The Prime Minister *[holding answer 23 October]:* There has been a barrier at the Whitehall entrance to Downing street since 1973 and the present gates and railings were installed in 1982. It is intended to replace these with new gates and railings.

Plans for new demountable railings and gates have been prepared by the Property Services Agency in consultation with English Heritage and the Royal Fine Arts Commission. These have been agreed by Westminster city council.

Mr. Fisher: To ask the Prime Minister whether Her Majesty's Government have prepared a budget for the erection of gates at the Whitehall entrance to Downing street.

The Prime Minister *[holding answer 23 October]:* All expenditure relating to Downing street is budgeted.

Mr. Fisher: To ask the Prime Minister whether it is Her Majesty's Government's intention to erect gates at the Whitehall entrance to Downing street.

The Prime Minister *[holding answer 23 October]:* There has been a barrier at the Whitehall entrance to Downing street since 1973 and the present gates and railings were installed in 1982. It is intended to replace these with new gates and railings.

ENVIRONMENT

Greenhouse Effect

Dr. Thomas: To ask the Secretary of State for the Environment (1) if he has made any assessment of the claimed benefits of the greenhouse effect, made by the Soviet climatologist, Mikhail Budyko, in a paper to the United Nations environment programme in August;

(2) if his Department has made any assessment of the recent analysis by Dr. John Woods of the Marine and Atmospheric Sciences Division for the Natural Environment Research Council suggesting that the onset timescale for the greenhouse effect has been significantly underestimated;

(3) what study has been made by his Department, or under consultancy to his Department, of the plankton multiplier effect on the level that global warming may reach following the greenhouse effect.

Mrs. Virginia Bottomley: Each of these matters is for consideration in the international review of climate change science being carried out by working group I of the intergovernmental panel on climate change (IPCC). This work is being led by the United Kingdom under the chairmanship of Dr. John Houghton, director general of the Meteorological Office and supported by funds totalling over £600,000 from the Departments of the Environment and Energy.

Dr. Thomas: To ask the Secretary of State for the Environment what initiatives he introduced to the Council of European Environmental Ministers to combat the greenhouse effect, at its meeting on 19 September.

Mrs. Virginia Bottomley: At the Council meeting on 19 September, my right hon. Friend continued to take the

lead in initiatives for the conservation of tropical forests. In particular, he supported the redeployment of resources within the European Commission towards forestry, advocated the need for close collaboration with developing countries in taking forward projects for the sustainable management of forest resources, and expressed the hope that other EC countries would support the United Kingdom initiative at the Council of the International Tropical Timber Organisation for a feasibility study on an EC-wide labelling scheme for tropical timber imports.

Environmental Protection

Dr. Thomas: To ask the Secretary of State for the Environment if he has received any information from the United States of America Government or Her Majesty's ambassador in Washington DC in regard to the implications for joint environmental protection research between the United States of America and the United Kingdom, of the proposed increases in the United States budget for environmental research in 1990.

Mrs. Virginia Bottomley: Joint environmental protection research between the United States of America and the United Kingdom is undertaken through a variety of arrangements, including a memorandum of understanding agreed in 1987. Collaborative work also takes place through the auspices of other bodies such as the United Nations environment programme, Economic Commission for Europe, and Intergovernmental Oceanographic Commission.

It is not possible at this stage to assess the implications for research collaboration of proposed increases in the United States budget for 1990 for environmental protection research.

Chlorofluorocarbons

Dr. Thomas: To ask the Secretary of State for the Environment if he has received any information on the scientific assessment by Dr. Eric Banks of the University of Manchester Institute of Science and Technology of the potential harmful effects of chlorofluorocarbon ozone-friendly replacements, details of which were presented to the ninth European symposium on fluorine chemistry in September.

Mrs. Virginia Bottomley: No. I am arranging to obtain papers from Dr. Banks for assessment.

Sellafield (Accident)

Dr. Thomas: To ask the Secretary of State for the Environment if he will make a statement on the accident involving radioactivity at Sellafield on 5 September; when his Department was informed; and what were the causes and consequences of the accident.

Mrs. Virginia Bottomley: My Department and the Ministry of Agriculture, Fisheries and Food (the authorising Departments) were informed on the afternoon of that day of an event that had led to a slight over-emptying of a discharge tank. Checks by Her Majesty's inspectorate of pollution and the Ministry of Agriculture, Fisheries and Food confirmed the view of British Nuclear Fuels that the event had not led to any breach of discharge limits or radiological consequences. A press release was issued by British Nuclear Fuels later that afternoon, and full details were also included in the site's regular newsletter, copies of which are available in the Library of the House.

Pollution Control Conference

Dr. Thomas: To ask the Secretary of State for the Environment if his Department was represented at the conference on the role of clean technologies in integrated pollution control, held at the University of Sheffield on 19 October.

Mrs. Virginia Bottomley: No.

Waste Management Conference

Dr. Thomas: To ask the Secretary of State for the Environment if his Department was represented at, and presented any papers to, the conference on the future of waste management, held at the Botanical Gardens, Birmingham on 23 October.

Mrs. Virginia Bottomley: A paper on the Department's proposals for waste regulation was presented at this conference.

Nuclear Waste

Dr. Thomas: To ask the Secretary of State for the Environment (1) what departmental papers were presented, and what departmental representation there was at *(a)* the PAGIS/Commission of the European Communities conference on nuclear waste in Madrid in June and *(b)* the Commission of the European Communities/International Atomic Energy Agency/OECD Nuclear Energy Agency sponsored conference on the safety assessment of radioactive waste repositories, in Paris, 9-13 October;

(2) what departmental representation was made, and what papers presented at the forum on radioactive waste repositories held in Paris between 9-13 October, organised by the Commission of the European Communities, the International Atomic Energy Agency and the Nuclear Energy Agency of the Organisation for Economic Co-operation and Development.

Mrs. Virginia Bottomley: Two DOE officials attended the CEC PAGIS information day held in Madrid on 30 June 1989. No Departmental papers were presented.

Two DOE officials attended the CEC/IAEA/OECD (NEA) symposium on the safety assessment of radioactive waste repositories held in Paris from 9 to 13 October 1989. The following four papers co-authored by DOE officials were presented:

(i) 'The OECD Nuclear Energy Agency Probabilistic Assessment Codes (PSAC) User Group; Objectives, Achievements and Programme of Activities' by B G J Thompson et al.

(ii) 'The Development and Application of an Integrated Radiological Risk Assessment Procedure using Time Dependent Probabilistic Risk Analysis' by J-M Laurencs et al.

(iii) 'CHEMVAL—An International Research Initiative for the Verification and Validation Testing of Chemical Speciation and Chemical Transport Computer Programs' by T W Broyd et al.

(iv) 'Quality Assurance for Safety Assessment of Radioactive Waster Repositories' by I Hill et al.

1. The PAGIS (performance assessment of geological isolation systems) information day held in Madrid on 30 June

1989 was organised by by CEC to report on the Commission-funded research programme assessing radiological impact of radioactive waste disposal. PAGIS consisted of a series of generic studies to assess the radiological impact resulting from the disposal of high-level radioactive wastes in clay, granite and salt formations and in ocean sediments. Scientists drawn from a number of European, including United Kingdom, establishments were involved. The conclusion of the studies is that all four options should, in principle, allow for safe disposal of radioactive wastes. Reports of the studies have recently been published. The audience consisted of politicians, scientists and industry representatives, mainly from European Community member states. Two DOE officials attended; Mr. B. D. Ponsford, director of HMIP, who participated as the United Kingdom representative, in the concluding panel discussion, and Dr. S. Brown, head of research and assessments branch of HMIP. Sir Hugh Rossi MP gave the invited introductory talk.

2. The international symposium on the safety assessment of radioactive waste repositories held in Paris from 9-13 October 1989 was jointly organised by the Commission of the European Communities, the International Atomic Energy Agency and the Nuclear Energy Agency of the OECD. The aim of the conference was to give member countries an opportunity, based upon current experience, to summarise the state of the art on safety assessment issues and to discuss possible future developments. Two DOE officials attended; Dr. S. Brown, head of research and assessments branch, HMIP and Dr. B. Thompson, principal inspector, HMIP. A number of papers reporting work commissioned by DOE were presented as were four papers co-authored by DOE officials. The proceedings of the Symposium will be published by the nuclear Energy Agency of the OECD in due course.

Ministerial Meetings

Dr. Thomas: To ask the Secretary of State for the Environment what meetings he has had since July with representatives of national, international and regional environmental pressure groups and non-governmental organisations; when they were held; what issues were raised; and if he will make a statement on his policy towards communications and co-operation with such organisations in policy development.

Mrs. Virginia Bottomley: Since July, my right hon. Friend the Secretary of State has met representatives of Friends of the Earth for a general discussion of environmental issues, and representatives of the Council for the Protection of Rural England to discuss countryside matters.

In addition, my hon. Friend the Minister for the Environment and Countryside and I have had meetings on a range of environmental matters with a number of other bodies, including CLEAR, the British Conservation Trust, the Royal Society for the Protection of Birds, the Tidy Britain Group and UK 2000.

We welcome a dialogue with constructive and well-meaning environmental groups in order to strengthen mutual understanding of the issues that we face and the policy options that are available.

Gipsy Sites

Mr. Pawsey: To ask the Secretary of State for the Environment if he will give the number and location of designated gipsy sites in Warwickshire.

Mr. Chope: There are at present three local authority gipsy sites in Warwickshire. These are at Alvecote, near Tamworth, which has 17 pitches, at Griff, Nuneaton, 21 pitches, and at Pathlow, near Stratford-on-Avon, 29 pitches. There are, in addition, 54 caravan spaces for gipsies on eight authorised private sites elsewhere in the county.

Local Government Finance

Mr. Battle: To ask the Secretary of State for the Environment if he will give illustrative figures for the level of community charge *(a)* under the previously proposed system and *(b)* following the latest changes, for 1990-91, in pounds per adult for (i) Elmbridge, (ii) Surrey Heath, (iii) Waverley, (iv) Woking, (v) Hertsmere, (vi) North Hertfordshire, (vii) Three Rivers, (viii) Bradford, (ix) Calderdale, (x) Kirklees, (xi) Leeds and (xii) Wakefield, respectively.

Mr. David Hunt: The latest illustrative figures are those published on 19 July. The changes to the safety net and the scheme of transitional relief announced on 11 October will not affect community charges for 1990-91, except those for individuals entitled to the relief.

Mr. Cohen: To ask the Secretary of State for the Environment whether he proposes to introduce regulations which ensure that a carer who resides part-time in his own home and the remainder of the time in the home of a person being cared for will only pay one poll tax liability; and if he will make a statement.

Mr. David Hunt: I refer the hon. Gentleman to the answer that I gave him on 27 July 1989 *Official Report*, column *931*.

Mr. Battle: To ask the Secretary of State for the Environment if he will publish a table indicating which local authorities gain and which authorities lose as a result of the Government's latest decisions on safety nets and the community charge, in terms of pounds sterling per adult.

Mr. David Hunt: For 1990-91 there is no change from the proposal for the safety net announced on 19 July. The proposal to abolish the safety net after 1990-91 will benefit chargepayers in those areas which would otherwise have had to contribute directly to the safety net. The position of areas benefiting from the safety net will be unchanged.

Mr. Battle: To ask the Secretary of State for the Environment if he will publish his Department's estimate of how many households in Leeds will receive safety net payments on the community charge, according to the number of people in the household.

Mr. David Hunt: The information requested is not available. If the effect of the safety net is to reduce community charges in Leeds then the same reduced community charge will apply to each liable adult in every household.

Mr. Battle: To ask the Secretary of State for the Environment if he will publish his Department's illustrative figures on the impact of the community charge on households in Leeds as a result of the recent decision, assuming that the local authority spends at its grant-related expenditure allocation level.

Mr. David Hunt: I have no information on the impact of the community charge on different types of households in individual local authority areas.

Mr. Battle: To ask the Secretary of State for the Environment to which members of a four-person

household which qualifies for safety-net payments under community charge transitional payment the reduction will be applied.

Mr. David Hunt: I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Under-Secretary of State to the hon. Member for Shrewsbury and Atcham (Mr. Conway) on 20 October, *Official Report*, column 262. Copies of the Department's further proposals document, which sets out the basis on which transitional relief should be given for larger households with three or more adults, are in the Libraries of the Houses of Parliament.

Mr. Battle: To ask the Secretary of State for the Environment what inflation assumptions for local authority expenditure are made in his Department's indicative figures for the impact of the community charge.

Mr. David Hunt: I have published no indicative figures showing my estimate of future community charge levels. Illustrative figures were provided on 19 July based on local authority spending levels in 1989-90, which required no inflation assumption.

Radon Contamination

Mr. Redmond: To ask the Secretary of State for the Environment how long it takes the National Radiological Protection Board to assess an individual's home monitoring unit for radon contamination, once it has been returned after the three-month survey period; and if the results are always notified to the occupier.

Mrs. Virginia Bottomley: The National Radiological Protection Board usually completes assessments funded by the Department within 10 weeks of the end of the survey period. It always notifies the results to the occupier.

Limestone Workings

Mr. Redmond: To ask the Secretary of State for the Environment what records are kept of old disused limestone mine workings in South Yorkshire; and where they are stored.

Mr. Moynihan: Since 1872, on the abandonment of mine workings plans have been required by statute to be deposited with the Secretary of State for Employment. Those for minerals other than coal are lodged with the Health and Safety Executive (Mining Records Office), and those for coal mines are lodged with the British Coal Corporation. Pre-1872 records are not kept centrally. However, mine records are held by Barnsley metropolitan borough council (as successor to South Yorkshire county council) to provide a mining advisory service to Barnsley, Doncaster and Rotherham metropolitan borough councils, and by Sheffield city council. It is not known whether any of these records would include old limestone mine workings.

Brodsworth Hall

Mr. Redmond: To ask the Secretary of State for the Environment how far the negotiations of transferring Brodsworth hall, near Doncaster into the hands of the nation have progressed; and how much money the Government have put into the scheme to date.

Mr. Trippier: This is a matter for English Heritage and the National Heritage Memorial Fund. The Government have put no funds expressly into the acquisition of Brodsworth hall and its contents for the nation. If the negotiations with the owners prove successful it will be for English Heritage and the National Heritage Memorial Fund to find the necessary resources from their existing grant in aid.

African Elephants

Mr. Michael: To ask the Secretary of State for the Environment what estimate he has made of the current rate of depletion of the number of elephants inhabiting the African continent; and whether any improvement on the rate of depletion over the past 10 years is expected.

Mr. Trippier: Accurate information about the rate of decline is difficult to obtain, but it is generally accepted that in the last 10 years the population has declined by about 45 per cent. In the light of this, the recent CITES conference agreed the inclusion of the African elephant in appendix I of the convention. We hope that the stricter controls which will now apply to this species will halt its decline and that numbers will increase.

Mr. Michael: To ask the Secretary of State for the Environment what evidence is available on the effectiveness of the British Government's contribution to international efforts to save the African elephant from extinction.

Mr. Trippier: The Government have played their full part in international efforts to save the African elephant from extinction and were instrumental in the setting up of the CITES ivory trade monitoring unit. We were, however, dissatisfied with the effectiveness for conservation of the controls on ivory trade and in June we called on our European partners to introduce a ban on the import of African ivory and to support appendix I listing for the African elephant. I am delighted that the appendix I listing was approved at the recent CITES conference.

Mr. Michael: To ask the Secretary of State for the Environment what fresh initiatives he proposes to take to help secure the future of the African elephant *(a)* through specifically British initiatives and *(b)* through joint action with European and other nations on a worldwide basis.

Mr. Trippier: At the recent CITES conference, the United Kingdom strongly suported the proposal to include the African elephant in appendix I of the convention. Furthermore, we were successful in obtaining approval for our resolution urging all party states to implement appendix I controls with immediate effect. It is for the African Governments concerned to work out a long-term conservation strategy to ensure the survival of this species, but we are always ready to consider any proposal from African countries for assistance with measures to conserve their populations of elephants.

Domestic Waste

Mr. Hardy: To ask the Secretary of State for the Environment if he will list the names and numbers of local authorities which he considers operate satisfactory collection and recycling arrangements as far as domestic waste is concerned; and if he will list the names and numbers where such arrangements are either non-existent or inadequate.

Mrs. Virginia Bottomley: This information is not currently held on a systematic basis for all domestic waste streams. My Department, with the Department of Trade and Industry and the assistance of local authorities, are reviewing in each local authority area arrangements to encourage recycling in order to identify best practice and raise the level of recycling facilities generally. We will also be carefully evaluating the results of the major experiment in recycling—Recycling City—in Sheffield, which is supported by the Government.

Sheltered Housing

Mr. Norman Hogg: To ask the Secretary of State for the Environment what proportion of the total housing stock is comprised of sheltered housing; and what proportion is provided by local authorities, housing associations and the private sector in England and Wales.

Mr. Chope: Estimates derived from local authorities' annual housing investment programme returns for April 1988 indicate that, of a total housing stock of some 19,142,000, 2·3 per cent. were sheltered dwellings, of which 68 per cent. were owned by local authorities, 25 per cent. by housing associations and 6 per cent. were privately owned.

For corresponding information about Welsh local authorities, I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Cash Incentive Scheme (Aylesbury Vale)

Mr. Raison: To ask the Secretary of State for the Environment whether he will approve an application by Aylesbury Vale district council to operate a cash incentive scheme under section 129 of the Housing Act 1988; and if he will make a statement.

Mr. Chope: Approval has today been given for Aylesbury Vale district council to incur expenditure of £100,000 in 1989-90 on cash incentive grants to help the council's tenants to buy homes of their own.

Many councils are coming to realise that cash incentives offer a cost-effective means of releasing council homes for reletting to homeless families and others in acute housing need. Since section 129 of the Housing Act 1988 came into effect on 1 April this year, 38 cash incentive schemes have been approved which will enable the councils concerned to spend up to £12 million on grants to secure 1,100 vacancies for reletting. Further schemes are under consideration. This is an encouraging start. Other councils should consider putting schemes forward for approval.

Phone and Post Boxes

Mr. Redmond: To ask the Secretary of State for the Environment if he will make it his policy to require the positioning of telephone boxes and postal collection boxes to have planning permission.

Mr. Moynihan: The General Development Order 1988 enables the Post Office, British Telecom and other licensed telecommunications operators to undertake operations without applying for specific planning permission. In some special areas the operator must give notice to the local planning authority, which has a general power to withdraw permitted development rights where there is a real and specific threat to amenity. These arrangements are designed to help the operators to fulfil their respective obligations efficiently; they have generally worked satisfactorily for many years, and my right hon. Friend sees no reason to change them.

Radioactive Uranium, Feltham

Mr. Redmond: To ask the Secretary of State for the Environment if he will make a statement in respect of the radioactive uranium deposit found in a warehouse belonging to the Richmond Metal Company, in an industrial estate at Feltham, Middlesex on 13 October.

Mrs. Virginia Bottomley: During sorting of metal scrap at Richmond Metals on 13 October 1989, a small bar of unusually heavy metal was found which was suspected to be uranium. Checks with a radiation detector showed that the radioactive content was small and there was no hazard. Subsequent checks have confirmed that the bar is uranium.

Her Majesty's inspectorate of pollution and the Health and Safety Executive are investigating how the uranium came to be on the premises of the Richmond Metal Company.

Genetically Manipulated Organisms

Mr. Burns: To ask the Secretary of State for the Environment how many responses were made to his Department's consultation paper entitled, "Proposals for Additional Legislation on the International Release of Genetically Manipulated Organisms", and if he will make them available for public inspection.

Mr. Trippier: A total of 61 responses were received, of which 42 have been placed in the Department's library, where they are available for public inspection. Those which have not been deposited were from organisations or individuals who did not indicate their agreement to making their comments publicly available.

Water Companies

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list the names, occupations and salaries of the board members of the 10 water holding companies.

Mr. Chris Patten *[holding answer 19 October 1989]:* The information requested is set out below for the 9 water plcs in England. Appointments to Welsh Water plc are the responsibility of my right hon. Friend the Secretary of State for Wales.

Anglian

Bernard Henderson, Chairman (£43,860). Formerly managing director of the Henderson Group. Deputy chairman of the Water Services Association. Non-executive director of the WRc.

Francis Cator, Deputy Chairman (£9,317). Formerly a joint vice chairman of J. Henry Schroder Wagg. A vice-chairman of the Norwich Insurance Group and a director of Portsmouth and Sunderland Newspapers.

Andrew Semple, Group Managing Director (£53,750).

Alan Smith, Group Deputy Managing Director and Group Director of Finance (£48,375).

John Simpson, Group Operations Director (£48,375).

Alison Abbey, Non-executive Director (£7,167). Formerly

director of the Community Council for Hertfordshire and of the Railworld Development Trust and secretary of the Hertfordshire Association of Local Councils.

John Boodle, Non-executive Director (£7,167). Managing director of British Fermentation Products, a director of G. R. Spinks and chairman of the Anglian Environment Committee of the CBI. Member of the Employment Affairs Board of the Chemical Industries Association.

John Bradfield, Non-executive Director (£6,271). Senior bursar of Trinity College, Cambridge and a director of the Cambridge Water Company and Cambridge Building Society. Chairman of the Abbotstone Agricultural Property Unit Trust and founder and manager of the Cambridge Science Park.

The Earl of Cranbrook, Non-executive Director (£6,271). Member of the Royal Commission on Environmental Pollution, the Broads Authority and the Harwich Haven Authority. President of the British Herpetological Society, the Suffolk Wildlife Trust and the Environmental Council. Deputy Lieutenant of Suffolk.

Northumbrian

Sir Michael Straker, Chairman (£30,638). Formerly chairman of the Newcastle and Gateshead Water Company. Chairman of Water Training, board member of the Port of Tyne Authority, chairman of the Council of the University of Newcastle upon Tyne and member of the University Court.

Frank Ridley, Deputy Chairman (£14,692). Formerly chief executive of Northumbrian Water Authority.

Mike Murden, Managing Director (£54,800).

David Cranston, Director of Finance (£43,000).

Robert Smith, Managing Director of Northumbrian Water (£60,000).

Terry Harrison, Non-executive Director (£5,375). Chairman of Northern Engineering Industries, a director of Rolls-Royce and BEAMA and president of the North Coast Institution of Engineers and Shipbuilders.

Ralph Iley, Non-executive Director (£5,375). Managing director of Cookson Group. CBI councillor.

Professor Warren Peascod, Non-executive Director (£5,375). Professor of Environmental Control Engineering and Head of the Department of Civil Engineering at the University of Newcastle upon Tyne.

John Ward, Non-executive Director (£5,375). Northern regional director of Barclays Bank. Other appointments include chairman of Business in the Community and deputy chairman of the Tyne and Wear Development Corporation.

North West

Dennis Grove, Chairman (£61,275). Formerly chairman and chief executive of Sonoco Europe and a vice president of Sonoco International.

Brian Alexander, Managing Director of North West Water (£58,050).

Archibald Ramsay, Group Financial Director (£68,875).

Clare Bolton, Non-executive Director (£8,959). Partner in Deloitte Haskins & Sells, based in Manchester, and treasurer of the North Cheshire Branch of the British Institute of Management.

James Cropper, Non-executive Director (£8,959). Chairman of James Cropper (Papermakers). Deputy Lieutenant of Cumbria.

Rodney Leach, Non-executive Director (£8,959). Formerly chief executive and managing director of VSEL.

Alan Pendleton, Non-executive Director (£10,750). Formerly managing director of West's Group International and a director of Tilbury Group. A director of Chieftain Group and Kemutec Group.

Frank Sanderson, Non-executive Director (£12,542). Formerly with Babcock International. Chairman of Acumen Technologies, Clearcall Communications and Wyatt Bros. and a director of British Water and Wastewater.

Severn Trent

John Bellak, Chairman (£49,020). Formerly Managing Director of Royal Doulton. Member of the Grand Council of the CBI and of the Court of the University of Keele. Non-executive chairman of Sutcliffe Speakman and a director of Control Securities.

Tim Heywood-Lonsdale, Deputy Chairman (£12,004). Chairman of Skilbeck Holdings. Property management, farming and other directorships.

Roderick Paul, Chief Executive (£75,250).

Vic Cocker, Director of Business Planning and Marketing (£48,375).

Frank Earnshaw, Director of Operations (£51,600).

Stuart Larnder, Group Director of Finance (£64,500).

Colin McMillan, Director of Government Relations and Company Secretary (£51,600).

Sir Richard Baker Wilbraham, Non-executive Director (£9,854). Formerly a director of J. Henry Schroder Wagg. Deputy chairman of Bibby Line Group and Grosvenor Estate Holdings and a director of Brixton Estates, Really Useful Group and Westpool Investment Trust.

Roger Boissier, Non-executive Director (£8,959). Deputy chairman of Pressac Holdings and a director of British Gas, Edward Lumley Holdings, T&N and a number of other companies.

Alan Henn, Non-executive Director (£9,854). Chairman and managing director of a family jewellery business. Chairman of Beacon Broadcasting and Communications and other directorships. Justice of the Peace. President of the National Association of Goldsmiths.

Richard Ireland, Non-executive Director (£9,854). Group finance director of Wolseley. Council member of the Birmingham Chamber of Industry and Commerce and member of the finance committee of the University of Aston.

Andrew Simon, Non-executive Director (£7,167). Executive chairman of the Evode Group. A director of the Birmingham Region of Barclays Bank and a director of Lichfield Cathedral Arts. Council member of Keele University.

Southern

William Courtney, Chairman (£43,860). Formerly joint deputy chairman of Marley. Chairman of the British Board of Agrement, the Water Byelaws Advisory Service and the Water Industry Certification Scheme.

Brian Thorpe, Deputy Chairman (£14,692). Formerly chief executive of Southern Water Authority. A vice chairman of the Scientific and Technical Council of the International Water Supply Association and a trustee of its Foundation for the Transfer of Knowledge to Developing Countries.

John Valentine, Group Managing Director (£100,000).

Martyn Webster, Group Finance Director (£65,000).

Francis Midmer, Group Technical Director (£48,375).

Philip Girle, Non-executive Director (£7,167). Formerly a director of National Westminster Bank. Currently a director of Yorkshire Bank and the Ulster Bank.

Sir David Nicolson, Non-executive Director (£7,167). Formerly chairman of BTR and British Airways. A director of Union Group, CIBA-Geigy, London and Scottish Marine Oil, STC and Britannia Arrow Holdings.

John Westhead, Non-executive Director (£7,167). Group managing director of Bowthorpe Holdings.

South West

Keith Court, Executive Chairman (£51,063). Formerly a main board director of Blue Circle Industries and chief executive of the company's United Kingdom cement and related operations.

Timothy Leader, Deputy Chairman (£9,317). Formerly chief executive of Simon Engineering.

William Fraser, Managing Director of South West Water (£70,000).

Kenneth Hill, Group Director of Finance (£53,600).

William Dickens, Director of Technical Affairs (£43,000).

Michael Quantick, Director of Development (£45,780).

Simon Day, Non-executive Director (£5,375). A regional director of Granville & Company and of Regency and West of England Building Society. Farmer, deputy leader of Devon County Council, chairman of the Devon Sea Fisheries Committee and chairman of the governors of Bicton College of Agriculture.

Lady Mary Holborow, Non-executive Director (£7,167). Chairman of the Cornwall Business Committee, Rural Development Commission. Governor of Cornwall College of Further Education.

John Lawrence, Non-executive Director (£5,375). Director of the ICI Environmental Laboratory at Brixham.

Kenneth Morton, Non-executive Director (£7,167). Group finance director of Kleinwort Benson Group.

Charles Spence, Non-executive Director (£7,167). Formerly chairman, now a director of ARC.

Charles Stuart, Non-executive Director (£7,167). Chairman and chief executive of Brymon Airways and Plymouth City Airport. Governor of Polytechnic South West and East Devon College of Further Education.

Thames

Roy Watts, Chairman (49,020). Formerly chief executive and joint deputy chairman of British Airways. Chairman of Armstrong Equipment, Lowndes Lambert Group Holdings and Cabletime Installations. Deputy chairman of Brymon Airways and a director of Plimsoll Line.

Sir Christopher Leaver, Group Deputy Chairman (£11,109). Chairman of Russell and McIver. Chairman of the London Tourist Board. Former Lord Mayor of London.

Mike Hoffman, Group Chief Executive and Chairman and Chief Executive of Thames Water (£150,000).

Bill Harper, Deputy Chairman of Thames Water (£64,720).

David Luffrum, Group Finance Director (57,720).

Robert Clarke, Non-executive Director (£8,063). Deputy chairman and chief executive of United Biscuits.

Sir Peter Harrop, Non-executive Director (£8,063). Formerly second permanent secretary in the Department of the Environment. Chairman of the National Bus Company, a director of National Home Loans holdings, a managing trustee of Municipal Mutual Insurance, and a trustee of the British Museum.

John Thomson, Non-executive Director (£8,063). Chairman of London & Manchester Group and Borthwicks. Vice chairman of J. Bibby & Sons and a director of several other companies, including Scottish & Newcastle Breweries.

John Worlidge, Non-executive Director (£8,063). Formerly an executive director of BAT Industries. A director of the Rugby Group and chairman of the CBI Energy Policy Committee.

Wessex

Nicholas Hood, Chairman (£40,850). Formerly a director of the HAT Group before its acquisition by BET. A director of the Provident Life Association and Bremhill Industries. Member of the Water Training Council.

Donald McLure, Deputy Chairman (£10,213). Formerly a director of Beecham Group, and subsequently chairman of Arthur Bell Distillers and a director of United Distillers. A director of London Buses, European Brands Group and the Burn Stewart Group.

Colin Skellett, Managing Director (£50,525).

Nicholas Wheatley, Finance Director (£72,563)

Ron Huntington, Director of Engineering and Operations (£45,150).

Anthony Barbour, Non-executive Director (£5,823). Formerly chief environmental scientist at the RTZ Corporation. Chairman of the European Non-Ferrous Metals Producers Environmental Committee and a visiting professor of Chemistry at the University of Manchester Institute of Science and Technology.

Roderick Kent, Non-executive Director (£5,375). Managing director of Close Brothers Group.

Andrew Thornhill, Non-executive Director (£5,375). Barrister at the Revenue Bar and a QC.

Yorkshire

Gordon Jones, Chairman (£54,825). Formerly a director of T. W. Ward and chairman of T. W. Ward (Raw Materials). Chairman of the Water Services Association.

David Cramb, Deputy Chairman (£17,379). Formerly deputy chairman of Rowntree. A director of Tunstall.

John Bell, Director, Enterprise Services (£43,000).

Trevor Newton, Finance Director (£52,675).

Tony Ward, Director, Water Services (£51,600).

Peter Flesher, Non-executive Director (£5,375). Managing director Allied Colloids Group.

Peter Hogg, Non-executive Director (£5,375). Chief executive of the Provident Financial Group.

Tom Jackson, Non-executive Director (£7,167). Formerly general secretary of the Post Office Workers Union and president of the TUC, a director of BP, and a governor of the BBC.

Toxic Waste

Mr. Hardy: To ask the Secretary of State for the Environment if he will ensure that right hon. and hon. Members are informed by the appropriate public bodies or agencies when it is known that toxic waste is unlawfully or improperly imported into their constituencies.

Mrs. Virginia Bottomley *[holding answer 24 October 1989]:* The Government are committed to the principle that the public should have right of access to information held by pollution control authorities. Our proposals for forthcoming legislation include enhanced duties on waste regulation authorities to make information available. It is for the authorities to assess for themselves what information to publish in respect of alleged improprieties in the import of toxic waste.

SOCIAL SECURITY

Young People (Income Support)

Ms. Short To ask the Secretary of State for Social Security whether a young person under the age of 18 years who applies to his Department for income support on the grounds that a suitable YTS place was not available, and this situation is verified by the careers service, and the young person expresses willingness to enter a suitable place, will be granted income support either during or after he has exhausted any entitlement to bridging allowance; and if he will make a statement.

Mrs Gillian Shephard: The Training Agency is committed and able to provide suitable places for all young people genuinely interested in participating in YTS. There is generally no question of income support being paid on the ground of non-availability of YTS places.

If the careers service finds that a particular young person cannot be offered a suitable YTS place it will contact the local Training Agency office. Training agents have the authority and resources to seek additional places, and to make these available as a matter of urgency.

If, exceptionally, any young person is registered for a YTS place but is not able to start immediately, he or she may claim income support and be considered under the normal provisions including, if appropriate, the discretionary power to direct payment of benefit if that is the only means of preventing severe hardship. If a young person is entitled to income support he or she may receive it in addition to any YTS bridging allowance payable. If bridging allowance is exhausted, or not in payment for some other reason, income support may be paid alone. Young people with housing costs can also receive housing benefit.

Loans and Grants

Mr. Redmond: To ask the Secretary of State for Social Security what was the total number, and percentage of *(a)* budgeting loans and *(b)* community care grants awarded to the 15 client groups defined by his Department for each of his Department's local offices in Doncaster and Wath-on-Dearne, for the financial year 1988-89.

Mr. Scott: I refer the hon. Member to the reply given to him on 15 June 1989 at columns *529-30*. These have now been confirmed as final figures.

Unemployment Benefit

Ms. Short: To ask the Secretary of State for Social Security whether claimants in receipt of unemployment benefit are entitled to undertake training or courses of education as long at they are available for work; and if he will make a statement.

Mrs. Gillian Shephard: Claimants in receipt of unemployment benefit are required to be both available for work and actively seeking employment. This need not prevent them from undertaking training or courses of education. Regard is had to time spent in participating in any course of vocational training or study in deciding whether a claimant has shown that he is actively seeking employment. This arrangement recognises the worthwhile efforts of many claimants to make good use of their time whilst unemployed. Nonetheless, any claimant pursuing such an activity must organise his affairs in such a way that he can make adequate efforts to seek paid employment.

Crisis Loans

Mr. Pike: To ask the Secretary of State for Social Security if his Department has figures of the number of crisis loans refused on the basis of inability to repay the loan.

Mr. Scott: There were provisionally 1,600 refusals in the period April 1989 to September 1989 representing 0·65 per cent. of all decisions.

War Pensions

Mrs. Rosie Barnes: To ask the Secretary of State for Social Security if he will give for each of the years 1984-85, 1985-86 and 1987-88 the figures for the overspend which occurred on war pensions.

Mrs. Gillian Shephard: The information requested is as follows:

	Grant £'000	*Expenditure* £'000	*Overspend* £'000
1984-85	543,700	544,205	505
1985-86	568,000	581,256	13,256
1987-88	594,000	598,570	4,570

War Widows

Mr. Alfred Morris: To ask the Secretary of State for Social Security if he will give for the latest year for which records exist and for each of the preceding three years the number of war widows who have died in that year.

Mrs. Gillian Shephard: The numbers are as follows:

	Numbers
1985	3,407
1986	3,290
1987	3,193
1988	3,098

Mr. Alfred Morris: To ask the Secretary of State for Social Security if he will give, for the latest full year for which records exist, and for 1973, the number of those *(a)* under 65 years, *(b)* between 65 and 69 years, *(c)* between 70 and 79 years and *(d)* 80 years and over designated as war widows.

Mrs. Gillian Shephard: The information is as follows:

Age group	31 December 1973	31 December 1988
Under 65	36,817	8,745
65 to 69	12,461	8,245
70 to 79	38,695	25,129
80 and over	8,208	15,431

Mrs. C. Halvey

Mr. Ron Davies: To ask the Secretary of State for Social Security if he will request the Attendance Allowance Board to reply without further delay to the hon. Member for Caerphilly's correspondence to them of 15 May, concerning Mrs. C. Halvey of 29 Heolddu Grove, Barfold.

Mr. Scott *[holding answer 19 October]:* I understand that the board's reply was sent to the hon. Member on 20 October.

HEALTH

Blood Donor Sessions

Mr. Frank Field: To ask the Secretary of State for Health (1) in what circumstances blood donor sessions may be conducted by nurse managers rather than by doctors; and whether his Department has issued any guidance to regional health authorities on the subject;

(2) whether he will issue guidance to all regional health authorities that blood donor sessions should take place only when an appropriately qualified doctor is in attendance;

(3) which regional health authorities have replaced medical officers managing blood donor sessions by specially trained nurses; and what representations he has received about possible risks associated with this change.

Mr. Freeman: At present North East Thames is the only regional health authority in which specially trained nurse managers are in charge of blood donor sessions. In this region there is no doctor present at a session, but there is immediate access to medical advice. This method of work began as a detailed pilot trial in April 1985. At that time the Department's advisory committee on the national blood transfusion service (ACNBTS) studied the detailed protocol for the scheme and the results of the trial, and its representatives, along ith 20 independent assessors, looked at the procedure in practice. The ACNBTS decided that the new procedure presented no risks to donors, and Ministers have received no representations to the contrary since the end of the trial. Any decision to implement the procedure in another regional transfusion centre would be for the region to make, in consultation with the national director of the national blood transfusion service.

Mike Heaffey Centre

Mr. Wigley: To ask the Secretary of State for Health what representations he has received from the Association for Spinal Injury Research Rehabilitation and Reintegration with regard to financial support for the Mike Heaffey Centre for people with disabilities; whether his Department is now willing to give financial support for this project; and if he will make a statement.

Mr. Freeman: We have been informed by the association of the financial circumstances of the Mike Heaffey centre. The question of making good the shortfall in construction costs of the centre is a matter for the association to negotiate with the bodies concerned.

Local Government Finance

Mr. Cohen: To ask the Secretary of State for Health what information he has on the progress in the establishment of local health pay arrangements to cover payment by student nurses of the poll tax; and if he will make a statement.

Mr. Mellor: It is for nursing students themselves to make arrangements to pay the personal community charge for which they are liable. Project 2000 students will pay only 20 per cent. of the community charge, like other full-time students.

GP Operations

Mr. Redmond: To ask the Secretary of State for Health if he will give the number of family practitioners within the Trent regional health authority who carry out minor operations performed within their practice and such other relevant information as is available.

Mr. Mellor: No information is available about minor operations carried out by GPs in the Trent region. However, research studies suggest that about 27 per cent. of GPs in England and Wales provide this service from within their practice on a regular basis.

Resource Management Initiative Scheme

Mr. Redmond: To ask the Secretary of State for Health if he will make a statement in respect of *(a)* the pilot resource management initiative at the Pilgrim hospital, Boston, *(b)* the ICL's financial system case mix finance module installed in all departments at the hospital and *(c)* what results to date have been obtained at the five other pilot sites of the Government's resource management initiative scheme.

Mr. Freeman: The RMI seeks improvements in patient care by involving clinicians and other health professionals more closely in the management of their hospitals and supporting this with accurate, timely and credible information from a computerised database which links activity and cost at patient level.

The Pilgrim hospital, Boston, has been a pilot site for the resource management initiative (RMI) since April 1988. Good progress has been made. A number of experiments are under way to determine appropriate management structures for the hospital in line with the objectives of the RMI. Computer systems are being expanded and upgraded and new systems installed where a need can be shown for them.

The ICL case-mix finance reporting module is not installed in the Pilgrim hospital.

As a result of the work done at the pilot sites since the RMI was launched in 1986 we remain convinced that it holds the potential for significantly improving the quality and quantity of health care which the NHS provides.

NHS Property Sales

Mr. Redmond: To ask the Secretary of State for Health if he will show, by regional health authority, the response received to date from general practitioners, by percentage, where health centres and clinics are proposed to be sold; and what terms and conditions will be implemented.

Mr. Freeman: The information requested is not held centrally.

Drugs Prescriptions

Mr. Redmond: To ask the Secretary of State for Health what checks are carried out by inspectors on family practitioners who have dispensing facilities for drugs attached to their surgeries to ensure that abuses are not occurring, especially in respect of receptionists dispensing drugs on repeat prescriptions before they are signed and authorised by the family practitioner.

Mr. Mellor: There are no formal inspection arrangements for family practitioners who have dispensing facilities attached to their surgeries, beyond those provided for under the Misuse of Drugs Act 1971 in relation to controlled drugs. General medical practitioners are required by their terms of service to ensure that only properly signed and authorised prescriptions are dispensed.

NHS Income Generation

Mr. Redmond: To ask the Secretary of State for Health what feasibility studies have been set up, and what results obtained, in respect of managerial income generation, by regional health authority; and if he will make a statement.

Mr. Freeman: Since the coming into effect of section 7 of the Health and Medicines Act 1988, all health authorities have the legal means, and have been encouraged to seek ways in which they may develop secondary sources of income to enhance and improve patient care, provided that any such scheme does not act to the detriment of patients themselves.

Returns for the initial period of the income generation initiative reveal that during the tax year 1988-89, the net profit to English health authorities was close to £10 million.

Doncaster AHA (Staffing)

Mr. Redmond: To ask the Secretary of State for Health what is the qualified staffing per resident population in the Doncaster area health authority; and what is the national figure.

Mr. Mellor: At 30 September 1988 there were 9·4 qualified doctors and dentists and 51·9 qualified nursing and midwifery staff in the NHS in England per 10,000 resident population. The figures for Doncaster health authority were 4·1 and 55 respectively.

The Doncaster figures for doctors and dentists are not directly comparable with the national figures, because they do not include consultants and senior registrars working in the district whose contracts are held by Trent regional health authority.

Information on other professionally qualified staff could be obtained only at disproportionate cost.

Nurse Regradings

Mr. Alton: To ask the Secretary of State for Health (1) how many nurses employed by Liverpool area health authority have appealed against their regrading; and how many appeals are still outstanding;

(2) how many nurses' regrading appeals have now been heard by health authorities in England; and if he will list the numbers still outstanding in each authority.

Mr. Mellor: We do not collect centrally information on the number of appeals to district health authorities.

Local Health Services (Liverpool)

Mr. Alton: To ask the Secretary of State for Health how many new patients were treated by Broadgreen hospital's accident and emergency unit in the last year; and what consultation has taken place with consultants working in the unit about its future.

Mr. Mellor: We do not hold information centrally about the number of new patients treated at the unit. The future of the unit, along with plans for the development of other health services locally, is a matter for the health authority concerned. The hon. Member may wish, therefore, to contact the chairman of the Liverpool health authority.

Mr. Alton: To ask the Secretary of State for Health (1) if he will make a statement on future geriatric provision by Liverpool area health authority;

(2) if he will make a statement on the future of Olive Mount hospital, Liverpool;

(3) if he will make a statement on the future of the accident and emergency unit at Broadgreen hospital, Liverpool.

Mr. Mellor: The planning and development of health services locally is a matter for the health authority concerned. The hon. Member may wish to contact the chairman of the Liverpool health authority.

Tranquilliser Advice Centre

Mr. Steel: To ask the Secretary of State for Health if the Government will fund centrally Tranx (UK) Ltd, the national tranquilliser advice centre, to prevent its imminent closure due to funding problems.

Mr. Freeman: Between 1983 and 1986 Tranx (Harrow) received grants of over £90,000 from the Department's central funding initiative. At the time, it was made clear that these grants were for a maximum of three years and that once central funding ended, organisations would need to look to their local statutory authorities for continued support. For the last three years Tranx (UK) has been funded by the North West Thames regional health authority and the London boroughs grants unit (LBGU). But earlier this year when Tranx (UK) was experiencing financial difficulities, the Department, exceptionally, made a further £10,000 available to clear the organisation's deficit in 1988-89.

Discussions on future funding of Tranx (UK) are still in progress with a variety of potential funders. No decision has yet been reached, but we hope that Tranx (UK) will be able to continue its work with tranquilliser dependents.

Clinical Psychologists

Mr. Fraser: To ask the Secretary of State for Health what percentage of posts for clinical psychologists in the National Health Service is currently unfilled.

Mr. Mellor: We do not hold this information centrally.

Coronary Heart Disease

Mr. Simon Coombs: To ask the Secretary of State for Health what new initiatives he is considering to combat coronary heart disease.

Mr. Mellor: We are considering a number of initiatives at present, and I refer my hon. Friend to the Government's response to the Committee of Public Accounts report on coronary heart disease (Cm. 831) for further details.

Safety (Damages)

Mr. Ashley: To ask the Secretary of State for Health if he will introduce legislation to permit the imposing of punitive damages on companies which have demonstrated a reckless disregard for human life, with the money raised to go to a fund to promote safety in all aspects of human activity.

Mr. Freeman: We would be prepared to consider any specific examples which may be brought to our attention.

Residential Homes

Mr. Norman Hogg: To ask the Secretary of State for Health how many mentally ill and handicapped people live in residential homes and hostels in England and Wales.

Mr. Freeman: Comprehensive information is not available in the form requested. Information on the number of places in local authority, voluntary and private homes at 31 March 1987 is published in "Residential Accommodation for Mentally Ill and Mentally Handicapped People: Number of Local Authority, Voluntary and Private Homes and Places: England", a copy of which is in the Library. Provisional information for 1988 is as follows:

	Number of places
Homes and hostels for mentally handicapped people	28,458
Homes and hostels for mentally ill people	9,745

Information for Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Mr. Norman Hogg: To ask the Secretary of State for Health how many physically handicapped people aged under 65 years live in residential homes in England and Wales.

Mr. Freeman: Comprehensive information is not available in the form requested. At 31 March 1988, there were 11,691 persons aged under 65 in local authority and registered residential care homes for elderly people and younger physically handicapped people. This figure is provisional.

Information for Wales is a matter for my right hon. Friend the Secretary of State for Wales.

One-Parent Families

Mr. Norman Hogg: To ask the Secretary of State for Health what is the number of one-parent families recorded in England and Wales.

Mr. Freeman: The best available recent estimate of the number of one-parent families is that of 1,010 thousand in Great Britain in 1986. This was given in an article in Population Trends 55—which is in the Library. The article explains the definition used and the qualifications to be attached to the accuracy of such estimates. It is thought that, of this total, about 100,000 families are in Scotland with the balance of about 910,000 families in England and Wales.

Institutions

Mr. Norman Hogg: To ask the Secretary of State for Health what proportion of persons aged over 75 years live in institutions in England and Wales.

Mr. Freeman: Comprehensive information about persons aged over 75 years in institutions is not collected centrally.

At 31 March 1988 there were 188,929 people aged 75 and over resident in local authority and registered residential care homes for elderly and younger physically handicapped people. This represents 5·9 per cent. of the population aged 75 and over. The figure is provisional.

Information for Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Community Health Councils

Mr. Madden: To ask the Secretary of State for Health if he will ensure that Bradford community health council and other community health councils receive free copies of the two documents referred to in his Department's press release, issued on 29 September, ref: 89/417; and if he will further ensure that community health councils continue to receive free copies of such documents.

Mr. Freeman: The two documents referred to in the press release gave detailed guidance to health service managers on certain aspects of proposals set out in "Working for Patients". It was not felt that the material needed to be brought to the attention of all CHCs, although the association of CHCs in England and Wales was sent copies. In view of Bradford CHC's interest in these particular documents I have arranged for it to receive copies. Decisions on the distribution of further documents to CHCs will be made in the light of their contents.

Drax Power Station

Dr. Cunningham: To ask the Secretary of State for Health if he will order an immediate investigation by his Department into the effects on health of sewage bacteria contamination from the Drax power station.

Mr. Freeman: Thorough investigations are already being undertaken by the appropriate health and local authorities in conjunction with the public health laboratory service. The evidence so far indicates that the potential risk to public health is extremely small. No consequent illness has been reported. Investigations are continuing and I have asked to be kept informed.

Patients

Mr. Alfred Morris: To ask the Secretary of State for Health what is the average number of patients on a general practitioner's list.

Mr. Freeman: I refer the right hon. Member to the reply that I gave to my hon. Friend the Member for Pembroke (Mr. Bennett) yesterday.

FOREIGN AND COMMONWEALTH AFFAIRS

Namibia

16. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent support Her Majesty's Government have given to the United Nations in implementing resolution 435 in Namibia.

Mr. Waldegrave: We have already informed the House of our substantial financial and material contribution to the United Nations transition assistance group. We are now helping with the elections themselves. We have made available an election consultant, we are transporting the ballot papers, and we are sending a group of over 40 election supervisors.

52. **Mr. Anthony Coombs:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the peace process in Namibia.

58. **Mr. Anderson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current steps in the independence process in Namibia.

Mr. Waldegrave: Implementation of the United Nations plan for Namibian independence is proceeding well. We will continue to support the United Nations' efforts to ensure that the elections are free and fair, and to assist in a peaceful transition to independence.

United States of America

17. **Mr. Wood:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit the United States of America.

Mr. Major: I visited the United States twice last month. Plans for my next visit are not yet firm.

36. **Mr. Canavan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what subjects he expects to discuss at his next meeting with representatives of the Government of the United States of America.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs visited the United States last month. His next discussions with representatives of the United States Government are likely to cover the usual broad range of issues.

59. **Mr. Battle:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives of the United States Government; and what was discussed.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs last met representatives of the United States Government on 26 September, in the margins of the United Nations General Assembly, in New York. He discussed a wide range of issues.

Cambodia

18. **Sir Russell Johnston:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he plans to have any contact with the Phnom Penh-based Administration in Cambodia.

Mr. Sainsbury: No, Sir.

34. **Mrs. Clwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's relationship with Cambodia.

Mr. Sainsbury: We want to see a free and independent Cambodia in which the people can elect a Government of their own choice. We are actively helping in the search for a political settlement to this end. We have no dealings with the regime installed in Phnom Penh by force of Vietnamese arms.

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his present policy towards the people and Government of Cambodia; and what help is being given by the United Kingdom to assist them in their battle with Pol Pot.

Mr. Sainsbury: We have no dealings with the Heng Samrin regime, installed by force of Vietnamese arms. We continue to help those in need within Cambodia through our contributions to humanitarian projects. The best way to keep out the Khmer Rouge is a comprehensive political settlement which enables the Cambodian people to elect a Government of their choice.

Foreign Affairs Council

19. **Mr. Riddick:** To ask the Secretary of State for Foreign and Commonwealth Affairs what subjects he expects to raise at the next meeting of the European Community Foreign Affairs Council.

Mr. Maude: I expect a range of Community issues to be discussed.

Lebanon

20. **Mr. McWilliam:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals Her Majesty's Government and her EEC partners have put forward to resolve the conflict in Lebanon.

Mr. Waldegrave: We, together with our European partners, continue to support fully the Arab League committee of three heads of state in their efforts to bring peace to Lebanon. We welcome the agreement reached at Ta'if by the Lebanese parliamentary deputies.

NATO Information Budget

21. **Mr. Harry Greenway:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current NATO information budget; what it was in real terms five, 10 and 15 years ago; and if he will make a statement.

Mr. Waldegrave: The forecast 1989 NATO budget is £1,160 million; it was £730 million five years ago; £281 million 10 years ago and £409 million 15 years ago. All figures are in 1988 prices.

Middle East

22. **Mr. Latham:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the peace process in the middle east.

Mr. Waldegrave: We fully support Egyptian efforts to seek clarification of Mr. Shamir's useful elections proposal and to promote talks in Cairo between the Israeli Government and Palestinians from inside and outside the occupied territories. We look to Israel to respond positively.

Overseas Visits

23. **Mr. Allen:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the overseas venues he has visited since becoming Foreign Secretary.

Mr. Major: Since becoming Foreign Secretary, I have visited:

Paris—for the International Conference on Cambodia.
Washington—for discussion with the Administration and Congress.
New York on two occasions—to address the Economic Club and the UN General Assembly.
Bonn—for talks with the German Foreign Minister.
Luxembourg—for a meeting of the Foreign Affairs Council.
Chartres—for an Informal Meeting of EC Foreign Ministers.
Kuala Lumpur—for the Commonwealth Heads of Government Meeting.

Detained Britons (Consular Assistance)

24. **Mr. David Evans:** To ask the Secretary of State for Foreign and Commonwealth Affairs, how many British citizens were detained abroad in 1988; how many of these received consular assistance; and what were the comparable figures for five years ago.

Mr. Sainsbury: One thousand eight hundred and seventy-seven British citizens were reported as having been detained abroad during 1988. Those detained briefly for minor offences are often not reported to us. Consular assistance was available to all who were still in detention when consular contact was established.

Comparable figures for five years ago are not readily available and could be provided only at disproportionate cost.

Hungary

25. **Mr. Ian Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will report on the current state of European Community-Hungary relations.

Mr. Waldegrave: EC-Hungary relations are excellent, with both parties committed to the development of closer ties through the trade and economic co-operation agreement signed last September. The Community will also be assisting Hungary's economic reform efforts through vocational training and by providing technical assistance in agriculture and the environment.

Horn of Africa

26. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in the Horn of Africa.

Mr. Waldegrave: The situation remains disturbed with continuing internal conflicts and reports of violations of human rights. There have, however, been some positive developments including the initiation of negotiations between the Ethiopian Government and the Eritrean People's Liberation Front, and the release of a number of political prisoners in Ethiopia and Somalia.

Vietnam

27. **Mr. Mullin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government have to review their relations with Vietnam; and if he will make a statement.

Mr. Sainsbury: We keep our relations with Vietnam under regular review.

EC Social Charter

28. **Ms. Mowlam:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with M. Jacques Delors concerning the social charter.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discussed the proposed social charter and other current EC issues with his ministerial colleagues and M. Delors at the informal meeting near Chartres on 14-15 October.

European Foreign Policies

29. **Mr. Knox:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next proposes to have discussions with his European Community partners concerning the development of common European foreign policies.

57. **Mr. Cryer:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet other EEC Ministers in political co-operation to discuss common foreign policy.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs next expects to meet his EC colleagues to discuss political co-operation matters in Brussels on 27 November. Before then, he expects to see them at the Foreign Affairs Council on 6 November in Brussels, when there may also be an opportunity to discuss political co-operation matters.

Nicaragua

30. **Mr. Tony Banks:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding Her Majesty's Government's relations with Nicaragua.

Mr. Sainsbury: We receive representations on our relations with Nicaragua from a wide variety of sources, including hon. Members and members of the public, non-governmental organisations and the Nicaraguan embassy in London, as well as from the Government and opposition in Nicaragua.

Chile

31. **Mr. John Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Chile concerning the conditions under which the plebiscite will be held later this year.

Mr. Sainsbury: Plebiscites have been held in Chile most recently on 5 October 1988 and 30 July 1989. Both were conducted in exemplary fashion. There are no plans for any further plebiscites this year.

40. **Mr. Foulkes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to encourage the transition to democracy in Chile.

Mr. Sainsbury: I refer the hon. Member to the answer given to the hon. Member for Western Isles (Mr. MacDonald) on 14 June 1989.

Drugs

32. **Mr. Charles Wardle:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent progress in the co-ordination of the international fight against drug trafficking.

Mr. Sainsbury: Seventy four states, including the United Kingdom, have now signed the 1988 United Nations convention against illicit traffic in narcotic drugs and pyschotropic substances. The United Kingdom has signed bilateral agreements or arrangements to trace, freeze and confiscate the proceeds of drugs trafficking with 11 countries, the latest with Malaysia on 17 October.

54. **Rev. Martin Smyth:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about international efforts to combat drug abuse.

Mr. Sainsbury: Together with other countries the United Kindgom is providing substantial assistance to Colombia. I attended a Caribbean ministerial drugs conference in Kingston from 2-4 October. Drugs were discussed at the Commonwealth Heads of Government meeting in Kuala Lumpur. I shall make a statement on United Kingdom drugs policy during the United Nations General Assembly drugs debate 3-7 November. A proposed United Nations special session on drugs is likely to be held early in 1990. The United Kingdom will host an international conference on demand reduction and cocaine in April 1990. We are discussing with our European Community partners ways of improving EC co-ordination on drugs.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Colombian Government concerning the activities of British mercenaries working for drug barons; and if he will make a statement.

Mr. Sainsbury: As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made clear when he met the Colombian Foreign Minister, Sr. Londoño, in New York on 26 September, we condemn unequivocally and unreservedly the activities of those who work for drugs traffickers in Colombia. It is primarily for the Colombian authorities to take action in respect of offences committed in Colombia. We remain in close touch with the Colombian authorities on this issue. President Barco has thanked us for the help which we have extended in this matter.

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to help the British dependent territories in their fight against the trade in narcotics.

Mr. Sainsbury: We are very active in assisting local governments in the dependent territories, particularly those in the Caribbean, in their fight against the trade in narcotics. Following a survey of the Caribbean dependent territories conducted in 1986 we took steps to establish or strengthen drugs squads in the local police forces through the provision of United Kingdom personnel and equipment. In addition, a United Kingdom Customs training adviser has been running drugs awareness courses and a United Kingdom drugs intelligence officer has been establishing drugs intelligence registries in each of the territories. A new police launch was provided for the British Virgin Islands Government in 1988 and similar launches will be provided for Anguilla, Montserrat and Turks and Caicos Islands over the next six months. Training for the crews will be given by a United Kingdom team of experts.

In July/August a team of United Kingdom experts completed a further survey of the drugs problem in the Caribbean dependent territories to assess the present situation and to make recommendations for further action. We are currently considering this report in consultation with our Governors and local administrations.

Refuseniks

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the Government's representations on behalf of refuseniks.

Mr. Waldegrave: We continue to take every opportunity to press the Soviet authorities both about individual refusenik cases, and on the need for new and effective legislation which will make the refusenik problem a thing of the past.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russian authorities about the case of Norbet and Natasha Magazanik and their daughter Olga and son Alexander of Moscow.

Mr. Waldegrave: We take every opportunity to press the Soviet authorities on individual refusenik cases such as the Magazanik family. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs raised this case most recently with Mr. Shevardnadze in New York on 29 September. We shall maintain our pressure until this case is satisfactorily resolved.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russian authorities about the case of Alexander and Yelena Rappoport and his son Vladimir of Moscow.

Mr. Waldegrave: We take every opportunity to press the Soviet authorities on individual cases such as

Alexander and Elena Rappoport. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs raised this case most recently when he met Mr. Shevardnadze in New York on 29 September. We shall maintain our pressure until this case is satisfactorily resolved.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations have been made to the Russian authorities about the case of Irina Tiomkinal, her son Ilya and her mother, of Moscow;

(2) what representations have been made to the Russian authorities about the case of Roman and Ludmilla Friedman and their sons Igor and Andre of Moscow;

(3) what representations have been made to the Russian authorities about the case of Yakov Grinberg and Basya Berelisovna and their daughter Diana and son Lev of Moscow.

(4) what representations have been made to the Russian authorities about the case of Semion and Lida Akselrod and their sons Boris, Benjamin and David of Leningrad.

Mr. Waldegrave: We have not previously raised these particular cases with the Soviet authorities but we will be happy to do so if the hon. Member will provide the necessary details about each case.

Central America

35. **Mr. Nigel Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Government of the United States to discuss progress in the Central American peace process.

Mr. Sainsbury: We have regular discussions with the United States Administration on a wide range of issues, including Central America.

Human Rights

37. **Mr. Atkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the further progress required of the Soviet Union towards implementing its human rights commitment for United Kingdom attendance at the proposed Conference on Security and Co-operation in Europe human rights conference in Moscow in September 1991 to take place.

Mr. Waldegrave: While there have been significant improvements in Soviet human rights performance, many individual cases remain unresolved, and most of the expected new legislation is still unpublished. There is still much to be done before our well-known conditions for attendance are met. The refusal of a visa recently to the Reverend Michael Bordeaux was not a good omen.

Somalia

38. **Mr. Michael:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information the Government now have about the outcome of their representations on human rights in Somalia.

Mr. Waldegrave: Earlier in the year the Somali Government released hundreds of political prisoners and received a visit by an Amnesty International delegation. These welcome moves were followed in mid-July by the brutal suppression of demonstrations and extra-judicial executions. We have made clear our deep concern about these developments.

China

39. **Mr. Dunnachie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of China; and if he will make a statement.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met the Chinese Foreign Minister, Mr. Qian Qichen, in New York on 28 September. Their discussion concentrated on Hong Kong. They agreed on the need for co-operation to implement the Joint Declaration and the need to work for the restoration of confidence in Hong Kong.

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the ban on arms sales to China includes equipment for which export licences had been granted prior to the ban but which has not left the United Kingdom.

Mr. Maude: Yes.

India

41. **Mr. Janner:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement concerning Britain's relations with India.

Mr. Sainsbury: Our relations with India are close and friendly and reflect the many points of contact and common interest between us.

British Tourists (Injuries)

42. **Mr. McCrindle:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many cases have been reported to date of British tourists being injured in *(a)* accidents, *(b)* assaults and *(c)* civil disturbances whilst on overseas holidays since the beginning of the year.

Mr. Sainsbury: British missions overseas received reports of 527 accidents and 225 assaults of which British nationals were victims between 1 January 1989 and 30 September 1989. Statistics on the numbers injured in civil disturbances are not held.

Romania

43. **Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what new initiatives he plans to reduce the violations of human rights in Romania.

Mr. Waldegrave: We will continue to protest strongly to the Romanian Government on every appropriate occasion about violations of human rights in Romania.

Pakistan

44. **Mr. Robert G. Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Pakistani relations.

Mr. Sainsbury: Britian and Pakistan's traditionally close and friendly relations have been reinforced by the

restoration of democracy in Pakistan last year and, more recently, by Pakistan's resumption this month of Commonwealth membership. The warmth of the relationship was demonstrated by the very successful visit of Prime Minister Bhutto in July.

South Africa

45. **Mr. Kirkwood:** To ask the Secretary of State for Foreign and Commonwealth Affairs what role he proposes the United Kingdom should play in the ending of apartheid in South Africa.

Mr. Waldegrave: It is not for outsiders to try to impose a solution on South Africa. Our role will continue to be to help and encourage those who are working for peaceful change; meanwhile maintaining dialogue with the South African Government in order to reinforce its stated commitment to reform and negotiations.

El Salvador

46. **Mr. Darling:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Government of El Salvador to discuss the human rights situation in that country.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has not yet had the opportunity to meet members of the Government of El Salvador.

Human rights in El Salvador was among the subjects I discussed with the Salvadorean Foreign Minister, Dr. Manuel Pacas, on 26 September.

Hong Kong

47. **Mr. Sumberg:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with counterparts from other Commonwealth countries regarding the future of Hong Kong.

48. **Mr. Maxton:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives of the Government of China to discuss the future of Hong Kong.

Mr. Maude: The future of Hong Kong has been discussed at the European Community Council in Madrid, at the Economic Summit in Paris in July, and the Commonwealth Heads of Government Meeting in Kuala Lumpur this month.

In addition my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has had meetings with the Chinese Foreign Minister in Paris on 31 July and in New York on 28 September.

Mr. Roger Cooper

49. **Mr. Nicholas Baker:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the continued detention in Iran of Mr. Roger Cooper and his Department's efforts to secure Mr. Cooper's release.

Mr. Waldegrave: Roger Cooper has been held in prison in Iran, without adequate consular access, since December 1985. We regard his detention as wholly unjustified, and have made our concerns clear to the Iranian Government both directly and indirectly on many occasions. We shall continue to take every opportunity to press for his release.

Macao

50. **Mr. Alton:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of Portugal's decision to grant full citizenship and right of abode to the people of Macao.

Mr. Maude: There has been no such decision. Portugal grants automatic full citizenship and right of abode only to people born in Portuguese territory of Portuguese parents. The 1981 Portuguese Nationality Act ended the automatic right to Portuguese nationality of children born of non-Portuguese parents in Macao. It is estimated that less than 20 per cent. of Macao residents have the right of abode in Portugal.

Entry Clearance Interviews (Islamabad)

51. **Mr. Madden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to reduce delays for those awaiting entry clearance interviews at the British embassy in Islamabad.

Mr. Sainsbury: Waiting times for interview at the High Commission in Islamabad have been reduced this year following an increase in the number of permanent entry clearance staff and streamlining of procedures. We continue to monitor queue lengths to ensure that applicants are seen as quickly as resources allow.

Indian High Commissioner

53. **Dr. Michael Clark:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Indian high commissioner; and what subjects were discussed.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met the Indian high commissioner socially with other members of the diplomatic corps on 14 September. My noble Friend the Minister of State for Foreign and Commonwealth Affairs has had substantive discussions on a full range of issues.

Kurdish People

55. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Iraq concerning their treatment of Kurdish people.

Mr. Waldegrave: We regularly make clear to the Iraqi Government at all levels our concern over Iraq's human rights record, including its treatment of its Kurdish population.

Bangladesh

56. **Mr. Knapman:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Foreign Minister of Bangladesh and what was discussed.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and the

Foreign Minister of Bangladesh both participated in the recent Commonwealth Heads of Government meeting in Kuala Lumpur.

Afghanistan

60. **Mr. Kilfedder:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy towards Afghanistan.

Mr. Sainsbury: We have consistently supported efforts to replace the present regime in Kabul with a truly representative government acceptable to the majority of Afghans. This is the necessary preliminary to any lasting settlement and to the voluntary return of Afghan refugees.

Kampuchea

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance the British Government are giving to the republic of Kampuchea to avoid a renewal of civil war in that country.

Mr. Sainsbury: We do not provide aid to the Heng Samrin regime, which was installed by force of Vietnamese arms. But we have contributed towards a number of humanitarian projects inside Cambodia. Our objective remains a comprehensive political settlement which would enable the Cambodian people to elect a Government of their choice.

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs what stance the British delegation to the United Nations intends to take to the possible renewal of representation of Kampuchea by the coalition Government of democratic Kampuchea.

Mr. Sainsbury: On 17 October the UN General Assembly once again adopted, without a vote, the report of the credentials committee. This recommended, inter alia, acceptance of the credentials of Democratic Kampuchea. After adoption, the United Kingdom representative emphasised that this should not be taken to imply support for the Khmer Rouge and made clear our abhorrence of Pol Pot.

Prisoners of War

Sir John Farr: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will reconsider the claims made by ex-prisoners of war, who were involved in the building of the Siam to Burma railway in 1941, in relation to their treatment by the Japanese at that time.

Mr. Sainsbury: No. The question of compensation for the suffering and damage caused by Japan during the war was dealt with in the 1951 treaty of peace with Japan. While recognising the very great debt owed by this country to those who fought against the Japanese, there are no grounds to reopen the issue now.

Israel

Mr. Nellist: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Israel on human rights, and the continued occupation of the Gaza Strip and the West Bank; and if he will make a statement.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discussed the situation in the occupied territories with the Israeli Foreign Minister on 25 September and underlined our concern that, pending their withdrawal, the Israelis should administer the territories in accordance with international law and their human rights obligations.

United Nations

Mr. Jack: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters he proposes to raise at the next meeting of the United Nations General Assembly.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the opening session of the forty-fourth session of the General Assembly between 25 and 29 September. This provided him with an opportunity to deliver a statement to the General Assembly, have formal meetings with the Secretary-General, Senor Perez de Cuellar and the newly elected President of the General Assembly, Mr. Garba, and to attend a lunch hosted by the Secretary-General for the Foreign Ministers of the five permanent members of the Security Council.

My right hon. Friend also undertook bilateral discussions with the President of Colombia, President Barco and the Foreign Ministers of the following countries:

USA (Mr. Baker)
USSR (Mr. Shevardnadze)
China (Mr. Qian)
Japan (Mr. Nakayama)
Hungary (Dr. Horn)
Israel (Mr. Arens)
Poland (Professor Skubiszewski)
Pakistan (Mr. Yaqub Khan).

My right hon. Friend does not expect to attend the General Assembly again this session. My right hon. Friend the Prime Minister intends to address the General Assembly on 8 November on environmental issues.

Victim Support Groups

Mr. Gregory: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has plans to co-ordinate victim support groups in other EC states for United Kingdom citizens; and if he will make a statement.

Mr. John Patten: I have been asked to reply.

The United Kingdom participated in work which led to the adoption in 1987 by the Council of Europe's Committee of Ministers of a recommendation on assistance to victims and the prevention of victimisation. This recommendation urged the Governments of all member states (including European Community and other member states) to take a range of steps to support victims in their own countries.

So far as co-ordination is concerned, we have encouraged and assisted Victim Support—an independent national body which receives a grant from the Home Office—in its contacts with victim support groups elsewhere in Europe.

EMPLOYMENT

Employment Training

Ms. Short: To ask the Secretary of State for Employment if he will give, for the latest available date *(a)* the number of starts on employment training, *(b)* how many were people with disabilities, *(c)* *(b)* as a percentage of *(a)*, *(d)* total employment training starts under the special groups exemption, *(e)* how many, of *(d)*, were people wth disabilities, *(f)* *(e)* as a percentage of *(d)*, and *(g)* the sources of referral.

Mr. Patrick Nicholls: To 13 October 1989, the latest date for which information is available, 468,000 people had started on employment training. An analysis of individual trainee records received relating to starts up to the end of June show that about 11 per cent. were people who stated that they had a disability or health problem which affected the type of work they could do. The same analysis shows that training agents and training managers had coded about 23 per cent. of entrants in the special eligibility exemption groups. Of these special group entrants about 16 per cent. were people who stated that they had a disability or a health problem which affected the type of work they could do. The source of referral for most people on employment training is the employment service. In addition some trainees are directly recruited by training agents and training managers.

Ms. Short: To ask the Secretary of State for Employment if he will publish up-to-date figures for Great Britain and each training agency region for each month since September 1988, the number of *(a)* entrants to employment training, *(b)* people receiving employment training allowances, *(c)* employment training special group starts, separately for skill shortage and labour market schemes, *(d)* employment training leavers and *(e)* employment training leavers who left before completing their action plan.

Mr. Nicholls: As the information requested is contained in a number of tables, I will write to the hon. Member.

Ms. Short: To ask the Secretary of State for Employment if he will publish up-to-date figures for Great Britain and each training agency region for each month since September 1988, the number of *(a)* filled places in employment training; *(b)* employment training trainees on work placements with employers and *(c)* employment training trainees on project-based placements.

Mr. Nicholls: The figures requested for filled places are given in table 1. Information about the number of trainees on practical training placements with employers and on projects on any one day is collected from quarterly census returns submitted by training managers. This information is available for 30 December 1988, 31 March 1989 and 30 June 1989; these figures are given in table 2.

Table 1
Employment training filled places: September 1988 to July 1989

Training agency region	September	October	November	December	January	February	March	April	May	June	July
South East	3,800	5,200	6,300	7,100	8,500	9,600	10,000	10,300	10,900	11,500	14,500
London	4,600	6,300	9,400	10,600	13,300	15,200	16,600	17,500	17,900	18,300	19,000
South West	3,000	4,300	5,700	6,900	8,400	10,000	10,900	11,400	11,600	11,800	11,800
West Midlands	5,200	7,700	10,100	12,100	15,100	18,200	20,700	22,300	22,600	22,800	23,200
East Midlands and Eastern	3,900	5,700	7,600	8,900	10,600	12,900	14,000	15,000	15,400	15,500	16,400
Yorkshire and Humberside	9,800	10,200	14,500	16,000	19,100	22,100	24,000	24,800	25,100	25,200	25,200
North West	6,700	9,900	13,400	15,500	18,500	22,500	24,900	26,000	26,600	27,600	29,000
Northern	4,400	7,100	9,700	11,900	14,500	18,000	20,100	21,200	22,000	23,000	24,400
Wales	2,400	4,400	6,000	7,400	9,300	11,900	13,400	14,200	14,600	14,800	15,800
Scotland	4,400	6,600	9,100	11,700	14,000	17,900	21,000	22,100	22,500	23,200	23,700
Great Britain	48,100	67,400	91,800	108,000	131,200	158,000	175,500	184,900	189,000	193,700	203,000

Table 2
Employment training
Percentage of trainees on placements with employers and on projects on the census date
December 1988—June 1989

Region	December[1]		March		June	
	Project per cent.	Employer per cent.	Project per cent.	Employer per cent.	Project per cent.	Employer per cent.
South East	46	31	39	31	36	31
London	43	17	48	18	42	19
South West	47	24	45	26	44	30
West Midlands	65	22	58	20	59	21
East Midlands and Eastern	n.a	n.a.	57	27	49	26
Yorks and Humberside	52	23	51	25	48	25
North West	58	24	49	28	54	27
Northern	66	16	53	24	53	24
Wales	56	20	45	27	43	28
Scotland	69	18	62	21	60	24
Great Britain	58	21	52	24	50	25

[1] Returns include trainees on CP wages.
n.a.—Not available because of low number of returns.

Ms. Short: To ask the Secretary of State for Employment for Great Britain and each standard Training Agency region, what are the latest available statistics for employment training giving a breakdown of entrants

which shows how many were male and female, the length of time they had been out of work, their ethnic backgrounds and whether or not they had any disabilities.

Mr. Nicholls: The information is provided in the following table:

Employment training characteristics of entrants (April to August 1989)
(all figures are percentages, figures may not total 100 because of rounding)

Region	men	women	Unemployment duration (months) 0-5	6-12	13-23	24+	Ethnic origin[1] 1	2	3	4	5	PWD[2] yes	no
South East	61	39	35	26	10	30	91	2	3	2	2	15	85
London	58	42	18	33	14	35	50	26	11	6	6	10	90
South West	67	33	28	33	11	28	93	2	1	1	2	15	85
West Midlands	66	34	24	27	11	37	78	9	9	2	2	12	88
East Midlands and Eastern	71	29	16	36	13	35	88	4	5	1	2	14	86
Yorkshire and Humberside	72	28	27	32	12	29	89	3	5	1	2	10	90
North West	68	32	24	30	13	33	91	2	3	1	2	11	89
Northern	73	27	23	35	12	30	97	. .	1	1	1	9	91
Wales	70	30	23	36	13	28	95	1	1	1	3	11	89
Scotland	73	27	17	34	14	35	97	. .	. .	1	2	10	90
Great Britain total	68	32	23	32	13	32	87	5	4	2	2	11	89

[1] Ethnic origin: 1—White, 2—Black-African-Caribbean, 3—Indian-Pakistani-Bangladeshi-Sri Lankan, 4—None of these, 5—I prefer not to say.
[2] PWD—People with disabilities. Starts to end July. Those trainees answering whether they had a long-term health problem or disability which affected the type of work they could do.
. . = less than 0·5 per cent.

Ms. Short: To ask the Secretary of State for Employment, for Great Britain and each standard Training Agency region, what are the latest available statistics for employment training showing the number of trainees in each monthly period who *(a)* have entered employer-based work placements and the cumulative total of how many are in employer placements at the latest available date and *(b)* the number of trainees in each monthly period who entered project-based work placements and the cumulative total of how many are in project-based placements at the latest available date.

Mr. Nicholls: Information about the number of trainees on practical training placements with employers and on projects on any one day is collected from quarterly census returns submitted by training managers. This information is available for 30 December 1988, 31 March 1989 and 30 June 1989. These figures are given in the following table.

Employment Training
Percentages of trainees on placements with employers and on projects on the census date December 1988—June 1989

Region	December[1] Project Per cent.	Employer Per cent.	March Project Per cent.	Employer Per cent.	June Project Per cent.	Employer Per cent.
South East	46	31	39	31	36	31
London	43	17	48	18	42	19
South West	47	24	45	26	44	30
West Midlands	65	22	58	20	59	21
East Midlands and Eastern	n.a.	n.a.	57	27	49	26
Yorkshire and Humberside	52	23	51	25	48	25
North West	58	24	49	28	54	27
Northern	66	16	53	24	53	24
Wales	56	20	45	27	43	28
Scotland	69	18	62	21	60	24
Great Britain	58	21	52	24	50	25

[1] Returns include trainees on CP wages.
n.a. = Not available because of low number of returns.

Ms. Short: To ask the Secretary of State for Employment, for Great Britain and each standard Training Agency region, what are the monthly statistics for each month since June 1989 for employment training showing the *(a)* overall cumulative number of employment training trainees in training for each month and *(b)* the number of starts in each month with employment training training managers.

Mr. Nicholls: Monthly information for Great Britain and each Training Agency region for each available month since June 1989 is given in the following tables. In-training figures are provided in table 1 and starts figures are provided in table 2.

Employment training filled places: June 1989 to September 1989

Training agency region	June	July	August	September
South East	11,500	14,500	14,200	14,900
London	18,300	19,000	19,000	20,200
South West	11,800	11,900	11,500	12,000

Training agency region	June	July	August	September
West Midlands	22,800	23,200	23,600	23,400
East Midlands and Eastern	15,500	16,400	16,800	16,900
Yorkshire and Humberside	25,200	25,200	25,100	25,200
North West	27,600	29,000	28,700	29,100
Northern	23,000	24,400	24,700	24,900
Wales	14,800	15,800	16,000	16,500
Scotland	23,200	23,700	24,400	25,100
Great Britain	193,700	203,000	204,400	208,000

Table 2

Starts at Employment Training Managers: June 1989 to September 1989

Training Agency Region	June	July	August	September
South East	2,400	4,500	1,900	3,400
London	3,100	3,100	2,700	4,800
South West	1,900	1,500	1,200	2,300
West Midlands	3,800	3,300	3,200	4,500
East Midlands and Eastern	2,800	3,000	2,500	3,500
Yorkshire and Humberside	4,500	3,800	3,500	5,500
North West	6,300	5,300	4,500	6,200
Northern	4,100	3,600	3,000	4,900
Wales	2,600	2,700	2,300	3,700
Scotland	4,800	3,400	4,500	5,600
Great Britain	36,400	34,200	29,300	44,200

Ms. Short: To ask the Secretary of State for Employment what information he has about trainees who leave employment training early; and what is the latest available monthly estimate of the number of trainees who have left employment training early.

Mr. Nicholls: Information on trainees who leave employment training early is not currently available.

Mr. Anthony Coombs: To ask the Secretary of State for Employment what steps are being taken to improve administrative arrangements in employment training.

Mr. Eggar: The forms and procedures involved in the delivery of employment training are kept under review. The objective is to satisfy the requirements of public accountability and good administration whilst minimising the burden on training agents and training managers.

All ET forms (and the guidance notes associated with them) have now been reviewed. In many cases they have been simplified, and the revised forms introduced progressively since March. Currently we are taking steps to improve the trainee attendance records for the payment of training grants and trainee allowances. We are also improving arrangements for notifying termination of training.

I am confident that the overall effect of the action we are taking will be to ease administrative burdens while ensuring the proper use of Exchequer funds.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will give the most recent details of *(a)* the number of filled places on the 23 large company employment training schemes listed on 27 February, *Official Report*, column *34*, *(b)* any changes to the maximum number of places allocated for each of those schemes and *(c)* which of those schemes have since withdrawn from employment training.

Mr. Nicholls *[holding answer 23 October 1989]:* The following table updates to 29 September 1989 the details of the 23 large company ET schemes listed in the *Official Report* on 27 February at column *34*. The "Maximum No. of places allocated" column shows, in brackets, the changes to the figures listed in the *Official Report*.

None of the schemes listed have withdrawn from Employment Training

Company	Maximum number of places allocated	Places filled at 29 September 1989
J. Jarvis and Sons	1,310(−1,616)	1,160
J. Laing Construction	2,181 (−157)	1,554
Henry Boot Construction	495 (−455)	222
Invicta Training (Grand Metropolitan Catering)	1,105 (+230)	147
Martin James	650 (−85)	552
George Wimpey	437 (−229)	404
Mowlem	305 (−100)	128
Comet plc	354	51
Pilkington	230 (−70)	181
Ferranti	152 (−98)	92
Mill Garages Ltd.	170 (−10)	173
Tower Radio Ltd.	130 (−120)	93
Portals Engineering Ltd.	250	241
Marley Extrusions Ltd.	200	Nil
Ryder Ltd.	165 (+15)	194
Team Greyfriars Ltd.	380 (+230)	155
John Lawrence Group	100 (−50)	37
ICI	100 (−50)	83
Sumlock Business Services	60 (−90)	36
R. and D. Associates	125 (−33)	139
Simon Engineering	110	63
Coastline Ltd.	70 (−30)	114
Strategic Market International Ltd.	100	88

Restart

Mr. Loyden: To ask the Secretary of State for Employment how many Restart interviews were conducted in the last 12 months; what numbers were referred to each menu option; what numbers actually took up their referral; what numbers were referred to the unemployment benefit services for non-attendance at interview; what numbers were referred to the unemployment benefit service for non-availability; what numbers were referred to

the unemployment benefit services for refusal of suitable employment; and if he will express the numbers as a percentage.

Mr. Eggar: The information requested is given in the table.

We do not know how many people ultimately start a job or other opportunity as a result of the Restart interview.

Restart counselling: August 1988 to August 1989

	Number	*Per cent.*
Interviews	2,194,400	100·0
Referred to:		
Job	242,800	11·0
Jobclub	197,600	9·0
Enterprise allowance scheme	85,500	4·0
Restart course	67,900	3·0
Employment training	463,100	21·0
Other referrals[1]	238,200	11·0
Referred to Unemployment Benefit Service:		
Non-attendance at interview	316,400	[2]10·0
Non-availability	76,200	3·0
Refusal of suitable employment	1,900	0·1

[1] Referrals to claimant advisers, and disablement resettlement officers.
[2] This is a percentage of the number of invitations sent.

Construction Industry (Accidents)

Mr. Wareing: To ask the Secretary of State for Employment what representations he has received in respect of accidents in the construction industry; and what plans he has to increase protection for those employed in that industry.

Mr. Nicholls: Over the last year I have answered several questions in the House and received letters from hon. Members on this subject. Additionally, the Building Employers Confederation has written to me and last April I met officials of UCATT. The number of Health and Safety Executive (HSE) inspectors devoted to construction has already risen 10 per cent. since 1988, and HSE aims to have 100 construction inspectors by 1990. Inspectors will be paying more attention to the quality of site management and levels of training and supervision. HSE will also continue to advise the industry and to vigorously enforce the law where necessary.

The Government will shortly be making the wearing of safety helmets on construction sites compulsory and the Health and Safety Commission has recently published a consultative document setting out proposals for new regulations to strengthen the management of health and safety on construction sites.

Training and Enterprise Councils

Ms. Ruddock: To ask the Secretary of State for Employment how training and enterprise councils will respond to the specific needs of ethnic businesses within local communities.

Mr. Eggar: Training and enterprise councils will be expected to undertake a comprehensive assessment of local market needs to enable them to draw up their corporate and business plans. Consultation with a wide range of organisations and individuals, including ethnic businesses where appropriate, will be vital to this assessment.

National Council for Vocational Qualifications

Mr. Harry Greenway: To ask the Secretary of State for Employment if he will make a statement on the work being done by the National Council for Vocational Qualifications.

Mr. Eggar: The council's task of rationalising and reforming our vocational qualification system is well under way. Over 160 qualifications have now been accredited within the first four levels of the new national vocational qualification framework.

A new system for recording the achievement of parts or units of the new national vocational qualifications has been developed, which will enable candidates to work more flexibly and progressively through their qualifications. In discussion with relevant professional bodies, the council has also begun to prepare the ground for extending its work to higher-level qualifications.

Details of the council's activities are contained within its second annual report, a copy of which has been placed in the Library.

Secondary Picketing

Mr. John Marshall: To ask the Secretary of State for Employment what representations he has received about secondary picketing; and if he will make a statement.

Mr. Nicholls The Government receive representations on various aspects of industrial relations law. Reform of this law since 1979 has given employers, and others, the ability to restrain unlawful secondary picketing. In the last year no formal representations have been received about this particular matter.

Manufacturing (North-West)

Mr. Pike: To ask the Secretary of State for Employment what is his Department's latest assessment of the implications for jobs in the manufacturing sector in the north-west as a result of the introduction of the single market in 1992.

Mr. Eggar: The reduction in barriers to free movement of goods, persons, services, and capital, associated with the completion of the single European market in 1992, will provide considerable trade and employment opportunities in all regions of the United Kingdom. Future jobs growth throughout the United Kingdom depends on how well firms and workers react to these and other opportunities.

Quarterly Attenders

Ms. Short: To ask the Secretary of State for Employment, at each appropriate quarterly date over the most recent three years, what was the flow of new quarterly attender claimants at the same dates, what was the stock of new quarterly attender claimants; what criteria are used by the employment service in assessing claimants when granting quarterly attender status; what steps a quarterly attender must take to show actively seeking work; and if he will make a statement.

Mr. Eggar: Records are not kept on the flow of new quarterly attenders.

The number of quarterly attenders at each appropriate quarter over the last three years was as follows:

	Number
October 1986	297,982
January 1987	292,270
April 1987	281,871
July 1987	269,111
October 1987	266,066
January 1988	257,897
April 1988	257,328
July 1988	248,932
October 1988	241,580
January 1989	222,289
April 1989	206,921
July 1989	183,614

YTS

Ms. Short: To ask the Secretary of State for Employment, at the end of June, July, August and September how many people of YTS eligible age, registered with jobcentres or the careers service, were awaiting an offer of a YTS place; and of them, how many were receiving bridging allowance or extended child benefit or income support.

Mr. Nicholls: Only local careers services hold information on the total number of young people awaiting the offer of a YTS place. There is no central record.

The numbers of young people receiving bridging allowance was as follows:

	Numbers
8 June	10,310
13 July	10,026
10 August	10,261
14 September	9,110

Extended child benefit was not payable at the end of July or the end of August. The number of young people whose parents were receiving child benefit at the end of June was 8,941 and, at the end of September 15,957.

Information on the number of young people receiving income support is not available.

Adjudication Officers (Decisions)

Ms. Short: To ask the Secretary of State for Employment, for the 12-month period to the end of June, if he will give the decisions of adjudication officers on doubtful fresh claims, renewal claims and reviewed claims for unemployment benefit showing the numbers allowed, disallowed, referred to a local tribunal, revised in favour of claimants, revised adversely to claimants and not revised in the following categories of questions *(a)* employed to full normal extent, *(b)* engaged in employment, *(c)* availability, *(d)* restricted availability, *(e)* leaving voluntarily, *(f)* for misconduct, *(g)* neglecting to avail of employment, *(h)* refusal of employment, *(i)* refusal or premature termination of training, *(j)* refusal to carry out written recommendations, and *(k)* Restart.

Mr. Eggar: All decisions on claims for unemployment benefit are made by the independent adjudication authorities and no statistics are kept as to the manner in which the entitlement doubt arose.

Figures on the number of decisions for failure to attend Restart are not compiled separately.

Subject to these qualifications, the following table sets out the information requested.

Twelve months ended 30 June 1989
Review cases

	Allowed	Disallowed	Referred direct to Local Tribunal	Revised in favour of claimant	Revised adversely to claimant	Not reviewed/ revised
(a)	48,652	16,231	40	137	320	171
(b)	3,145	16,083	18	242	7,651	297
(c)	47,950	58,303	199	4,108	6,433	3,327
(d)	50,744	20,868	98	3,632	4,198	3,324
(e)	158,558	226,062	382	2,350	714	827
(f)	90,467	70,325	674	521	296	318
(g)	5,400	2,986	17	43	20	15
(h)	4,893	2,438	8	40	13	15
(i)	983	1,563	5	38	62	9
(j)	46	103	—	27	13	2

(a) Employed to full normal extent
(b) Engaged in employment
(c) Availability
(d) Restricted availability
(e) Leaving voluntarily
(f) For misconduct
(g) Neglecting to avail of employment
(h) Refusal of employment
(i) Refusal or premature termination of training
(j) Refusal to carry out written recommendations

Art and Culture

Mr. Fisher: To ask the Secretary of State for Employment what is the level of expenditure by the Training Agency on training in the arts and cultural industries.

Mr. Nicholls: Information is not available in the form requested for all Training Agency programmes. However, in 1989-90 the cost to the Exchequer of YTS training in the arts and related activities is estimated to be around £23 million.

Working Hours

Mr. Redmond: To ask the Secretary of State for Employment if he will list for all the member countries of the EEC the average number of working hours per week for *(a)* 10 years ago *(b)* five years ago and *(c)* the latest year for which he has figures.

Mr. Nicholls: Estimates from Community labour force surveys as requested, are shown in the table:

Persons in employment in member countries of the EEC
Average hours[1] usually worked per week, 1979, 1984 and 1987

	1979 hours	*1984 hours*	*1987 hours*
United Kingdom	38·5	38·3	38·6
Belgium	41·4	39·9	38·9
Denmark	37·9	36·7	36·1
Federal Republic of Germany	41·2	40·1	39·6
France	42·4	40·0	39·4
Ireland	46·2	43·1	43·2
Italy	40·8	39·9	39·7
Luxembourg	40·8	40·5	40·2
Netherlands	39·7	[4]n/a	33·9
Greece[2]	—	44·7	43·4
Spain[3]	—	—	41·6
Portugal[3]	—	—	44·3

[1] Basic usual hours
[2] Not member country of EEC in 1979
[3] Not member country of EEC in 1979 and 1984
[4] Did not participate in 1984 Labour Force Survey

Local Enterprise Agencies

Mr. Parry: To ask the Secretary of State for Employment how long the Government's local enterprise agency project schemes has been operating; how many projects in Liverpool have received support under the scheme; in which Liverpool constituencies supported schemes have been situated; and what is the total amount of support up to the present time.

Mr. Eggar: The local enterprise agency project scheme (LEAPS) has been in operation since April 1988. Since then six projects in Liverpool have received support. Constituencies in which projects have been or are operating are Liverpool (Riverside), Liverpool (Broad Green), Liverpool (Garston), Liverpool (Mossley Hill), Birkenhead, Wallasey, Wirral West and Wirral South. The total amount of support in Liverpool so far under LEAPS is £38,000 of public money matching an equal private sector contribution. Nationally, around £600,000 has been paid in LEAPS grants since April 1988 on the same basis.

Efficiency Scrutiny

Mr. Boswell: To ask the Secretary of State for Employment what topic he proposes for his Department's next efficiency scrutiny.

Mr. Eggar: We have decided to set up an efficiency scrutiny to examine the reasons why some benefit claimants, having expressed an interest in one or more employment and training programme, either fail to take up a place or drop out after a very short time.

Information Technology

Mr. Warren: To ask the Secretary of State for Employment how many officials in his Department at grade 3 and above have, since promotion to the level of grade 3, attended a course *(a)* specifically on information technology and *(b)* containing an element of information technology and what percentage each represents of all the staff in those grades in his Department.

Mr. Eggar *[pursuant to his reply, 19 October 1989; c. 233-34.]:* I regret that the information given in my original reply was not up-to-date due to staff changes since 16 October. The correct information is given in the following table:

	Number of staff in the grade	*Number of staff who have attended courses specifically on information technology*	*Percentage of staff in the grade*	*Number of staff who have attended courses with an element of information technology*	*Percentage of staff in the grade*
Grade 1	1	1	100	1	100
Grade 2	5	5	100	1	20
Grade 3	26	10	38	13	50

TRANSPORT

Motorways

Mr. Simon Coombs: To ask the Secretary of State for Transport what plans he has to provide a new service area on the M4 between Heston and Membury.

Mr. Atkins: A service area is needed to fill the 56-mile gap between the sites at Membury and Heston. Consultants have been searching for a suitable site to meet this need. When they have reported and their recommendations have been considered I shall announce our proposals for development.

East London River Crossing

Mr. Cartwright: To ask the Secretary of State for Transport how many objections have been received from *(a)* organisations and *(b)* individuals to the revised bridge proposals for the east London river crossing; and whether he intends to reopen the public inquiry into the scheme.

Mr. Portillo: By the end of the statutory objection period, 55 objections and representations had been received from organisations and 3,235 from individuals.

My right hon. Friends the Secretaries of State for Transport and for the Environment announced on 17 October that they had decided to re-open the previous inquiry to consider representations about the change in the design of the Thames bridge and to hold a concurrent inquiry into the draft orders for the revised bridge design. These inquiries will be held jointly with the public inquiry into the planning application to extend the runway and to

change the operating conditions at London City airport. These inquiries are expected to be held around the middle of 1990.

Private Hire Cars

Mr. Cartwright: To ask the Secretary of State for Transport what consideration he is currently giving to the introduction of a licensing system for private hire cars in Greater London.

Mr. Portillo: I consider representations as and when they are made to me.

Channel Tunnel Link

Sir John Stanley: To ask the Secretary of State for Transport at what stage British Rail will require formal investment authority for any public investment in a new line to meet the anticipated growth in international traffic after the opening of the Channel tunnel.

Mr. Portillo: British Rail requires Government approval for significant expenditures.

Sir John Stanley: To ask the Secretary of State for Transport by what criteria he will judge whether a proposal put to him by British Rail to build a new line to meet the anticipated growth in international traffic after the opening of the Channel tunnel is environmentally satisfactory.

Mr. Portillo: The Government will need to be satisfied that BR has carried out an environmental assessment, and that it can provide a full environmental statement detailing the impact of the works and any mitigation measures. Ultimately it will be for Parliament to judge whether any proposals are environmentally acceptable.

Sir John Stanley: To ask the Secretary of State for Transport whether any proposals have been put to him by British Rail to build a new line to meet the anticipated growth of international traffic after the opening of the Channel tunnel that will run from the tunnel terminal to Swanley only.

Mr. Portillo: British Rail is continuing its discussions with the private sector. No firm proposal has yet been put to Ministers.

Sir John Stanley: To ask the Secretary of State for Transport whether it remains his policy that he will not give his approval to a proposal from British Rail to construct a new railway line between London and the Channel tunnel if the board's proposals, including environmental protection measures, fail to establish a commercial case for the contruction of a new line.

Mr. Portillo: Yes.

Sir John Stanley: To ask the Secretary of State for Transport whether, in calculating the rate of return on any public investment in a new line to meet the anticipated growth in international traffic after the opening of the Channel tunnel, he will take full account of the loss in revenue to British Rail on existing routes arising from the diversion of national and international passengers from existing routes to the new line.

Mr. Portillo: This would be taken into account.

Sir John Stanley: To ask the Secretary of State for Transport whether any proposals have been put to him by British Rail to build a new line to meet the anticipated growth in international traffic after the opening of the Channel tunnel that involve public sector investment in whole or in part.

Mr. Portillo: The basis of British Rail's discussions with the private sector is that the construction and operation of the new line would be a joint venture in which BR would have a minority shareholding.

Sir John Stanley: To ask the Secretary of State for Transport whether he will direct British Rail that, in its discussions of proposals with the private sector to build a new line to meet the anticipated growth in international traffic after the opening of the Channel tunnel, the proposals are to incorporate as a minimum all those environmental protection works that have been announced by British Rail to date.

Mr. Portillo: I have no powers to give such a direction. I understand that the discussions between British Rail and the private sector have taken full account of BR's progress in designing the route, including environmental protection measures.

AGRICULTURE, FISHERIES AND FOOD

Set-aside Payments

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food if he proposes any change in the amounts payable for set-aside to take account of inflation; and if he will make a statement.

Mr. Maclean: I refer my hon. Friend to the answer given to my hon. Friend the Member for Suffolk, South (Mr. Yeo) on 27 July 1989 at column *950*.

Greenhouse Effect

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food what initiatives to combat the greenhouse effect he introduced to the Council of Agriculture Ministers on 25 to 26 September in Brussels.

Mr. Curry: The greenhouse effect was not discussed at this meeting of the Council.

Straw and Stubble Burning

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what guidance his Department has issued to farmers who store straw and stubble in open fields close to public highways and in the vicinity of private property, in respect of height of stack, and closeness to properties to avoid a fire risk.

Mr. Maclean: Officers of my Agricultural Development and Advisory Service will advise farmers on how to store straw in open fields in such a way as to keep to a minimum any possible risks from fire to people, highways and private property.

Organically Grown Grain

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food how many tonnes of organically grown grain have been imported during the current year; and what is the figure for organic grown grain produced in the United Kingdom.

Mr. Maclean: This information is not available.

Research Projects

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what rules govern the publication of findings of research projects at his research laboratories; and if he will make a statement.

Mr. Gummer: When the work has been completed and necessary steps taken to protect intellectual property rights, the findings of research projects at MAFF laboratories are published in appropriate scientific journals. For research funded on a contract basis for an outside customer, the question of publication is a matter for the terms of the individual contract.

Eggs

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer given to the right hon. Member for Strangford (Mr. Taylor), *Official Report*, 20 October, columns *281-82*, what percentage of eggs produced for the second quarter of 1989 were classified as free range; and what steps he is taking to encourage free range egg production.

Mr. Curry: Information on free range egg production is available only on an annual basis. In 1988 registered egg packing stations marketed under the description "free range eggs" (as defined in Commission Regulation (EEC) 1943/85) around 796,000 boxes of 360 eggs each. This figure is just under 3 per cent. of the estimated United Kingdom packing station throughput for the same period.

Any encouragement for the expansion of free range egg production must come from the customer rather than the Government.

Battery Fowls

Mr. Blunkett: To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take to protect battery fowls being taken to slaughter; and if he will make a statement.

Mr. Curry *[holding answer 23 October 1989]:* The Farm Animal Welfare Council is currently engaged on a study of transport conditions for poultry and I look forward to receiving its findings. In the meantime the Welfare of Poultry (Transport) Order 1988 contains detailed provisions aimed at protecting the welfare of poultry (including battery hens destined for slaughter) during loading, unloading and carriage. We have also supported the introduction of a welfare guide on handling of end-of-lay hens which the industry has prepared.

Agriculture Council

Mr. Tim Boswell: To ask the Minister of Agriculture, Fisheries and Food, what was the outcome of the Brussels Agricultural Council held on 25 and 26 September.

Mr. Gummer *[pursuant to his reply, 19 October 1989 c. 210]:* I represented the United Kingdom at the 23-24 October 1989 Agriculture Council meeting together with the Parliamentary Secretary, my hon. Friend the Member for Skipton and Ripon (Mr. Curry).

The main items discussed were the proposed reform of the Community's agricultural structures policy, the proposal to increase the Community's milk quota by 1 per cent. subject to certain conditions, proposals to amend the rules for charges on imports of pigmeat into the Community, proposals to allow additional coresponsibility levy charged on cereals to be amended after an initial harvest determination by the Commission in the light of further information, and proposed regulations governing veterinary checks on intra-Community trade. On all these points I argued strongly the well-established United Kingdom position. The President indicated that he hoped that conclusions could be reached on some or all of these issues at the November Council on the basis of a compromise proposal he expected to put forward.

The Council also discussed the proposed Council directive concerning the protection of water against nitrate pollution on which the Environment Council takes the lead. I pointed out that this proposal had to take better account of the potential effects on agriculture, and in particular that any restraints ultimately imposed must be proportionate to the benefits gained by reducing pollution, as is required by the EEC Treaty.

Decisions were reached on the consumption aid for olive oil for 1989-90 at the same level as applied in the previous marketing year and on extensions of less favoured areas in three member states and on a national aid for wine production in Rheinland Pfalz.

DEFENCE

Low Flying

Mr. Stern: To ask the Secretary of State for Defence how many training air-miles were flown at under 500 feet altitude over national parks during the months of July, August and September.

Mr. Neubert: Central records are not held in a form which would enable the information requested to be provided.

RAF Mildenhall (Pollution)

Dr. Thomas: To ask the Secretary of State for Defence what steps he takes to ensure that the United States Air Force management of RAF Mildenhall in Suffolk complies with standards set by Her Majesty's inspectorate of pollution in regard to off-site discharges of *(a)* raw sewage into the river Lark, *(b)* chlorinated solvents, *(c)* mercury, and *(d)* cadmium; and if he will make a statement on off-site discharges of polluting chemicals from RAF Mildenhall in relation to EEC environmental directives.

Mr. Archie Hamilton: The management and operation of the RAF Mildenhall sewage treatment plant is the responsibility of the Property Services Agency. Discharges from the plant are checked by both the PSA and the National Rivers Authority to ensure compliance with standards agreed between both parties. Mercury and cadmium are not used at the base, and any chlorinated

solvents are collected after use and are not discharged into the sewers. It is the Government's policy to ensure that the requirements of EC environmental directives are fully complied with. Discharges from RAF Mildenhall meet these requirements.

Aldermaston and Burghfield

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence what programmes have been implemented to aid staff recruitment and retention at AWE Aldermaston and at AWE Burghfield since 21 June; and what programmes it is envisaged will be implemented at these establishments over the course of the next two years.

Mr. Neubert: A number of measures to improve recruitment and retention at AWE (Aldermaston) and AWE (Burghfield) have been pursued vigorously for some time. These have been further assisted by introduction from 1 October 1989 of further enhancement to special pay additions for those categories of staff for which recruitment and retention needs are greatest. Recruitment campaigns are continuing, and the situation for the future will be kept under review.

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence when it is now expected that the A90 building at AWE Aldermaston will reach its full production capacity.

Mr. Neubert: Production in A90 will reach its peak by the mid-1990s.

Women Pensioners

Mrs. Rosie Barnes: To ask the Secretary of State for Defence if he will give for the latest year for which figures are available and the preceding three years the number of women in receipt of attributable family forces pensions who died during the year.

Mr. Archie Hamilton: The information requested is not directly available and could be provided only at disproportionate cost.

Recruitment Offices

Mrs. Rosie Barnes: To ask the Secretary of State for Defence if he will give the latest estimate of the value of the buildings owned by Her Majesty's Government and operated as armed services recruitment offices in the United Kingdom.

Mr. Archie Hamilton: This information is not readily available and could be provided only at disproportionate cost.

Family Forces Pensions

Mrs. Rosie Barnes: To ask the Secretary of State for Defence if he will make a statement on the purpose of the attributable family forces pensions.

Mr. Archie Hamilton: Attributable forces family pensions arise from the provisions of the occupational pension schemes for members of the armed forces, as amended in 1973. These amended provisions applied to personnel who gave service on or after 31 March 1973. The family pensions provide an appropriate element of income for the eligible widows and dependent children of those service personnel whose cause of death, whether in service or in retirement, is recognised as being attributable to their service in the armed forces. The provisions were intended, as far as practicable, to place service families in an overall position broadly comparable with those of other public servants whose death occurs as a direct consequence of their employment.

Mr. Alfred Morris: To ask the Secretary of State for Defence if he will give for each of the years 1976, 1979, 1982, 1985, 1986, 1987 and 1988 the number of widows in receipt of attributable forces family pension.

Mr. Archie Hamilton: The information requested is not directly available and could be provided only at disproportionate cost.

Written Answers to Questions

Thursday 26 October 1989

CIVIL SERVICE

Race Relations

Mr. Janner: To ask the Minister for the Civil Service how many Civil Service appointments have been made since 1979 under section 5(2) of the Race Relations Act 1976; and how many posts within the Civil Service are designated under section 5(2) of the Act.

Mr. Luce: No appointments to the Civil Service have been made under section 5(2) of the Race Relations Act 1976; there are no posts within the Civil Service designated under section 5(2) of the Act.

NATIONAL FINANCE

Correspondence

Mr. Cran: To ask the Chancellor of the Exchequer how many letters were received from and sent to hon. Members by his Department in *(a)* January of the current year and *(b)* the present Session up to July.

Mr. Lawson: I refer my hon. Friend to the reply I gave him on 28 July 1989 at columns *1114-15.*

Mr. Pawsey: To ask the Chancellor of the Exchequer what percentage of letters from hon. Members to his Department received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

Mr. Lawson: I regret that the information could be obtained only at disproportionate cost.

Central Office of Information

Mr. David Davis: To ask the Chancellor of the Exchequer whether he is proposing any change to the Central Office of Information cash limit for 1989-90; and whether he is proposing any changes to the services provided on an allied basis by the Central Office of Information for 1989-90.

Mr. Ryder: Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit for class XIX vote 1 will be increased by £92,000 from £1,181,000 to £1,273,000. The additional expenditure is needed to cover an increase of £92,000 in the cost of existing services provided by the Central Office of Information on an allied service basis to the royal household. The increase in the cash limit will be charged to the reserve and therefore, will not add to the planned total of public expenditure.

In addition, following the transfer of responsibility for the information officer management unit to the Cabinet Office, Office of the Minister for the Civil Service, the running costs limit for the Central Office of Information will be reduced by £186,000 from £22,036,000 to £21,850,000.

Civil Service Trade Unions

Mr. Charles Wardle: To ask the Chancellor of the Exchequer if he will give the latest estimates of the numbers of elected representatives of Civil Service trade unions in each of the main Government Departments and of the cost of providing paid time off.

Mr. Ryder: The details for 1988-89 are given in the tables which show that the total cost of facility time was £12·67 million. Compared with the position as at 31 March 1988, the total amount of paid time off for union business shows a reduction of 64 man years (6·1 per cent.), with a consequential saving of £0·41 million. This marks the seventh successive year in which facilities costs have been reduced.

Table 1 Civil Service non-industrial elected union representatives estimates of numbers with paid time off for industrial relations duties and trade union activities (as at 31 March 1989)

Departments	*5 per cent. and less*	*6-10 per cent.*	*11-20 per cent.*	*21-30 per cent.*	*31-40 per cent.*	*41-50 per cent.*	*51-60 per cent.*	*61-70 per cent.*	*71-80 per cent.*	*81-90 per cent.*	*91-99 per cent.*	*100 per cent.*	*Total*	*Full time equivalent*
1. Ministry of Agriculture, Fisheries and Food	513	35	12	4	1	0	1	1	0	1	0	5	573	19
2. Customs and Excise	632	83	50	12	13	13	8	6	4	12	6	0	839	67
3. Ministry of Defence	938	147	55	17	14	7	4	2	1	0	0	24	1,209	82
4. Department of Employment group	1,502	313	117	38	16	10	11	4	3	2	5	18	2,039	107
5. Department of Environment/ Transport Excluding PSA	390	66	32	2	4	7	0	0	2	3	0	19	525	41
6. Foreign and Commonwealth Office including Overseas Development Administration	84	11	10	1	1	2	0	0	0	0	0	0	115	13
7. Department of Health and Social Security	1,254	309	132	36	19	16	26	25	18	29	7	20	1,891	231
8. Home Office including Prison Department	1,043	165	82	14	13	3	11	2	2	2	8	14	1,359	89
9. Department of Trade and Industry	364	28	16	7	3	3	2	0	0	0	0	11	434	24
10. Inland Revenue	1,326	244	124	44	22	15	7	5	8	6	1	8	1,810	120
11. Lord Chancellor's Department	73	12	21	11	7	2	2	3	3	2	2	6	144	32
12. Department for National Savings	75	22	13	0	0	1	2	0	1	1	0	14	129	22
13. PSA—including Crown Suppliers	331	41	13	3	2	1	1	1	0	0	0	6	399	18
14. Scottish Office	141	15	10	3	0	3	0	1	0	0	0	7	180	14

Departments	5 per cent. and less	6-10 per cent.	11-20 per cent.	21-30 per cent.	31-40 per cent.	41-50 per cent.	51-60 per cent.	61-70 per cent.	71-80 per cent.	81-90 per cent.	91-99 per cent.	100 per cent.	Total	Full time equivalent
15. Other Government Departments	1,043	100	60	20	5	21	3	2	2	3	0	17	1,274	101
Total	9,709	1,591	747	212	120	104	18	52	44	59	29	169	12,920	980

Table 2: Costs of non-industrial union elected representatives

Department	Total number expressed as whole time equivalent	Cost in salaries, wages and direct benefit (£ million)	Costs as percentage of wage bill	Total number of non-industrial staff at 31 March 1989
Ministry of Agriculture, Fisheries and Food	19	0·30	0·196	9,572
Customs and Excise	67	0·99	0·260	26,416
Ministry of Defence	82	1·17	0·095	88,709
Department of Employment Group	107	1·23	0·181	54,462
Department of Environment/ Transport (excluding PSA)	41	0·59	0·198	19,733
Foreign & Commonwealth Office (including Overseas Development Administration)	13	0·12	0·191	9,443
DHSS	231	2·70	0·250	92,082
Home Office (including Prison Department)	89	1·28	0·206	37,691
Department of Trade and Industry	24	0·35	0·180	12,365
Inland Revenue	120	1·76	0·196	67,035
Lord Chancellor's Department	32	0·22	0·198	10,895
Department for National Savings	22	0·23	0·302	7,242
PSA (including Crown Suppliers)	18	0·28	0·124	13,763
Scottish Office	14	0·16	0·146	6,079
Other Government Departments	101	1·29	0·193	42,809
Total	980	12·67	0·186	498,296

National Accounts

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer why the figures for table 2-2, chapters 12-14 in the current years's edition of the United Kingdom National Accounts have not been updated for 1988; and if he will now publish the figures in the *Official Report*.

Mr. Norman Lamont *[holding answer 23 October 1989]: Table 2-2:* The analysis of gross domestic product by the manufacturing industries will, following the usual practice and reflecting the availability of data, be updated to cover 1988 in next year's edition.

Chapter 12: Estimates of tangible and intangible non-financial assets for the national and sector balance sheets will be updated when resources permit, and depending on the contribution they can make to assessments of economic developments. The personal sector balance sheet estimates for 1988 will appear, as usual, in the February 1990 edition of the CSO's "Financial Statistics".

Chapter 13: Estimates of fixed capital formation by certain industries in 1988 were not thought to be of an acceptable quality to permit publication. Such reliable estimates as can be made will appear in the quarterly national income and expenditure articles in the CSO's "Economic Trends.

Chapter 14: The estimates of capital consumption and capital stock are derived from the full range of fixed capital formation statistics. Some of the estimates for 1988 have not been produced because of quality problems with the fixed investment statistics.

Output

Mr. Meacher: To ask the Chancellor of the Exchequer what has been the level of *(a)* world industrial output and *(b)* United Kingdom industrial output each year since 1960; what has been the percentage demand growth in each case; and what levels are predicted to be reached by the year 2000.

Mr. Norman Lamont *[holding answer 19 October 1989]:* Levels of industrial production of the industrialised countries for each year since 1960 are published in the IMF publication "International Financial Statistics, 1989 Yearbook". A series of United Kingdom industrial production from 1948 to 1987 is published in "Economic Trends Annual Supplement, 1989", and the latest estimates for recent years are published in the latest *Economic Trends*. The OECD's latest forecasts of industrial production in its member countries are published in "OECD Economic Outlook", June 1989. The United Kingdom Government do not publish forecasts of industrial production. Forecasts of the growth of manufacturing output, the largest component of industrial production, are published in the FSBR and Autumn Statement.

TRADE AND INDUSTRY

Blue Arrow

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will give an up-date of his Department's inquiry into the National Westminster bank and the Blue Arrow affair.

Mr. Redwood: The inspectors' inquiries into County NatWest are at an end. Their report was published on 20 July 1989 and copies were passed to the serious fraud office which is carrying out inquiries with the City of London police. Copies were also passed to regulatory authorities to enable them to take such action as they consider appropriate.

Post Office Counters Ltd.

Mr. John Marshall: To ask the Secretary of State for Trade and Industry what proposals he has to privatise Post Office Counters Ltd.

Mr. Forth: The great majority of post offices is already run by subpostmasters operating in the private sector and this number is increasing with the conversion of Crown post offices to agency or sub-office status. We have no further plans for privatisation of Post Office Counters.

Hotol Project

Mr. Jack: To ask the Secretary of State for Trade and Industry what steps his Department is taking to promote further European collaboration on the Hotol project.

Mr. Douglas Hogg: This is now a matter for the companies directly concerned. The Government remain ready to facilitate such contracts with other countries as the companies request.

Consumer Protection

Mrs. Clwyd: To ask the Secretary of State for Trade and Industry if he has any plans to introduce new legislation or regulations on consumer protection.

Mr. Forth: We intend to improve the protection given to consumers in a number of ways, including the introduction of regulations under the Consumer Protection Act 1987 on price indications and unit pricing about which we are currently engaging in public consultation, and changes to other legislation affecting consumers' interests.

Plain English

Mr. Steel: To ask the Secretary of State for Trade and Industry what steps are being taken to promote plain English in the credit industry in expressing terms and conditions for loans.

Mr. Forth: The codes of practice of a number of consumer credit trade associations require the use of plain English in all communications with the consumer. In addition, regulations under the Consumer Credit Act which will come into force on 1 February 1990 require that certain consumer credit advertisements contain prescribed statements. These statements are in plain English.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Trade and Industry what percentage of letters from hon. Members to his Department received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

Mr. Ridley: The information requested is not readily available and could be provided only at disproportionate cost.

Design Services (Balance of Trade)

Mr. Fisher: To ask the Secretary of State for Trade and Industry what information he has on the balance of trade in design services.

Mr. Redwood: Statistics relating to the balance of trade in design services are not available.

EC Discussions

Mr. John Evans: To ask the Secretary of State for Trade and Industry when he next plans to meet his European Economic Community counterparts; and what matters will be discussed.

Mr. Redwood: I intend to maintain close contact with all my EC counterparts. I have recently met my German opposite number and some of his ministerial colleagues. The agenda for such meetings depends on issues current at the time.

Balance of Trade Statistics

Mr. McLeish: To ask the Secretary of State for Trade and Industry what was *(a)* the trade surplus/deficit and *(b)* the ratio of imports to total trade in each of the EEC countries, Japan and the United States of America for the most recent date for which figures are available.

Mr. Redwood: The information is in the table:

Trade Balance and Ratio of Imports to Total Trade
12 months to March 1989

Country	*Crude balance ECU billion*	*Import ratio per cent.*
Greece[1]	−7·8	77
Portugal	−5·4	61
Spain	−13·9	58
United States of America	−99·4	57
United Kingdom	−44·4	57
France	−12·8	52
Italy	−10·4	52
Belgium/Luxembourg	−2·1	51
Netherlands	1·8	50
Denmark	0·8	49
Ireland	2·8	45
Germany	66·0	43
Japan	68·3	42

[1] 12 months to June 1988.
Source: Eurostat.

Arms Sales (South Africa)

Mr. Wray: To ask the Secretary of State for Trade and Industry whether, further to his reply of 18 October, *Official Report*, column *120*, to the hon. Member for Glasgow, Provan, Her Majesty's Government are investigating the alleged arms deals between Ferranti ISC subsidiaries and shell companies in South Africa.

Mr. Redwood *[holding answer 23 October 1989]:* Any evidence of alleged breaches of United Kingdom export controls is carefully investigated. It is not our practice to comment on individual cases.

ATTORNEY-GENERAL

Reciprocal Enforcement Agreements

Mr. Devlin: To ask the Attorney-General what further steps are being taken to achieve reciprocal enforcement agreements in matters of family law and child custody.

The Attorney-General: The Government consider that the best way forward is to encourage countries to ratify the Hague convention on the civil aspects of international child abduction and the European convention on recognition and enforcement of decisions concerning custody of children and on restoration of custody of children rather than to promote a proliferation of different bilateral agreements. The Government take every opportunity to make their views known to those states that have still to accede to these conventions or to put them into effect. In relation to child maintenance orders, the United Kingdom is participating in the early stages of discussions aimed at producing an EC agreement.

Representation at Tribunals

Mr. Lawrence: To ask the Attorney-General what action the Lord Chancellor proposes to take following the recommendations of the report "The Effectiveness of Representation at Tribunals," published in July.

The Attorney-General: The Lord Chancellor's Department is currently considering the report's contents in consultation with other Departments.

Reckless Driving

Mr. Ashley: To ask the Attorney-General for what reason the Crown prosecution service initially refused to support a reckless driving charge against Peter Sumner and Mark Hill-Trevor subsequently given custodial sentences by the Court of Appeal following a private prosecution.

The Attorney-General: The Crown prosecution service initially declined to prosecute Peter Sumner for the offence of causing death by reckless driving because it appeared that the evidence against Peter Sumner was insufficient to afford a realistic prospect of securing a conviction for that offence. In reaching that decision it applied the criteria set out in the code for Crown prosecutors. But the making of such assessments, particularly in this category of case, is not an exact science, as the conviction itself has shown. The Crown prosecution service assumed responsibility for a prosecution for the offence once the matter had been committed for trial by the magistrates court.

In the case of Mark Hill-Trevor there was no refusal to prosecute for the offence for which the defendant was convicted. The proceedings were at all stages conducted by the Crown prosecution service.

Dr. Kalim Siddiqui

Mr. Winnick: To ask the Attorney-General if he will meet the Director of Public Prosecutions to discuss possible legal action regarding the remarks made in Manchester on Saturday 21 October by Dr. Kalim Siddiqui calling for the murder of a United Kingdom citizen; if it is intended to issue any public statement about incitement to murder; and if he will make a statement.

The Attorney-General: I have no plans to meet the Director of Public Prosecutions to discuss Dr. Siddiqui's remarks, but may do so if the results of any police investigation are submitted to the Crown Prosecution Service. I will not make any public statement about incitement to murder; the constituents of the offence are clearly understood.

Mr. Marlow: To ask the Attorney-General if he will prosecute Dr. Siddiqui for incitement to murder; and if he will make a statement.

The Attorney-General: A decision whether or not to prosecute Dr. Siddiqui for any criminal offences can only be made after an investigation into his activities has been conducted by the police. The Crown Prosecution Service has not been supplied with the results of any such investigation.

"One Girl's War"

Mr. Winnick: To ask the Attorney-General what current legal action the Government are taking on the book "One Girl's War"; and if he will make a statement.

The Attorney-General: Interim injunctions obtained in November 1986 against the distributor and two booksellers, restraining them from distributing or selling the book, remain in force.

OVERSEAS DEVELOPMENT

South Africa

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* the details of aid being provided to Mozambican refugees in South Africa.

Mrs. Chalker: Out of a total commitment of £127,000, we have already spent so far this financial year £95,000 on Operation Hunger, a project which helps Mozambican refugees on the South African side of the border. This is in addition to more than £100,000 provided for emergency relief supplies since January 1988.

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs which South African organisations were consulted on Her Majesty's Government's policy for contributing to the Urban Foundation scheme for low-cost housing.

Mrs. Chalker: The Urban Foundation consulted widely among black community leaders. The British embassy in Pretoria took independent soundings from black community leaders inside South Africa; all encouraged us to contribute to the scheme.

ENERGY

Radioactive Waste Disposal

Dr. Thomas: To ask the Secretary of State for Energy if he will make a statement on the outcome of the International Atomic Energy Agency board of governors

meeting on safety principles for radioactive waste disposal, held on 20 September; and if he will make available copies of the safety principles document.

Mr. Michael Spicer: The International Atomic Energy Agency board of governors approved for publication a draft report on safety principles and technical criteria for the underground disposal of high-level radioactive wastes during its September meeting. The International Atomic Energy Agency plans to publish the report in its "Safety Series" of documents before the end of the year. A copy of the published report will be placed in the Library in due course.

Oil Exploration (Wiltshire)

Mr. Simon Coombs: To ask the Secretary of State for Energy if he will make a statement on oil exploration in Wiltshire.

Mr. Peter Morrison: In the past three years two seismic survey programmes have been conducted in the county by petroleum licences, the results of which are being evaluated. No exploration wells have been drilled in the county since the well at Urchfont near Devizes was drilled in July 1986.

Gas Leakages

Mr. Malcolm Bruce: To ask the Secretary of State for Energy what figures he has for 1987 and 1988 for gas leakages from the low-pressure distribution system; and what measures he takes to check the validity of figures provided by British Gas.

Mr. Peter Morrison: British Gas estimates that current leakage from the low-pressure distribution system is less than 1 per cent. of throughput. It is difficult to estimate such figures accurately and my Department is discussing with British Gas how the estimates may be improved.

WALES

Coastal Waters

Mr. Redmond: To ask the Secretary of State for Wales how many people took advantage of the Government's offer of a free meal and expenses if they would swim in Welsh coastal waters to see if they would become ill; and what results have been obtained to date.

Mr. Grist: No such offer has been made. If the hon. Gentleman is referring to the epidemiological study, announced by my hon. and learned Friend the Minister for Housing and Planning, on 17 May, 264 people took part in the controlled cohort study at Langland Bay near Swansea on 2 September. Of these 134 were bathers and 130 non-bathers.

Farmers

Dr. David Clark: To ask the Secretary of State for Wales how many farmers were employed in each county in Wales in *(a)* June 1988 and *(b)* June 1989.

Mr. Peter Walker: The information for June 1989 is not yet available. That for June 1988 is shown in the table:

Farmers, by county
June 1988

	Whole-time	*Part-time*	*Total*
Clwyd	3,148	1,309	4,457
Dyfed	8,839	3,301	12,140
Gwent	1,617	784	2,401
Gwynedd	3,563	1,517	5,080
Mid Glamorgan	717	374	1,091
Powys	4,911	1,490	6,401
South Glamorgan	418	165	583
West Glamorgan	621	393	1,014
Wales	23,834	9,333	33,167

Note:
These figures are for main holdings only, and include partners and directors where they too are engaged in farm work. Wives/husbands of farmers, partners and directors are excluded, even though the wives/husbands themselves may be partners or directors.

Radioactive Material (Curran Embankment)

Mr. Michael: To ask the Secretary of State for Wales if he will outline the actions taken by his Department, by the emergency services and by the local authorities following the discovery of a drum of radioactive material outside Unit 8, Curran embankment, on 19 October.

Mr. Grist: The national arrangements involving radioactivity (NAIR) were activated by the police who co-ordinated the activities of the organisations concerned. The Welsh Office advised the police of suitable teporary storage locations and made arrangements for the National Radiological Protection Board to collect and dispose of the source.

Mr. Michael: To ask the Secretary of State for Wales what actions he has taken, following the discovery of a drum of radioactive material dating from 1979 outside Unit 8, Curran embankment, to identify whether there are any other such deposits and to protect the public from any possible effects.

Mr. Grist: An Inspector from Her Majesty's inspectorate of pollution, acting on behalf of the Department, visited the site with the radiation protection adviser who had carried out monitoring and provided advice to the police as part of the NAIR arrangements. Further monitoring was undertaken which revealed no evidence of any remaining radioactive sources.

Mr. Michael: To ask the Secretary of State for Wales what assessment he has made of the seriousness and potential seriousness of the discovery of a drum of radioactive material outside Unit 8, Curran embankment, on 19 October; what level of radioactivity it contained; and how this relates to safety levels.

Mr. Grist: It appears that the source in its container may have been abandoned when the premises were vacated by a company which ceased trading in 1984. The container in question is of the type used for radiography sources. It is believed to hold a radioactive iridium-192 source, of activity 8 curies in 1980. Since this radionuclide has a half life of 74 days, only a negligible fraction of the original activity will have remained when the company ceased trading. No significant radiation exposure would have resulted from the discovery of the source after that period had elapsed, and I am advised by Her Majesty's inspectorate of pollution that on-site monitoring supports

this conclusion. Nevertheless, I view any such abandonment of a radioactive source as being a potentially serious radiation incident which could cause public concern, and a highly irresponsible act.

Mr. Michael: To ask the Secretary of State for Wales whether he is satisfied with the operation of the emergency plan implemented following the discovery of a drum of radioactive material ouside Unit 8, Curran embankment, on 19 October.

Mr. Grist: Yes.

Farm Workers

Mr. David Clark: To ask the Secretary of State for Wales how many farm workers were employed in each county in Wales in *(a)* June 1988 and *(b)* June 1989.

Mr. Peter Walker: The information for June 1989 is not yet available. That for June 1988 is shown in the table:

Farm Workers, by County: June 1988

	Regular family workers	*Regular hired workers*	*Total regular workers*	*Seasonal casual workers*	*Total workers*
Clwyd	718	985	1,703	1,143	2,846
Dyfed	1,772	1,527	3,299	3,318	6,617
Gwent	414	459	873	660	1,533
Gwynedd	702	700	1,402	1,006	2,408
Mid Glamorgan	160	153	313	351	664
Powys	999	936	1,935	1,472	3,407
South Glamorgan	282	361	643	543	560
West Glamorgan					626
Wales	5,047	5,121	10,168	8,493	18,661

Notes:
1. Figures relate to main holdings only.
2. Regular workers include those working full-time and part-time.

Toxic Waste

Mr. Flynn: To ask the Secretary of State for Wales if he will make it his policy to seek a meeting with the producers and researchers of the Thames Television "This Week" programme on toxic waste dumps, to ascertain the full list of locations of forgotten and hidden toxic waste tips in Wales.

Mr. Grist: No. The Department has already carried out a survey of contaminated land in Wales which lists abandoned toxic waste sites. Two reports of the survey which was carried out in 1982-83 and updated in 1987-88 have been made available to local authorities and other interested parties. I have placed a copy of the later report in the Library of the House.

Water Quality

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the water supplies *(a)* which will meet the European Community directive on tap water quality, 80/778/EEC by 1992, *(b)* which will not, stating the criteria each water supply fails to meet, the number of people affected and the planned date for compliance and *(c)* to what extent the position will have improved by 1995.

Mr. Grist: Copies of the undertakings accepted by my right hon. Friend the Secretary of State under section 20(5)(b) of the Water Act 1989 and of the relaxations he has granted under regulation 4(1)(c) and 4(2) of the Water Supply (Water Quality) Regulations 1989 have been placed in the Library.

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list those beaches which will comply with the European Community bathing water quality directive, 76/160/EEC, by 1992, and those which will not.

Mr. Grist: I refer the hon. Gentleman to the information placed in the Library by my hon. and learned Friend the Minister for Housing and Planning on 20 October.

Radioactive Incidents

Mr. Michael: To ask the Secretary of State for Wales whether he will make it his policy to inform an hon. Member immediately when an incident involving radioactivity occurs in his constituency.

Mr. Grist: The police are responsible for implementing the national arrangements involving radioactivity (NAIR) and a decision whether or not to notify a Member of Parliament is for them.

Milford Haven

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what is the total expenditure on Welsh Office funded projects in Milford Haven; and if he will list the projects.

Mr. Peter Walker *[holding answer 23 October 1989]:* The total estimated expenditure by the Welsh Office and public bodies funded by the Department on projects under way in Milford Haven in 1989-90 is £5,643,341.

The projects are shown in the table:

Project	*Total estimated expenditure by WO* £
Welsh Office	
Milford Haven Enterprise Zone	4,668,440
Housing improvement grants	645,180
Repair and improvement of local authority housing	76,000
Pembrokeshire Community Drug Scheme	32,850
Regional Selective Assistance	25,000
Sports Council for Wales	
Milford Haven Comprehensive School— Multipurpose Hall	40,000
Milford Haven Bowling Club	7,500
Wales Tourist Board	
Millmoor Farm	40,000
Welsh Development Agency	
Environmental Enhancement Schemes:—	
Hamilton Terrace	57,163
Memorial Gardens	11,208
Town and Waterfront	40,000

HOUSE OF COMMONS

Parking (Disabled People)

Mr. Redmond: To ask the Lord President of the Council what are the current parking arrangements for staff of the House who are disabled and are orange badge scheme holders.

Sir Geoffrey Howe: There are no places specifically set aside for orange badge scheme holders, but there are 12 parking spaces in Star Chamber Court and two parking spaces in the Norman Shaw car park reserved for the use of vehicles driven by or used by photo-identity pass holders who are disabled. At present eight hon. Members, four Members' secretaries and eight staff of the House have been authorised by the Serjeant at Arms to use these spaces on a first-come first-served basis. In addition, authority for their use is given from time to time to disabled visitors and to photo-identity pass holders suffering from a temporary period of incapacity. These arrangements were confirmed by the Accommodation and Administration Sub-Committee of the Services Committee in January 1988, as a result of a survey carried out into the use of the disabled spaces in Star Chamber Court.

CHURCH COMMISSIONERS

Redundant Vicarages

Mr. Frank Field: To ask the right hon. Member for Selby, as representing the Church Commissioners, if he intends discussing with the Commissioners the proposal that wherever possible redundant vicarages are sold on long leases.

Mr. Alison: I will discuss the matter with my fellow Commissioners. It is, however, for the incumbent and the diocese concerned to make an initial judgment as to the best method of disposal of a redundant parsonage house. The Commissioners, as a consenting party, then consider each proposal on its merits. Leasehold sales are not ruled out, but they may reduce the price or prejudice disposal and thus produce less for the support of the Church's ministry.

TRANSPORT

Bus Doors

Mr. Cohen: To ask the Secretary of State for Transport if he will summarise the response to his draft regulations which include provisions relating to the risk of people being trapped in power-operated bus doors; what action he now proposes to take, including provision of finance; and if he will make a statement.

Mr. Portillo: In my reply to the hon. Member on 27 July I said that I was consulting on whether the proposed new measures for centre doors should be applied to buses already in service. I now propose that they should so apply and will lay the appropriate order shortly. No special provision for funding will be made.

Radioactive Material

Mr. Redmond: To ask the Secretary of State for Transport if he will list by year for the last 10 years how many tonnes of radioactive material were imported via the ports of *(a)* Barrow, *(b)* Dover, *(c)* Felixstowe, *(d)* Harwich, *(e)* Liverpool, *(f)* Portsmouth, *(g)* Southampton and *(h)* Workington; how many tonnes were exported through these ports; where were (i) the sources and (ii) the destinations of material imported and exported; and what method of transport was used to convey the material to and from the ports.

Mr. McLoughlin: The Department does not collect this information, and it could be provided only at disproportionate cost.

Mr. Redmond: To ask the Secretary of State for Transport, pursuant to the answer to the hon. Member for Don Valley on 4 May, *Official Report*, column *188*, whether one of the columns, "UF 6 imported" should read, "exported"; if he will show the source and destination of material travelling through the Humber ports, and what is included in the column, "Natural exported", where this material originated and what was its destination.

Mr. McLoughlin: The middle four column headings of the answer are "Natural UF6 exports" and "imports" and "Enriched UF6 exports" and "imports". The additional detailed information requested on sources and destinations can be provided only at disproportionate cost.

Railways (Noise)

Mr. Spearing: To ask the Secretary of State for Transport what consultations he had with the Royal Society for the Protection of Birds prior to his determination of future statutory limits on noise from railway trains; and if he will tabulate their limits in the *Official Report* stating whether they apply to machinery or to cumulative levels of noise over a given period of time and whether they are based on existing or projected line speeds.

Mr. Portillo: I refer the hon. Member to my reply to my hon. Friend the Member for Dartford (Mr. Dunn) of 10 April 1989 at column *409*. What the Government intend to establish is a standard for the purposes of noise insulation of properties affected by new railway lines, equivalent to that which already exists for new roads. The Government's conclusion will be published. There is no intention to establish an absolute statutory limit on noise from trains. The Royal Society for the Protection of Birds has not been consulted.

Road Signs

Mr. Pike: To ask the Secretary of State for Transport what representations he has received regarding the standard of signs on motorways and other trunk roads.

Mr. Atkins: As well as those of the hon. Member, four representations about shortcomings in maintenance standards for signs on motorways and all-purpose trunk roads have been received in the last year. In addition, members of the public bring specific cases to the Department's attention from time to time.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Transport what percentage of letters from hon. Members to his Department received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

Mr. Atkins: This question could be answered only at disproportionate cost, but the requirement to answer correspondence from hon. Members as promptly as possible is a priority of the Department.

A47 Rutland

Mr. Latham: To ask the Secretary of State for Transport whether he will make a statement on progress since July 1985 in preparing proposals for a bypass on the A47 trunk road around Glaston, Rutland, Leicestershire; and when draft lines of route will be published.

Mr. Atkins: Earlier investigations suggested that a bypass of Glaston could not be justified. We are now reassessing the case for a bypass in the light of the revised national road traffic forecasts announced in May. It is too early to say whether a scheme can be added to the trunk road programme, or when details of any routes would be made known.

Mr. Latham: To ask the Secretary of State for Transport whether he will make a statement on the accident record in and around Glaston, Rutland, on the A47 trunk road; and what proposals he has for traffic management to reduce accidents, following the meeting in Glaston involving his officials on 5 October.

Mr. Atkins: The accident record for the A47 trunk road in and around Glaston is close to the national average for this type of road. The Department is now investigating road safety measures including those discussed at the meeting in Glaston on 5 October. Any worthwhile improvements will be carried out.

A2 (Road Works)

Mr. Dunn: To ask the Secretary of State for Transport if he will publish in the *Official Report* the number of weeks that the A2 between the Danson interchange and the Swanscombe cutting, has been under road works from 1 January 1984 to date.

Mr. Atkins: I shall write to my hon. Friend with the details as soon as possible.

King's Cross Railway Lands

Mr. Chris Smith: To ask the Secretary of State for Transport when, further to his reply to the hon. Member for Islington South and Finsbury of 20 October, *Official Report*, column *257*, his Department expects to provide the comments referred to, to the London borough of Camden, in relation to the planning application for the King's Cross railway lands.

Mr. Portillo: The Department has been asked to submit its comments on the latest planning application by 14 November 1989.

Scottish Lowland Airports Policy

Mr. Foulkes: To ask the Secretary of State for Transport if he will make it his policy to consider the evidence to be given at the Civil Aviation Authority public hearing on 14 and 15 December when making his decision on Scottish lowland airports policy; and if he will make a statement.

Mr. McLoughlin: My right hon. Friend's decision will be based on the responses received to the consultation document issued on 27 September, for which the closing date is Wednesday 29 November.

Mr. Foulkes: To ask the Secretary of State for Transport if he will make it his policy to seek the advice of the Civil Aviation Authority in determining whether there is sufficient evidence to justify licensing additional flights to the United States of America from Scotland, in his consultation exercise on Scottish lowland airports policy.

Mr. McLoughlin: Air transport route licensing is a matter for the Civil Aviation Authority. The authority's decisions are made in accordance with its statutory duties and are subject to any traffic distribution rules that may be in force.

Air Deregulation

Mr. Foulkes: To ask the Secretary of State for Transport what assessment his Department has made of the impact of air deregulation in Europe on Edinburgh and Glasgow airports; and if he will make a statement on air traffic movements expected at these airports following deregulation.

Mr. McLoughlin: The United Kingdom's liberal agreements with several countries mean that the benefits of liberalisation have already been achieved in several major markets.

In its consultation document on traffic distribution policy for the London area and strategic options for the long term (CAP 548), the Civil Aviation Authority noted this; it did not attempt to forecast demand against a range of liberalisation options but assumed that further liberalisation would give a mild stimulus to traffic. Growth in passenger demand will continue to be largely determined by the rate of economic growth. The Department's forecasts of United Kingdom air traffic demand in the period to 2005 are not disaggregated to airport level.

Road Improvements, Banbury

Mr. Baldry: To ask the Secretary of State for Transport when his Department intends to give financial clearance for improvements to the Ruscote Avenue-Orchard Way junction in Banbury.

Mr. Atkins: Financial approval was given on 17 October 1989.

M40 Extension

Mr. Baldry: To ask the Secretary of State for Transport if he will make a statement on the progress of the construction of the M40 extension.

Mr. Atkins: Excellent progress is being made. Subject to reasonable weather conditions over the next two months I expect the Warwick section of M40 to open to traffic around the turn of the year. I hope that the whole of the M40 extension will be open to traffic by spring 1991.

A20, Dover

Mr. David Shaw: To ask the Secretary of State for Transport when he expects to make an announcement on the route of the eastern section of the A20 extension into Dover; and when he expects the project to be completed.

Mr. Atkins: It is hoped to announce the decision on the route shortly. The aim remains to complete the project in time for opening of the Channel tunnel in 1993 subject to the satisfactory completion of the outstanding statutory procedure.

Road Safety Code of Good Practice

Miss Widdecombe: To ask the Secretary of State for Transport if he has received a copy of the road safety code of good practice published on 5 October by the local authority associations; and if he will make a statement.

Mr. Atkins: I congratulate the associations on having produced such an excellent publication. It is attractively presented, well written and contains much sound practical advice. I commend it to all local authorities. It represents a major contribution to the national effort to reduce road casualties by a third by the year 2000. Its recommendation that individual authorities should identify local targets for casualty reduction and develop road safety plans, to be reviewed and published on an annual basis, by which to achieve them is particularly welcome, as complementing our action in setting national and regional targets.

I shall be considering with local authorities at the regional annual consultative committees over the coming weeks the future arrangements for reconciling local and regional targets and for monitoring progress.

The enthusiastic and committed implementation by local authorities of the code's recommendations is essential if we are to achieve the dramatic reduction in casualties which we know to be possible.

HEALTH

Cochlear Implant Operations

Mr. Ashley: To ask the Secretary of State for Health when he intends to make a statement regarding the funding of cochlear implant operations.

Mr. Mellor: As soon as possible.

Health Authorities (Capital Allocations)

Mr. Cohen: To ask the Secretary of State for Health if he will list the annual capital allocations to *(a)* North East Thames region and *(b)* Waltham Forest area in each of the past 10 years; and if he will show these figures adjusted with the National Health Service's deflator.

Mr. Freeman: Initial capital allocations over the past 10 years to North East Thames regional health authority are as follows:

	Allocations (at cash) £ million	*Allocations revalued at 1989-90 prices* £ million
1980-81	37·700	63·104
1981-82	45·800	69·852
1982-83	43·182	61·505
1983-84	45·452	61·873
1984-85	48·933	63·476
1985-86	48·617	59·778
1986-87	53·610	63·867
1987-88	54·143	61·290
1988-89	57·923	61·109
1989-90	73·076	73·076

Figures have been inflated to the current price level by use of the gross domestic product deflator and exclude in-year additions to the regional health authority's initial capital allocation through land sales and virement from revenue. The allocation of funds to districts is a matter for regional health authorities and this information is not held centrally.

Correspondence

Mr. Cran: To ask the Secretary of State for Health how many letters were received from and sent to hon. Members by his Department in *(a)* January of the current year and *(b)* the present Session up to 1 July.

Mr. Freeman: The information requested is as follows:

	Letters received	*Replies issued*
(a) January 1989	1,165	1,176
(b) Current Session up to and including 30 June 1989	14,337	10,615

RU 486

Mr. Redmond: To ask the Secretary of State for Health if the drug RU 486, produced by Roussel, is to be made freely available in the United Kingdom; and if he will make a statement.

Mr. Mellor: RU 486, like other medicinal products, may not be marketed in the United Kingdom without a product licence. At the present time there is no such licence in respect of this product.

Mrs. Mahon: To ask the Secretary of State for Health what representations he has received concerning the drug RU486; and if he wuill make a statement.

Mr. Mellor: In the past 12 months we have received 10 representations about the drug RU486. Four were in favour of its introduction, three against and three sought information.

Child Abuse

Mr. Redmond: To ask the Secretary of State for Health whether the indication of anal reflex and dilatation accompanied by additional symptoms is standard practice for diagnosing child abuse.

Mr. Mellor: The diagnosis of child sexual abuse is a matter for medical practitioners to reach based on the history of the case as well as any symptoms and physical signs that might be present. Recent guidance to doctors from the standing medical advisory committee makes it clear that no physical sign (of which reflex anal dilatation is an example) can at present be regarded as being uniquely diagnostic of child sexual abuse.

Kidney Transplants

Mr. Simon Coombs: To ask the Secretary of State for Health how many kidney transplants there have been in each of the last five years for which figures are available; and if he will make a statement.

Mr. Freeman: According to information provided by the United Kingdom transplant service, the number of cadaveric kidney transplants performed within the National Health Service in the United Kingdom is as follows:

	Number
1984	1,443
1985	1,336
1986	1,493
1987	1,485
1988	1,575

Coronary Heart Disease

Mr. Simon Coombs: To ask the Secretary of State for Health what are the latest available estimates of the cost for *(a)* hospital in-patient care, *(b)* hospital out-patients care and *(c)* general practitioner consultations, resulting from coronary heart disease.

Mr. Freeman: It is estimated that the total cost of hospital in-patient treatment related to coronary heart disease in England is £175·5 million per year (1987-88 prices). I regret that information is not collected centrally on either the cost of out-patient care or on general practitioner consultations resulting from coronary heart disease.

Drug Trials

Mr. Ashley: To ask the Secretary of State for Health how many people are known to have died or suffered adverse reactions following their participation in drug trials.

Mr. Freeman: Adverse reactions, including deaths, are reported to the Medicines Control Agency. It is not possible to say how many of these are related to a particular drug being trialed.

Mr. Ashley: To ask the Secretary of State for Health (1) if he will introduce legislation to impose controls and monitoring on the use of volunteers in pharmaceutical drug trials;

(2) if he will take steps to require companies which recruit human volunteers for drug trials to register with his Department; if he will institute controls on the use and payment of volunteers; and if he will take steps to monitor the effects on health of participation in drug trials;

(3) what information his Department has regarding the circumstances, financial position and health of those who voluntarily take part in pharmaceutical drug trials

Mr. Mellor: We have no plans to introduce monitoring or legislation in this area. Within the NHS all clinical research investigations involving human subjects, including healthy volunteer studies, must be approved by a local research ethics committee. Draft revised guidance on the role, scope and function of these committees is currently available for consultation and a copy is available in the Library. This guidance will be drawn to the attention of those outside the NHS sponsoring such studies.

Hearing Aids

Mr. Ashley: To ask the Secretary of State for Health (1) what action is being taken following the finding that the National Health Service is being overcharged for some hearing aids;

(2) what is the estimated cost to the National Health Service of the overcharging by some hearing aid manufacturers;

(3) when there was last an investigation of the charges made to the National Health Service by hearing aid manufacturers relative to those made to the private sector;

(4) which hearing aid manufacturers have been charging the National Health Service more for their aids than they charge private suppliers; and if he will make a statement.

Mr. Freeman Responsibility for the procurement, storage and distribution of goods required for the NHS national hearing aid service passed from the Department to the Mersey regional health authority on 1 April 1985.

An in-house study was undertaken by the Mersey RHA during January and February 1989, during which the prices charged to the NHS by all the major suppliers of commercial hearing aids were reviewed. The results of the review suggest that considerable savings could be made if suppliers were to charge the same prices to the NHS as those charged to private dispensers.

All the main suppliers have now offered to supply commercial equipment to the NHS at reduced prices and the Mersey RHA is actively pursuing these matters with the companies concerned.

Drug Prices

Mr. Ashley: To ask the Secretary of State for Health whether the National Health Service ever pays a higher price for pharmaceutical drugs than that charged by manufacturers to other customers; and what procedure there is for routinely comparing prices.

Mr. Mellor: The prices of branded medicines supplied to the National Health Service are controlled through the operation of the pharmaceutical price regulation scheme under which an overall limit is set on the profit which a company can make from such sales. Manufacturers' list prices apply to the home market generally; they do not distinguish between supply for use by NHS or private patients. There are no arrangements for individual price comparisons.

Mr. Kirkwood: To ask the Secretary of State for Health what plans he has to replace or modify the pharmaceutical price regulation scheme due to come to an end in October 1992, in light of his plans for the National Health Service, outlined in the White Paper and accompanying documents.

Mr. Mellor: When the changes in "Working for Patients" have been implemented they will place a greater emphasis for prescribers on the price of drugs, and it may be sensible to modify the pharmaceutical price regulation scheme to reflect the fact. Paragraph 2.1 of the scheme, a copy of which is in the Library, provides the flexibility required to facilitate this.

National Health Service (Prices)

Mr. Ashley: To ask the Secretary of State for Health who negotiates prices charged to the National Health Service for supplies; and what monitoring there is to ensure reasonable charges and that the prices are not higher than those used in the private sector.

Mr. Freeman: Negotiation of prices charged for NHS supplies is a matter for individual health authorities acting under the strategic guidance of the NHS procurement directorate. The level of contracting depends on many strategic, technical and commercial factors that need to be considered by the directorate working closely with health authorities. The procurement directorate is charged by the NHS Management Executive to ensure that all health authorities operate an effective and efficient procurement service.

Handicapped Children

Mrs. Mahon: To ask the Secretary of State for Health how many handicapped children are in long-term hospitals, local authority and voluntary sector care.

Mr. Freeman: Information is not available in the precise form requested. There are 14 children under 16 identified by regional health authorities in July 1989 as receiving longer-term care in large mental handicap hospitals. In addition there were, at 31 December 1986 (the latest year for which figures are available) 350 children resident in NHS community units for mentally handicapped children.

The number of children in care in accommodation for children with special educational needs at 31 March 1987 was 1,651. Many of these children will have physical and mental handicaps.

Infertility

Mrs. Mahon: To ask the Secretary of State for Health what are the latest statistics on infertility.

Mr. Mellor: We do not hold this information centrally.

Mr. Hinchliffe: To ask the Secretary of State for Health what arrangements his Department makes for the provision of IVF treatment for patients residing within the Wakefield constituency.

Mr. Mellor *[holding answer 24 October 1989]:* We believe that decisions about the priority and resources to be given to infertility services should be left to individual health authorities rather than the Department of Health. This is the case with nearly all NHS services, since health authorities are in the best position to determine priorities in the light of local needs and circumstances.

Clinical Research Centre

Mr. Bermingham: To ask the Secretary of State for Health what proposals he has for the future use of the clinical research centre in Harrow following closure; and if he will make a statement.

Mr. Mellor: My right hon. Friend the Secretary of State for Education and Science has asked the Advisory Board for the Research Councils for further advice by next spring on their proposals to reallocate support currently given to units at the clinical research centre to ensure a more effective use of scientific resources. This report will also cover the implications for NHS provision, and officials from this Department will be kept fully informed as the proposals develop.

Eye Tests

Mr. Eastham: To ask the Secretary of State for Health how frequently his Department will be monitoring the number of non-National Health Service sight tests; from what sources the statistics will be derived; and if he will make a statement.

Mr. Mellor: A survey of sight test numbers will be commissioned later this year. On present plans, the survey will be conducted by an independent market research company and a representative sample of people will be asked if they have had an NHS or private sight test since 1 April 1989. The results will be compared with information for previous years already held by the Department.

Ambulance Service (Paramedics)

Mr. Kirkwood: To ask the Secretary of State for Health if he will publish a table showing for each ambulance authority the number of trained paramedics among its crews.

Mr. Freeman: Figures in the form requested are not available centrally.

"Working for Patients"

Mr. Kirkwood: To ask the Secretary of State for Health what element of cost benefit analysis will be included in the indicative drug budgets proposed in "Working for Patients".

Mr. Mellor: The main purpose of indicative prescribing budgets is to encourage more cost-effective prescribing through more critical analysis of prescribed patterns. In consequence I expect cost benefit studies in this area to become more commonplace following the introduction of the scheme and that the results will be disseminated to general medical practitioners to help them to decide what is the most cost-effective form of treatment for each patient.

Post-operative Infections

Mr. Kirkwood: To ask the Secretary of State for Health what is the latest figure per year for the number of hospital admissions that are due to post-operative infections.

Mr. Freeman: I regret that the information requested is not available. The latest available data on hospital infections are for 1985, when the total number of cases of post-operative infection was estimated at 15,540. However it is not possible to identify the proportion of those that resulted in readmissions, or the number of readmissions after surgery which were due solely to post operative infection.

Children's Cancer

Mr. Wray: To ask the Secretary of State for Health what are the figures for each of the health authorities in England and Wales, of children's cancer treatment postponements this year; and if he will make a statement.

Mr. Mellor: We do not hold this information centrally.

Leeds Western Health Authority (Chairman)

Mr. Battle: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Leeds, West of 14 September about the business activities of the chairman of Leeds western health authority.

Mr. Freeman: My hon. and learned Friend the Minister for Health has now written to the hon. Member.

Erythropoietin

Sir Michael McNair-Wilson: To ask the Secretary of State for Health when he expects erythropoietin to be licensed for general use by the medical profession.

Mr. Mellor: For reasons of commercial confidentiality, it is not usual practice to disclose information about whether or not an application for a product licence has been received or the progress of any such application. However in this case I am able to say that a few technical queries remain and are being urgently pursued; if they are satisfactorily resolved a licence should then be issued shortly.

General Practitioners (Staff Recruitment)

Mr. Maxwell-Hyslop: To ask the Secretary of State for Health whether he will seek additional advice from general practitioners' representatives as to the practicality of practices recruiting qualified practice staff when subjected to a 10-week delay between submission of applications and receipt of NHS response, pursuant to draft No. 5 of NHS document Ref. 4237A/4311/m/4615/HT/1.

Mr. Mellor *[holding answer 19 October 1989]:* The detailed arrangements for handling applications for staff have yet to be finalised and are currently the subject of consultation with the GPs' representatives, the general medical services committee. But I can assure my hon. Friend that there will be no question of a 10-week delay in dealing with such applications.

Prescription Costs

Mr. Nicholas Bennett: To ask the Secretary of State for Health if he will list the prescription costs per patient for the 10 highest spending and the 10 lowest spending family practitioner committees in the latest year for which figures are available.

Mr. Mellor *[holding answer 24 October 1989]:* The average net ingredient cost per person in 1987-88 for the 10 family practitioner committees in England with the highest spending per person and the 10 family practioner committees in England with the lowest spending per person is listed in the table.

Family Practitioner Committee

	£
North Tyneside	45·94
Salford	45·67
Bury	42·88
Sunderland	42·71
Barnsley	42·49
Trafford	42·12
Lancashire	42·06
Isle of Wight	41·91
Wirral	41·63
Liverpool	41·48
Cambridgeshire	31·91
Berkshire	31·82
Barnet	31·78
Bromley	31·33
Buckinghamshire	31·14
Gloucestershire	30·94
Bexley and Greenwich	30·93
Enfield and Haringey	30·85
Croydon	30·70
Oxfordshire	30·01

Notes:
1. OPCS family practitioner committees population data has been used in this table.
2. Data includes prescriptions dispensed by pharmacy and appliance contractors and dispensing doctors.
3. The Net Ingredient Cost (NIC) is the basic cost of drugs before any discounts and does not include pharmacy costs or fees.

Contaminated Food

Dr. Thomas: To ask the Secretary of State for Health if he will make a statement on the implications for United Kingdom policy of the guideline levels drawn up for radioactivity-contaminated food in transfrontier trade, drawn up by the Codex alimentarius Commission under the auspices of the World Health Organisation and Food and Agriculture Organisations.

Mr. Maclean: I have been asked to reply.

In the event of a future nuclear accident, the United Kingdom would be bound by the maximum levels of

radioactive contamination established by the European Community. These are set out in Regulation (Euratom) 3954/87, as amended by Regulation (Euratom) 2218/89, and Regulation (EEC) 219/89.

The levels established by the Community are entirely consistent with the advisory, de minimis levels recently promulgated by the Codex Alimentarius Commission, below which no food control restrictions need apply.

EDUCATION AND SCIENCE

Teachers (Working Parties)

Mr. Cohen: To ask the Secretary of State for Education and Science how many teachers trained to teach the three to seven year age range are currently serving on working parties set up by the National Curriculum Council and the Schools Examination and Assessment Council.

Mrs. Rumbold: The information requested is not readily available. Twenty-nine primary teachers and other primary specialists are currently serving on working parties set up by the National Curriculum Council and the School Examinations and Assessment Council.

Soviet and East European Studies

Mr. Robertson: To ask the Secretary of State for Education and Science when he expects the report of the working committee on Soviet and East European studies, delivered to him on 10 August, will be published; when he expects to give his view on it; and if he will make a statement.

Mr. Jackson: The Universities Funding Council, the successor body to the University Grants Committee which commissioned the report on Soviet and East European studies, will be issuing the report to universities soon. The report contains recommendations which also relate to other Government Departments and organisations which I shall consult.

Community Charge

Mr. Cohen: To ask the Secretary of State for Education and Science whether he will provide more funds to colleges and universities so that they can respond to a community charge registration officer in a way that allows them only to disclose information about students resident in a particular charging authority area; and if he will make a statement.

Mr. Jackson: No. The information needs of community charges registration officers are a matter for my right hon. Friend the Secretary of State for the Environment.

Nutrition Departments

Mr. Simon Coombs: To ask the Secretary of State for Education and Science how many departments of nutrition there are within medical schools in the United Kingdom undertaking full teaching and research.

Mr. Jackson: Four, though the subject is taught and researched elsewhere in other university departments. The 27 medical schools follow the recommendations of the General Medical Council which provide for nutrition to be included in the undergraduate curriculum.

Nutrition

Mr. Simon Coombs: To ask the Secretary of State for Education and Science what proportion of its budget the Medical Research Council is devoting to research specifically on nutrition in the prevention of cancer and cardio-vascular disease.

Mr. Jackson: I understand that in the financial year 1988-89, the Medical Research Council devoted about 0·9 per cent. of its overall budget (some £1,250,000) to research projects which were directly related to the study of nutrition as regards the aetiology and prevention of cancer and cardiovascular disease.

Many other projects supported by the council in the general area of nutrition research, on which the council's total expenditure is about £6 million annually, may in the longer term also prove to be relevant to the prevention of cancer and cardiovascular disease.

Research Councils

Mr. Simon Coombs: To ask the Secretary of State for Education and Science what were the total budgets of the five research councils for the last 10 years for which figures are available.

Mr. Jackson: The details are as follows:

Research council budgets 1980-81 to 1989-90 — *£ million*

	1980-81	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*	*1989-90*
AFRC	37·477	41·934	43·624	45·773	46·680	52·725	57·149	54·896	61·115	74·565
ESRC	20·219	20·656	20·651	22·893	21·979	23·587	23·820	24·845	27·657	32·018
MRC	72·737	101·524	107·502	113·717	117·152	122·310	128·340	139·768	149·612	176·343
NERC	46·730	54·291	58·035	61·612	65·303	67·880	70·325	73·315	91·859	114·962
SERC	201·446	216·755	234·402	254·278	278·827	298·388	316·187	357·462	369·334	404·906

Ambleside Infant School

Mr. Allen: To ask the Secretary of State for Education and Science what representations he has received from the head teacher of Ambleside infant school about inadequate school buildings; and what reply he has made.

Mrs. Rumbold: My right hon. Friend received a letter on 23 October 1989, from Dorothy Marshall, the head teacher at Ambleside infants school, Aspley, about, among other topics, inadequate buildings at her school. A response will be sent as soon as possible.

Children (Ethnic Minorities)

Mr. Marlow: To ask the Secretary of State for Education and Science what is his estimate of the percentage of children from each of the major ethnic minorities in *(a)* primary and *(b)* secondary education in England and Wales.

Mr. Alan Howarth: The information requested is not available centrally, but my right hon. Friend has announced in circular 16/89 that statistics will be collected

by local education authorities from September 1990 and that aggregate returns will be made to the Department in the summer of 1991.

NORTHERN IRELAND

Ministers

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many nights each of the Ministers of the Northern Ireland Office spent in Northern Ireland during the months of May, June, July and August.

Mr. Cope: The information requested is as follows:

	May	*June*	*July*	*August*
Mr. King	5	9	6	—
Mr. Brooke	—	—	—	7
Mr. Stewart	11	5	8	—
Mr. Cope	—	—	2	6
Lord Lyell	5	11	3	—
Mr. Bottomley	—	—	2	10
Dr. Mawhinney	10	8	8	10
Lord Skelmersdale	—	—	4	6
Mr. Needham	12	8	8	7
Mr. Viggers	10	9	9	—

Accident Statistics

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland in each of the past three years for which figures are available, how many persons were *(a)* killed and *(b)* injured as a result of (i) road accidents, (ii) accidents in the home and (iii) terrorist attacks.

Mr. Cope: The three most recent years for which information is available is as follows:

	1986	*1987*	*1988*
Number of deaths by road accident	236	214	178
Number of injuries by road accident	9,206	9,722	10,789
Number of deaths by terrorist attacks	61	93	93
Number of injuries by terrorist attacks	1,450	1,130	1,047
	1985	*1986*	*1987*
Number of deaths by accidents in the home	172	163	138
Number of injuries by accidents in the home	4,183	4,389	4,236

Republic of Ireland (Discussions)

Mr. Canavan: To ask the Secretary of State for Northern Ireland what subjects he expects to discuss at his next meeting with representatives of the Government of the Republic of Ireland.

Mr. Brooke: It is anticipated that the next conference will discuss a full range of subjects including cross-border security co-operation, the confidence of the community in the security forces and cross-border social and economic co-operation.

Kincora Boys' Home

Mr. Dalyell: To ask the Secretary of State for Northern Ireland what compensation has been paid to those who were the victims of abuse during residence at the Kincora boys' home; and if he will make a statement.

Mr. Needham: A number of claims for compensation have been received by health and social services boards from former residents of Kincora boys' home. To date settlements in respect of five of these claims, amounting to £31,000 plus costs, have been agreed between the parties, and payment in each case has been made. The question of compensation is entirely a matter for settlement between the parties concerned.

UDR

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what decisions he has made in connection with the Ulster Defence Regiment arising from the meeting of the Anglo-Irish Ministerial Conference on Wednesday 5 October.

Mr. Brooke *[holding answer 19 October 1989]:* Questions relating to the Ulster Defence Regiment are primarily for my right hon. Friend the Secretary of State for Defence, but I refer the right hon. Gentleman to references to the Ulster Defence Regiment in the joint statement issued after the meeting of the Anglo-Irish Ministerial Conference on Wednesday 18 October, a copy of which has been placed in the Library of the House.

Student Loans

Mr. Worthington: To ask the Secretary of State for Northern Ireland what is the estimated cost of the introduction of student loans.

Mr. Jackson: I have been asked to reply.

An estimate was included in annex E of Cm. 520. An estimate of administrative costs, not calculated there, was provided in my right hon. Friend's statement on 19 June at columns 21-22. Work is continuing to refine those estimates; the results will be published in due course.

Allotments

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether he has any plans to bring the Northern Ireland Allotment Act 1932 into line with the legislation for other parts of the United Kingdom on allotments.

Mr. Peter Bottomley: I am aware of a recent request from the National Society of Allotment and Leisure Gardeners Ltd. for the Northern Ireland legislation to be brought into line with Great Britain. I understand this arose as a result of the concern expressed by one allotment holder about the possible loss of allotment sites in the Belfast city council area. The council has confirmed that it has no plans to dispose of any of its sites. There have been no other complaints about the legislation.

SOCIAL SECURITY

Income Support

Mr. Loyden: To ask the Secretary of State for Social Security how many persons aged 16 and 17 years have *(a)* applied for and *(b)* been refused incomes support for each month on grounds of extreme hardship since 12 September 1988.

Mrs. Gillian Shephard: The information requested is in the table.

Applications for Income Support of grounds of "Severe Hardship"

Period Ending	*Applications received*	*Directions refused*
30 September 1988	341	107
28 October 1988	494	183
25 November 1988	675	190
30 December 1988	940	293
27 January 1989	1,092	387
24 February 1989	1,278	518
31 March 1989	1,566	554
28 April 1989	1,561	562
26 May 1989	1,379	427
30 June 1989	1,799	666
28 July 1989	1,742	569
25 August 1989	1,821	571
29 September 1989	1,849	558
Total	16,487	5,585

Notes:
(1) Based on 100 per cent. count of applications received.
(2) Information relates to the number of applications received rather than to the number of individual young people involved. Some individuals may have applied more than once.

Ms. Short: To ask the Secretary of State for Social Security by region, how many persons aged 16 and 17 years have made applications for income support on the ground of extreme hardship; how many had been granted at 8 September and 6 October; and how many at the same dates had been granted income support on the ground of being within exempted categories, shown by category.

Mrs. Gillian Shephard: The number of applications for income support from 16 and 17-year-olds on grounds of "severe hardship", and the number of directions given to enable benefit to be paid at 8 September and 6 October, are in the table.

The number of 16 and 17-year-olds granted income support because they fall within one of the exempted categories ceased to be collected after October 1988 and could be obtained only at disproportionate cost.

Cumulative totals period ending	*London North*	*London South*	*Midlands*	*DSS administrative region North-East*	*North-West*	*Wales and South-West*	*Scotland*	*Great Britain*
8 September 1989								
Applications received	1,088	1,033	1,546	3,234	2,061	1,154	5,315	15,431
Directions given	673	661	1,026	2,158	1,229	732	3,623	10,172
6 October 1989								
Applications received	1,196	1,127	1,696	3,558	2,261	1,238	5,740	16,816
Directions given	742	722	1,137	2,371	1,430	789	3,937	11,128

Notes:
1. Based on 100 per cent. count of applications received
2. Information relates to the number of applications received rather than to the number of individual young people involved. Some individuals may have received more than one direction.

Appeal Tribunals

Mr. Loyden: To ask the Secretary of State for Social Security if he will publish a table showing the number of appeals heard by social security appeal tribunals and the number decided in the claimant's favour, the number decided in favour of the adjudication officer and the number adjourned in each quarter from the third quarter of 1988.

Mrs. Gillian Shephard: The latest national administrative statistics available on social security appeal tribunals relate to appeals heard in the first quarter of 1989. Information is provided in the table for the quarter ending September 1988, December 1988 and March 1989.

Social security appeal tribunals Great Britain

	Quarter ending: *30 September 1988*	*31 December 1988*	*31 March 1989*
Appeals heard and decided	47,318	30,978	25,370
Decided in favour of claimant	14,492	9,684	8,411
Decided in favour of Adjudication Officer	32,826	21,826	16,959
Adjournments	10,470	7,270	6,368

Unemployment Benefit

Mr. Loyden: To ask the Secretary of State for Social Security if he will show the number of appeals against disqualification from unemployment benefit for all reasons *(a)* heard and decided and *(b)* decided in claimants' favour, broken down for Great Britain, England, Wales and Scotland and by Department of Social Security region for the last four quarters.

Mrs. Gillian Shephard: The latest national administrative statistics available on social security appeal tribunals relate to appeals heard in the quarter ending 31 March 1989. Information about the number of appeals against disqualification from unemployment benefit is not readily available in the form requested. The figures supplied in the table are based on the total number of unemployment benefit appeals for the quarters ending 30 June 1988, 30 September 1988, 31 December 1988 and 31 March 1989.

Social Security Appeal Tribunals Unemployment Benefit

	Appeals heard and decided	*Appeals decided in favour of claimant*
Quarter ending 30 June 1988		
Great Britain	5,754	2,010
England	4,475	1,519
Wales	367	159
Scotland	912	332
Region		
North East	898	271
London North	828	293
London South	639	237
Midlands	643	209
North West	981	326
Wales/South West	853	342
Scotland	912	332
Quarter ending 30 September 1988		
Great Britain	5,254	1,805

	Appeals heard and decided	Appeals decided in favour of claimant
England	4,113	1,400
Wales	358	130
Scotland	783	275
Region		
North East	912	237
London North	557	198
London South	763	278
Midlands	670	234
North West	801	304
Wales/South West	768	279
Scotland	783	275

Social Security Appeal Tribunals
Unemployment Benefit

	Appeals heard and decided	Appeals decided in favour of claimant
Quarter ending 31 December 1988		
Great Britain	4,732	1,754
England	3,613	1,297
Wales	284	141
Scotland	835	316
Region		
North East	890	248
London North	594	234
London South	530	159
Midlands	489	183
North West	750	320
Wales/South West	644	294
Scotland	835	316
Quarter ending 31 March 1989		
Great Britain	4,500	1,795
England	3,461	1,332
Wales	291	128
Scotland	748	335
Region		
North East	901	257
London North	518	215
London South	505	196
Midlands	525	197
North West	643	304
Wales/South West	660	291
Scotland	748	335

Mr. Loyden: To ask the Secretary of State for Social Security if he will specify the number of claims referred to adjudication officers by employment service staff because they neglected to avail themselves of or refused suitable employment; and how many were disqualified from receiving benefit on grounds of neglecting to avail themselves of or refusing suitable employment for the whole year 1988 and to June of the current year.

Mrs. Gillian Shephard: The information requested is available in "Unemployment Benefit Statistics—Annual and Quarterly Analyses of Decisions of Adjudication Officers", copies of which are in the Library.

Mr. Loyden: To ask the Secretary of State for Social Security if he will specify the number of people referred to adjudication officers by employment service staff because of doubts about their availability for work; how many were disqualified from receiving benefit on the grounds of non-availability for the whole year of 1988 and to June of the current year; how many were so referred because of restrictions they placed on their availability; and how many were disqualified from receiving benefit on grounds of non-availability for work for the whole year 1988 and to June of the current year.

Mrs. Gillian Shephard: The information is not available in the precise form requested. Details of the number of decisions on claims to unemployment benefit given by adjudication officers relating to questions on availability are contained in "Unemployment Benefit Statistics—Annual and Quarterly Analyses of Decisions of Adjudication Officers", copies of which are held in the Library.

Earnings Rule (Abolition)

Mr. Pawsey: To ask the Secretary of State for Social Security how many pensioners he anticipates will benefit by the abolition of the earnings rule; and what he estimates will be the annual average financial benefit to those pensioners.

Mrs. Gillian Shephard: It is expected that approximately 400,000 pensioners will benefit from the abolition of the pension earnings rule from 1 October: those who deferred their entitlement and continued working, those whose entitlement was reduced by earnings over £75 per week and those who earned less than £75. In addition, all future pensioners will have the freedom to choose to continue working and claim their pension. It is not possible to estimate the average financial benefit as this will vary according to each individuals circumstances.

Disablement Benefit

Mr. Flannery: To ask the Secretary of State for Social Security if he will list the criteria by which the Government decided which occupations should be covered for disablement benefit purposes in relation to prescribed industrial disease ALO.

Mr. Scott: The Government have decided the occupations to be covered on the advice of the Industrial Injuries Advisory Council. Reflecting its concern about the implications for National Health Service audiological services, the council has considered it necessary to recommend that coverage be restricted to those considered to be most at risk of having suffered substantial hearing losses as a result of their work.

Benefits (Barnsley)

Mr. Allen McKay: To ask the Secretary of State for Social Security what was the total number of recipients in Barnsley metropolitan district for each year from 1979 to date of *(a)* supplementary benefit/income support, *(b)* supplementary pensions and *(c)* claimants required to be available for work.

Mrs. Gillian Shephard *[holding answer 20 October 1989]:* The metropolitan district of Barnsley is served by the local offices at Barnsley (East), Barnsley (West) and Wath-on-Dearne, but the boundaries are not conterminous. The information is as follows:

Supplementary Benefit/Income Support live load

	Barnsley (East)			Barnsley (West)			Wath-on-Dearne		
	[1]A	B	C	A	B	C	A	B	C
1979-80	5,525	2,464	1,445	4,473	2,666	817	4,284	1,900	1,151
1980-81	6,136	2,464	2,082	4,851	2,650	1,235	4,804	1,872	1,721
1981-82	7,556	2,541	3,263	5,706	2,772	1,928	5,782	1,916	2,492
1982-83	8,767	2,682	3,978	6,558	2,883	2,437	6,639	2,007	3,032
1983-84	9,140	2,563	4,194	6,989	2,708	2,823	7,245	2,040	3,290
1984-85	10,492	2,731	4,794	7,817	2,839	3,174	7,898	2,039	3,504
1985-86	10,926	2,800	4,997	8,192	2,830	3,391	8,147	1,994	3,760
1986-87	11,218	2,718	5,179	8,354	2,809	3,467	8,291	1,987	3,762
1987-88	10,900	2,746	4,662	8,244	2,819	3,203	8,041	2,016	3,398
[2]1988-89	9,584	2,626	3,760	7,441	2,683	2,734	7,274	1,826	2,986
[3]1989-90	9,725	2,511	3,845	7,792	2,658	2,945	7,609	1,879	3,075

[1] A = all claimants, B = pensioners, C = claimants required to be available for work.
[2] Data for years 1988-89 and 1989-90 are provisional and subject to amendment.
[3] Year 1989-90 is based on data collected to August 1989 only.
Source of data: 100 per cent. count of cases in action, which include a number of cases where benefit has ceased but other action is continuing.

Benefits

Mr. Clay: To ask the Secretary of State for Social Security if he will publish a table showing the value of *(a)* child benefit, and *(b)* invalidity benefit for a married couple as a proportion of average net earnings for all males and all manually employed males for each year between November 1978 and the latest date available.

Mr. Scott *[holding answer 24 October 1989]:* The information on child benefit is given in the table from April 1979 when the benefit was fully phased in. I regret that information is not available from which to calculate the average value of total invalidity benefit (including additional pension and invalidity allowance) received by married men. The table therefore relates only to basic invalidity pension with an increase for an adult dependant. It takes no account of additional pension or invalidity allowance.

Value of Child Benefit (One Child)

Uprating Dates	Child Benefit (One Child) as percentage of net average earnings (1)	
	All Adult Males	All Male Manuals
April 1979	5·5	6·0
November 1980	4·9	5·4
November 1981	5·0	5·6
November 1982	5·2	5·9
November 1983	5·4	6·1
November 1984	5·2	5·9
November 1985	4·9	5·7
July 1986	4·7	5·5
April 1987	4·4	5·2
April 1988 (2)	4·0	4·8
April 1989 (2)	3·7[3]	4·4[3]

Value of Basic Invalidity Pension

Uprating Dates	Invalidity Pension (With Adult Dependant) no children as percentage of net average earnings (1)	
	All Adult Males	Are Male Manuals
November 1978	45·3	48·9
April 1979	—	—
November 1979	44·6	48·4
November 1980	42·5	47·6
November 1981	43·0	48·8
November 1982	44·7	50·9
November 1983	43·0	49·1
November 1984	41·4	47·4
November 1985	43·3	49·9
July 1986	41·1	47·8
April 1987	38·8	45·7
April 1988	36·2	43·3
April 1989	[3]35·2	[3]42·2

1. Net average earnings are the estimated gross weekly earnings less tax and national insurance contributions at the non contracted-out rate.
2. Child benefit rate unchanged.
3. Provisional.

FOREIGN AND COMMONWEALTH AFFAIRS

Visas

72. **Mr. Archer:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to improve the present arrangements for processing applications for visitors' visas in the high commissions and embassies concerned.

Mr. Sainsbury: The vast majority of visit visa applications received by our posts overseas are processed within 24 hours. We are nevertheless constantly seeking to improve the processing of visit visa applications, particularly where this can be achieved without an increase in overall resources.

Punjab

Mr. Geoffrey Robinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Indian Government on the refusal to issue visas to members of Amnesty International to investigate the human rights situation in the Punjab.

Mr. Sainsbury: We have in the past made it clear to the Indian authorities that we regard Amnesty International as a serious and responsible organisation. But the issuing of visas is a matter for the Indian Government.

Somalia

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of renewed civil conflict in Mogadishu and other parts of Somalia during the summer on Her Majesty's Government's policies.

Mr. Waldegrave: We regret the deterioration of the situation in Somalia since mid-July which has led us to make further adjustments to our aid programme.

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking, directly and in conjunction with other countries, to encourage an end to the internal conflict in Somalia.

Mr. Waldegrave: Together with our partners and allies, we continue to urge reconciliation in Somalia and to support efforts to bring about a peaceful solution.

Bulgaria (Ethnic Turks)

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to disassociate Her Majesty's Government from the conclusions in the Council of Europe document 6106 on the departure of some ethnic Turks from Bulgaria; and if he will make a statement.

Mr. Waldegrave: We agree with the authors of the document mentioned by my hon. Friend that the treatment of the ethnic Turkish minority in Bulgaria is cause for grave concern. We have long been critical of Bulgaria's poor human rights record, in particular the campaign of assimilation which has denied fundamental freedoms to the Turkish and other minorities in Bulgaria. We have repeatedly urged the Bulgarian Government to adopt more tolerant policies. I raised this with the Bulgarian ambassador in September.

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to meet his North Atlantic Treaty Organisation counterparts to consider the historical basis of the departure of some ethnic Turks from Bulgaria; and if he will make a statement.

Mr. Waldegrave: We have, on many occasions, urged the Bulgarian authorities to cease their campaign of assimilation of the ethnic Turkish minority, which is the root cause of the mass departure from Bulgaria earlier this year. Many of our partners and allies share our views. We will discuss the issue with them from time to time, as long as the problem persists.

Human Rights (Commonwealth)

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on human rights violations in Commonwealth countries; and if he will list those Commonwealth countries in which elections have not been held in the past five years on the basis of universal adult suffrage with a secret ballot and opposition parties being allowed to participate.

Mr. Waldegrave: We receive representations about human rights in many countries, including some Commonwealth members. Where Commonwealth countries' practice on human rights give cause for concern, we make representations as necessary. Such representations are sometimes more productive if undertaken without publicity, and it would not always be helpful to disclose full details.

Details of the second part of the question are not readily available. I shall reply to my hon. Friend on this part in due course.

Trident

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries whose Governments have indicated to Her Majesty's Government since May 1979 that they consider the United Kingdom's purchase of the Trident nuclear weapons system from the United States of America is compatible with United Kingdom obligations under article VI of the 1968 nuclear non-proliferation treaty.

Mr. Waldegrave: The purchase by the United Kingdom of Trident missiles from the United States is fully compatible with our obligations under the non-proliferation treaty. We have received no representations from any other Government on the subject.

Namibia

Mr. Robert Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's attitude to the composition of the United Nations resolution 435 package setting the conditions for the elections in Namibia as it affects the necessity for a two thirds majority decision on the type of constitution to be set up by the elected assembly.

Mr. Waldegrave: We see the principles concerning the constituent assembly and the constitution, which were agreed in 1982, as an essential part of the United Nations plan for Namibian independence. We are working to ensure that these principles are respected.

South Africa

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement defining Her Majesty's Government's position as to what will constitute a clear and irreversible change in South Africa.

Mr. Waldegrave: We believe the first step is for the South African Government to implement the concept developed by the Commonwealth eminent persons group, to open the way for serious negotiations to start about the future of South Africa.

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the position of Her Majesty's Government on the five-year plan of the South African Government.

Mr. Waldegrave: It is not for us to comment on the plan. We have made clear to the South African Government repeatedly that we seek early progress on the creation of a non-racial South Africa with a government acceptable to all South Africans.

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to call upon the South African Government to lift the restrictions which currently prohibit South African citizens and organisations from advocating sanctions.

Mr. Waldegrave: Yes.

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will now call upon the Government of South Africa to cease all executions of opponents of apartheid to meet the preconditions proposed by the Organisation of African Unity to create a climate for negotiations in South Africa.

Mr. Waldegrave: We will continue to make representations in cases that are clearly political and where there are extenuating circumstances or grounds to doubt the fairness of the judicial process.

Thabo Mbeki

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs when he received a request to meet Thabo Mbeki, head of the international department of the African National Congress; and what reply he has sent.

Mr. Waldegrave: A representative of the ANC asked my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs in Kuala Lumpur on 22 October if he would meet Mr. Mbeki. He indicated that he was prepared to do so if Mr. Mbeki was willing to agree to the suspension of violence on the basis set out in the negotiating concept of the Commonwealth eminent persons group.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what improvements have been made for the conveyance of passengers and freight between RMS St. Helena and the quayside at Jamestown, St. Helena.

Mr. Sainsbury: No quayside improvements have been made, but we are providing, through the aid programme, a harbour launch which will ease the transfer of passengers and baggage between the RMS St. Helena and the quayside at Jamestown, St. Helena.

Diplomatic Missions (Parking Fines)

Mr. Stevens: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish up-to-date figures recording the number of unpaid parking fines incurred by each diplomatic mission in the first six months of the current year; and if he will make a statement.

Mr. Sainsbury: The information requested by my hon. Friend is given in the table, which also includes those international organisations which have incurred unpaid fines. The figures may be reduced by late payment.

The total of 4,292 for the first six months of 1989 indicates a 26 per cent. reduction over the same period of 1988. It compares with nearly 67,000 in the first six months of 1984 before publication of the 1985 White Paper (Cmnd. 9497). We welcome this further reduction in unpaid parking fines and appreciate the co-operation of diplomatic missions since the introduction of the parking policy. We shall continue to monitor carefully the level of unpaid fines and bring pressure to bear on diplomatic missions to reduce this still further.

Unpaid Parking Fines

Diplomatic mission	*January to June 1989*	*January to June 1988*
Soviet Union	335	324
Saudi Arabia	251	157
Côte d'Ivoire	195	146
Sudan	190	190
Cameroon	173	154
Egypt	132	368
Greece	126	141
Pakistan	120	120
United Arab Emirates	113	165
Spain	109	158
Qatar	102	104
Korea	99	78
Poland	99	213
Bulgaria	94	47
German (Federal Republic)	82	66
Israel	81	116
Malaysia	81	138
Thailand	72	93
Morocco	71	100
Iraq	67	173
France	64	69
Portugal	63	62
Brunei	62	130
Turkey	62	123
Ghana	53	52
Kuwait	52	11
Cyprus	46	32
Brazil	43	42
Germany (Democratic Republic)	42	56
Bangladesh	41	40
Gambia	40	28
Tanzania	40	51
India	38	40
China	36	130
Algeria	35	57
Jordan	35	85
Norway	35	36
Venezuela	32	57
Canada	32	33
Yugoslavia	31	49
Angola	29	13
Belgium	29	25
Japan	29	84
Tunisia	29	113
Uruguay	29	21
Barbados	28	28
Finland	27	38
Nicaragua	26	10
Oman	25	19
Sierra Leone	23	101
Sweden	22	38
Hungary	21	22
Mauritius	21	16
Cuba	20	23
Ethiopia	20	49
PDRY	20	26
Czechoslovakia	19	16
Ireland	19	21
Burma	16	21
Romania	16	30
Yemen AR	16	13
Liberia	15	26
Italy	14	53
Zaire	14	82
Zambia	14	24
Fiji	13	20
Jamaica	13	29
Guyana	11	16
Senegal	11	39
Somalia	11	17
Trinidad	10	7
Ecuador	9	27
Lebanon	9	23
Philippines	9	9
Mexico	8	12
Mongolia	8	2
Nigeria	8	67
Paraguay	8	14
Uganda	8	10
Austria	7	6
Chile	7	7
Iran	7	24
Kenya	7	36
Honduras	6	7
Zimbabwe	6	20
Gabon	5	16
Iceland	5	11
Lesotho	5	9
Malawi	5	17

Diplomatic mission	January to June 1989	January to June 1988
Peru	5	59
Seychelles	5	8
United States of America	5	15
Bahrain	4	2
Guatemala	4	5
Nepal	4	5
Panama	4	7
Denmark	3	1
Indonesia	3	18
Vietnam	3	2
Bolivia	2	1
Botswana	2	7
Dominica	2	3
Netherlands	2	6
Singapore	2	0
Switzerland	2	3
Togo	2	4
Australia	1	2
Colombia	1	8
Luxembourg	1	3
Malta	1	0
Mozambique	1	0
Papua New Guinea	1	0
Sri Lanka	1	6
Swaziland	1	0
Afghanistan	0	6
Antigua and Barbuda	0	9
Bahamas	0	2
Belize	0	0
Costa Rica	0	3
Eastern Caribbean States	0	2
El Salvador	0	1
Grenada	0	0
Holy See	0	0
New Zealand	0	0
South Africa	0	1
Tonga	0	0
International organisations		
Commonwealth Secretariat	10	15
Cocoa	3	9
IMO	3	2
Inmarsat	3	0
WEU	0	32
UN	0	0
EEC	0	0
Coffee	0	0
Sugar	0	0
Totals	4,292	5,838

ENVIRONMENT

Water Quality Assessors

Dr. Cunningham: To ask the Secretary of State for the Environment how many appointments he intends to make to technical assessors for water quality within his Department.

Mr. Patten: The matter is still under consideration.

Sewage Bacteria (Drax Power Station)

Dr. Cunningham: To ask the Secretary of State for the Environment if he will make a statement on sewage bacteria contamination from the Drax power station and its impact on surrounding areas and give details of any action to be taken by his Department.

Mr. Patten: Low river levels have caused abnormal amounts of silt to enter the cooling system at Drax and to be emitted from it. Her Majesty's inspectorate of pollution, in conjunction with other agencies, is investigating the position urgently. They will take whatever action may be needed to protect the public, if a health hazard is found to exist.

Oil Slick (Mersey)

Mr. Frank Field: To ask the Secretary of State for the Environment (1) how many tons of chemicals were used to deal with the Shell oil slick in the Mersey in the summer;

(2) how many tons of crude oil escaped from the Shell oil terminal into the Mersey in the summer;

(3) how many tons of crude oil were recovered following the leakage into the Mersey in the summer.

Mr. Trippier: Aircraft from the Department of Transport's marine pollution control unit made two spraying sorties and sprayed a total of 6·4 tonnes of dispersant. In addition a vessel, commissioned and under the direction of the metropolitan borough of Wirral, sprayed a total of 12·6 tonnes of dispersant obtained from MPCU stockpiles.

It is estimated that up to 150 tonnes of oil escaped into the river. Once a leak was identified a vacuum tanker was deployed to act on oil at the leak site and more than 50 tonnes was recovered in this way and returned to the refinery. Much of the oil that landed on beaches was mixed with sand and removed. It is not possible to estimate how much of the oil was dealt with in this manner. Most of the oil lying on mud flats and salt marshes has, after consideration of expert advice, been left to weather naturally to avoid causing further damage through disturbance of these sensitive sites.

Mr. Frank Field: To ask the Secretary of State for the Environment if he intends setting up a public inquiry to investigate the oil spillage into the River Mersey on 19 August.

Mr. Trippier: No. The hon. Member will be aware of the ongoing investigations of the Department of Energy's pipelines inspectorate and the prosecution proceedings being undertaken by the National Rivers Authority. Our assessment is that these, when taken with the work of the independent expert advisory committee, which is to look at the longer-term environmental effects under the chairmanship of Professor Bradshaw of the university of Liverpool, should adequately cover the public interest in this matter.

Rents into Mortgages Scheme

Mr. French: To ask the Secretary of State for the Environment how many representations he has received in favour of introducing a rents into mortgages scheme in England similar to those announced for Scotland and Wales.

Mr. Chope: My hon. Friend and 12 members of the public have made such representations.

Mr. French: To ask the Secretary of State for the Environment if he will conduct a survey into the potential popularity of a rents into mortgages scheme in England.

Mr. Chope: The Department commissions research from time to time into the factors which influence tenants' decisions on buying their homes, and will study the outcome of the experimental schemes in Scotland and Wales.

Mr. French: To ask the Secretary of State for the Environment if he will visit the Coney Hill and Matson estates in Gloucester to discuss a rents into mortgages scheme with tenants.

Mr. Chope: I have no plans to do so.

Mr. French: To ask the Secretary of State for the Environment in which foreign countries a rents into mortgages scheme *(a)* is operating or *(b)* has operated.

Mr. Chope: I am not aware of any such schemes.

Council House Sales

Mr. William Powell: To ask the Secretary of State for the Environment what was the value of right-to-buy discounts for sales in *(a)* Corby and *(b)* east Northamptonshire for each year since 1980-81.

Mr. Chope: Information on the discounts given on right-to-buy sales is not reported separately. The reported figures of total discounts on all sales are as follows:

Discounts on all council house sales

	Corby £ *thousands*	*East Northamptonshire* £ *thousands*
1980-81	256	634
1981-82	[1]2,807	2,155
1982-83	3,616	799
1983-84	2,846	791
1984-85	2,278	686
1985-86	2,870	873
1986-87	2,488	1,470
1987-88	4,241	2,372
1988-89	8,183	3,699
1989-90	[2]2,039	[3]1,169

[1] April-December 1981 only reported.
[2] April-June 1989, latest information available.
[3] April-September 1989, latest information available.

Local Government Finance

Mr. Cohen: To ask the Secretary of State for the Environment why the advice contained within community charge practice note 23, paragraph 4.8, suggests that the names and addresses of all students should be disclosed to the community charges registration officer; what steps he is taking to safeguard the privacy of students not resident in the requesting CCRO's charging authority area; and if he will make a statement.

Mr. Chope: The guidance given in paragraph 4.8 of community charge practice note 23 reflects regulation 5 of the Personal Community Charge (Students) Regulations 1989 (S.I. 1989/443) which were laid before Parliament on 17 March 1989. Paragraph 4.8 of the practice note also outlines the steps to be taken by educational establishments to comply with the requirements of the Data Protection Act 1984. It is the responsibility of these establishments to ensure that they do so.

Long Leaseholds

Mr. Pike: To ask the Secretary of State for the Environment what representations he has received from, or on behalf of, house owners with long-term leaseholds regarding difficulties created by the freehold owners.

Mr. Chope: We have received a number of representations from hon. Members and a few from leaseholders themselves.

Rent Arrears

Mr. Wilson: To ask the Secretary of State for the Environment if he will list the level of council house rent arrears for each district in England and Wales at April 1986 and 1989.

Mr. Chope: Local authorities in England report their rent arrears on their housing subsidy claim forms. I am arranging for details of the rent arrears at April 1986 to be placed in the Library of the House. A table was placed in the Library on 1 March this year showing rent arrears reported at April 1988 and those arrears as a percentage of rent roll. Corresponding information on the position at April 1989 is not yet available. For corresponding information about Welsh local authorities I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

PCBs

Mr. Flynn: To ask the Secretary of State for the Environment if he will ask Her Majesty's inspectorate of pollution to assess the potential dangers to the public of the polychlorinated biphenyls waste disposed of by the Purle Waste Company in quarries in south Wales; and if he will assess the danger to local housing from PCBs dumped at the Brofisken site.

Mrs. Virginia Bottomley: It is the responsibility of the district councils in Wales to ensure that waste disposal operations do not give rise to risk to public health. Her Majesty's inspectorate of pollution is able to provide guidance or advice if required.

Mr. Flynn: To ask the Secretary of State for the Environment if he will make it his policy to instruct Her Majesty's pollution inspectorate to make a site evaluation of the Ty Llwyd quarry in the Sirhowy valley; to assess the danger to local public health from the polychlorinated biphenyl wastes tipped at the quarry.

Mrs. Virginia Bottomley: It is the responsibility of the local district council, the waste disposal authority, to ensure that waste disposal operations do not pose a threat to public health. Her Majesty's inspectorate of pollution is able to provide guidance and advice if required.

Mr. Flynn: To ask the Secretary of State for the Environment if he will make it his policy to instruct Her Majesty's pollution inspectorate to assess the potential dangers from the dumping of polychlorinated biphenyls waste at Alvanley on Merseyside.

Mrs. Virginia Bottomley: Her Majesty's inspectorate of pollution is aware of the potential problems that may arise from the former landfill at Alvanley and is liaising closely with the relevant waste disposal and local authorities that have responsibility for the disposal of toxic wastes.

Contaminated Land

Mr. Flynn: To ask the Secretary of State for the Environment on how many occasions sections 65 and 197 of the Town and Country Planing Act 1971 have been applied to clean up contaminated land; and how much money has been recovered from each polluting party in each case to pay for the clean-up.

Mrs. Virginia Bottomley: Section 65 of the Town and Country Planning Act 1971 contains discretionary powers

exercised by local authorities. There is no requirement to notify the Government when these powers are used and therefore this information is not readily available. Section 197 of the Act does not contain appropriate powers for dealing with contamination.

Mr. Flynn: To ask the Secretary of State for the Environment on how many occasions sections 9 and 16 of the Control of Pollution Act have been applied to clean up contaminated land; and how much money has been recovered from the polluting party or parties in each case to pay for the clean-up.

Mrs. Virginia Bottomley: No such information is available centrally, and it could be provided only at disproportionate cost.

Mr. Flynn: To ask the Secretary of State for the Environment what plans he has to evaluate the necessity to use section 115 of the Water Act 1989 to recover costs for the clean-up of contaminated land.

Mr. Howard: Section 115 of the Water Act enables the National Rivers Authority to carry out anti-pollution works, including to prevent polluting matter from entering watercourses where it considers this is likely to occur, and to recover the costs it has reasonably incurred from any person responsible. It would therefore be for the authority to consider, in any particular case, the extent to which the use of these powers might be appropriate in dealing with problems of water pollution associated with contaminated land.

Mr. Flynn: To ask the Secretary of State for the Environment on how many occasions sections 92 to 100 of the Public Health Act 1936 have been applied to clean up contaminated land; and what financial resources have been recovered from the polluting party, or parties in each case to pay for the clean-up.

Mrs. Virginia Bottomley: Information about the use of sections 92 to 100 of the Public Health Act 1936 by local authorities is not held centrally. It could be obtained only at disproportionate cost. Problems of contamination are dealt with by landowners and local authorities depending on the circumstances of each case; Government Departments are not normally consulted.

Environmental Assessments

Mr. Flynn: To ask the Secretary of State for the Environment what consideration he has given to the effect of community charge capping upon the ability of local planning authorities fully to evaluate environmental assessment statements submitted in planning applications under the new European Community directive.

Mr. Chope: If any local authorities were selected for capping, the limits on the budgets proposed would take account of the individual circumstances of the authorities concerned.

Tap Water

Mr. Win Griffiths: To ask the Secretary of State for the Environment if he will list for each water authority area the water supplies *(a)* which will meet the European Community directive on tap water quality, 80/778/EEC by 1992, *(b)* which will not, stating the criteria each water supply fails to meet, the number of people affected and the planned date for compliance and *(c)* to what extent the position will have improved by 1995.

Mr. Howard: I will place copies of the undertakings accepted by my right hon. Friend under Section 20 of the Water Act 1989 and relaxations granted under the Water Supply (Water Quality) Regulations 1989 in the Library.

Bathing Water

Mr. Win Griffiths: To ask the Secretary of State for the Environment if he will list those beaches which will comply with the European Community bathing water quality directive, 76/160/EEC, by 1992, and those which will not.

Mr. Howard: I refer the hon. Member to the information I placed in the Library on 20 October at columns *261-62* about improvement programmes.

Water Standards

Mr. Wray: To ask the Secretary of State for the Environment if he will publish details of his agreements regarding the drinking water standards according to EC directives with the new water companies.

Mr. Howard: I refer the hon. Member to the Answer given to the hon. Member for Bridgend (Mr. Griffiths) on 26 October.

Methane

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what monitoring of methane in the atmosphere has been conducted since 1985; and what plans he has to extend this.

Mrs. Virginia Bottomley: The Mace Head monitoring station, which monitors atmospheric methane, as a part of the global atmosphere gases experiment is funded by the Department. The Harwell laboratory has made a study of methane emissions from landfill waste disposal sites. Both these activities are expected to continue, together with an important new study of advanced measuring techniques by the national physical laboratory.

Property Services Agency

Mr. Conway: To ask the Secretary of State for the Environment whether he will make a statement on the future of the Property Services Agency.

Mr. Chope: My right hon. Friend the then Secretary of State announced on 25 May 1988 that the Property Services Agency should operate on business lines. Since then, good progress has been made and as a result the Government have decided that it will be in the long-term interest of the PSA and its staff to privatise its commercial activities as soon as the necessary arrangements can be made, which include the introduction of commercial accounts and the restructuring of its organisation. The earliest practicable date is likely to be in the second half of 1992.

The PSA's customers will be fully untied from 1 April 1990 and I will be giving the PSA some immediate freedom to compete for work in new markets so that it has an opportunity to establish itself in them in advance of privatisation.

The bulk of the PSA's activities relate to project management, design services, maintenance of property and estate management services and these will be the core of the new private organisation. Those of the PSA's current activities that are essentially governmental will be retained within the Department. These activities include management of the Government's common user estate, for which executive agency status will be considered.

Water plcs

Mr. Gwilym Jones: To ask the Secretary of State for the Environment if he will make a statement about the capital structures proposed for the water plcs.

Mr. Howard: The Government have announced their intention to restructure the finances of the 10 water plcs, by writing off all their debt to the Exchequer and providing a substantial injection of cash. The restructuring will enable them, among other things, to fund major new capital investment in England and Wales.

In order to achieve this, I and my right hon. Friend the Secretary of State for Wales intend to take the following steps. We propose by orders under section 86(1) of the Water Act 1989 to extinguish all the liabilities to the Exhequer of the 10 water plcs. Debts amounting to £5 billion will be written off on 15 November, as follows:

Water plc	*£ million*
Anglian Water plc	859
Northumbrian Water Group plc	450
North West Water Group plc	1,055
Severn Trent plc	831
Southern Water plc	276
South West Water plc	129
Thames Water plc	121
Wessex Water plc	315
Yorkshire Water plc	559
Total English plcs	4,595
Welsh Water plc	433
Total	5,028

Two of the companies, Anglian Water plc and Thames Water plc will be required to pay to the Government the sums of £61 million and £11·9 million respectively. In order to achieve this I propose to make directions under section 83(2) of the Water Act to Anglian Water plc and to Thames Water plc to issue debentures to the Treasury, also on 15 November, for these amounts. These debentures are expected to mature on 29 December.

We also propose to enter into agreements on 20 November, under section 87(1) of the Water Act, to subscribe for shares in each of the other eight water plcs, paying a total of £1·57 billion as follows.

Water Plc	*£ million*
Northumbrian Water Group Plc	122·6
North West Water Group Plc	329·7
Severn Trent Plc	361·0
Southern Water Plc	46·3
South West Water Plc	265·9
Wessex Water Plc	81·3
Yorkshire Water Plc	89·4
Total English Plcs	1,296·2
Welsh Water Plc	276·0
Total	1,572·2

These sums are expected to be paid on 29 December. The shares so subscribed will be included in the offers for sale of shares in the water plcs in November.

Subject to parliamentary approval of the necessary Supplementary Estimate, the cash limit for class X, vote 9 will be increased by £1,296,200,000 from £1,000 to £1,296,201,000. The increase will be charged to the reserve and will not therefore add to the planned total of public expenditure. A separate cash limit increase in respect of class XVII, vote 13 will be announced by my right hon. Friend, the Secretary of State for Wales.

The capital restructuring described above—the write-off of debt, issues of debentures and subscriptions of shares—is designed to give effect to the proposals announced by the Government on 2 August. The figures in those announcements related to estimates at that time of the cash in balance sheets at 31 March 1990 resulting from the restructuring of the 10 water plcs. These estimates have now been modified to reflect updated information. The price ceilings are as announced on 2 August.

Ministerial Cars (Catalytic Converters)

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment whether he has any plans to introduce cars fitted with catalytic converters into the ministerial car fleet.

Mr. Chope: Three cars fitted with catalytic converters have already been obtained for use by Ministers and a further one is on order. It is our intention to purchase only vehicles equipped with catalytic converters to meet the Government car service fleet replacement programme.

Road Salting

Sir Charles Morrison: To ask the Secretary of State for the Environment whether any research has been undertaken into the effects of winter salting of roads on the quality of river water and on the breeding capability of brown trout and other fish; and if he will make a statement.

Mr. Howard *[holding answer 17 October 1989]:* I am not aware of any research which has been undertaken into the effects of the winter salting of roads on the quality of river water. However, I am advised that past research shows that limited amounts of salt in freshwater has negligible effects on the breeding capability of brown trout and other fish.

Sewers (Maintenance)

Mr. Spearing: To ask the Secretary of State for the Environment what is his estimate of the likely range of total liability carried by the new water undertakings for repair or renewal of the sewers now in their ownership.

Mr. Howard *[holding answer 17 October 1989]:* My Department and the water service companies are in the process of finalising estimates of their future investment programmes including on sewerage and I will send details to the hon. Member as soon as I can.

Reservoirs

Mr. Madden: To ask the Secretary of State for the Environment (1) if he will place in the Library any material submitted, requested or commissioned by him concerning any matters relating to Horton Bank top reservoir in Bradford, since 1979;

(2) what powers he has to ensure the safety of any reservoir; and what powers he has to direct or request a water authority or a water company to retain a reservoir, emptied on safety grounds, to be refilled and kept for recreational purposes;

(3) what representations he has received concerning the future of Horton Bank top reservoir in Bradford; and if he will make a statement;

(4) if he will list the statutory provisions that govern the sale by water companies of land owned by them close to reservoirs;

(5) if he will list the statutory provisions which relate to the imposition of right and obligation on public agencies to make inquiries into the safety of any reservoir owned by a water authority or water company.

Mr. Howard *[holding answer 24 October 1989]:* The Secretary of State appoints panels of independent civil engineers, under the Reservoirs Act 1975, to ensure the safety of all reservoirs with a capacity of more than 25,000 cu. m. County councils and metropolitan district councils are responsible for securing that owners comply with the requirements of the Act, which include having their reservoirs inspected and supervised by panel engineers and carrying out any safety measures they recommend. The Secretary of State requires reports from the local authorities every two years on any enforcement action they have had to take and he may, in the case of default, direct an authority to carry out any of its enforcement functions.

Under section 8 of the Water Act 1989, water undertakers have a general duty to take such steps as are reasonably practicable to make water or associated land available for recreation. And in considering proposals in relation to their functions they are subject to various environmental duties, including a duty to take into account any effect which the proposals would have on the beauty or amenity of a rural or urban area.

The Secretary of State is required by section 20 of the 1989 Act to enforce these general environmental and recreational duties. In taking enforcement action he could require a reservoir to be refilled once it had been made safe. But he would not take such action where the breach of duties was of a trivial nature, or where enforcement would be precluded by his general duties, for example, to secure that water and sewerage services are provided properly, to ensure that the interests of customers are protected, and to promote economy and efficiency on the part of the undertaker.

Under section 152 of the Act, water service companies are prevented from disposing of land transferred to them from water authorities unless they have the consent of the Secretary of State, or if that disposal is in accordance with a general authorisation given by the Secretary of State. The Act, the conditions of appointment and the general authorisation together ensure that no land is disposed of which is still required for water supply purposes. Special arrangements apply to the disposal of land which is in a national park, in an area of outstanding natural beauty or a site of special scientific interest.

As regards the Horton Bank top reservoir, the Secretary of State has received two letters asking for copies of the report on an inspection of the reservoir carried out earlier this year. The report was made to the Yorkshire water authority, the owner of the reservoir, and a copy was sent to Bradford metropolitan district council. It is for Yorkshire Water, as successor to the water authority, to decide on the future of the reservoir in the light of the report and of its duties under both the 1975 and 1989 Acts. The Department has no material relating to the reservoir.

Enterprise Zones

Mr. Flynn: To ask the Secretary of State for the Environment what environmental protection measures deriving from European Community directives and regulations, apply to currently established enterprise zones; how environmental assessment measures apply to enterprise zones; and if he will make a statement on the effectiveness of implementation of environmental impact assessment in the United Kingdom.

Mr. David Hunt: European Community directive 85/337/EEC deals with environmental protection measures and directly affects enterprise zones. It has been fully implemented in Great Britain, in England and Wales through the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988. DOE circular 24/88 and Welsh Office circular 48/88 explain that provision should be included in planning schemes for enterprise zones designated since the directive, for the environmental assessment of projects within the scope of annexes I and II to the directive. I understand from my right hon. and learned Friend the Secretary of State for Scotland that similar arrangements are in force in Scotland. The indications from the first year of operation are that these implementation measures are fully effective, but my Department is commissioning research to monitor the position in Great Britain.

I understand from my right hon. Friend the Secretary of State for Northern Ireland, that, so far as Northern Ireland is concerned, the main regulations required by the European directive on environmental assessment have been made and others are in the process of being made. The regulations that have been made are fully implemented.

DEFENCE

Nuclear Submarines (Decommissioning)

Mr. Allen McKay: To ask the Secretary of State for Defence if he will make a further statement about his Department's plans for the decommissioning of nuclear submarines.

Mr. Alan Clark: I refer the hon. Member to my answer on 24 October at column *646*.

Clyde Lee Conrad

Dr. Thomas: To ask the Secretary of State for Defence if he has consulted his counterparts and the Justice Minister in the Federal Republic of Germany, to ascertain whether United States Army Sergeant Clyde Lee Conrad divulged to the Governments of Hungary and Czechoslovakia details of deployments of United Kingdom Lance missiles by the British Army of the Rhine.

Mr. Archie Hamilton: It is not our policy to comment on such matters.

Greenpeace Book

Dr. Thomas: To ask the Secretary of State for Defence if he will obtain for his departmental library a copy of the Greenpeace book of the nuclear age, published in October.

Mr. Archie Hamilton: The Ministry of Defence library has ordered a copy of this publication.

Middle East (Arms Sales)

Dr. Thomas: To ask the Secretary of State for Defence to which countries in the middle east the United Kingdom has sold *(a)* short-range fighter aircraft, *(b)* aircraft with long-range bomber capacity and *(c)* chemicals capable of being used to produce chemical warfare agents, in each year since 1979.

Mr. Alan Clark: It has been the consistent policy of successive Administrations not to provide details of defence exports to specific countries.

Trident

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence (1) if he will make a statement on the awarding of the contract for the third Trident class submarine (SSBN 07); and what is the percentage break clause provision;

(2) if he will make a statement on the progress of the construction of HMS Vanguard and HMS Victorious;

(3) if his Department has any estimate of the additional costs to the Trident programme incurred by the strike at VSEL in 1988, which will be borne by his Department;

(4) in which years it is now expected that each of the four Trident class submarines will become operational;

(5) what are the currently projected programme acceptance and contract acceptance dates for the fourth Trident class submarine (SSBN 08), and the projected percentage break clause provision for this contract.

Mr. Neubert: Construction of SSBNs 05 (Vanguard) and 06 (Victorious) continues to progress well. We remain on course to achieve the initial deployment of Trident in the mid-1990s.

The additional cost to the Trident programme of last year's strike at VSEL is not expected to exceed £10 million. Revised terms are being sought for future contracts, under which such additional costs will be no longer fall to the Ministry of Defence.

We intend to place the order for SSBN 07 by the end of this year. The tender for SSBN 08 will be invited in due course following the SSBN 07 order. I anticipate that the contracts for both SSBN 07 and 08 will include standard break clauses which provide for reimbursement to the contractor of properly incurred costs up to 100 per cent. of the contract value.

For reasons of security, I am not able to comment on specific acceptance dates or to give the planned in-service dates for individual submarines.

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence (1) if there has been any cost escalation in the Trident programme, subsequent to the submarine-launched development testing of the Trident D5 missile;

(2) if there have been any changes to the expected first delivery or in-service dates of the Trident programme, due to the submarine-launched development testing of the Trident D5 missile;

(3) if there have been any major changes in specification, in terms of launch ability, accuracy, range and so on, to the envisaged capability of the Trident programme, subsequent to the submarine-launched development testing of the Trident D5 missile.

Mr. Alan Clark: The submarine-launched development testing of the Trident D5 missile has not resulted in any changes to the timetable for the missile's planned introduction into service with the Royal Navy, nor has it resulted in any major changes to the missiles's specification. The United Kingdom pays a fixed development charge for Trident and is not liable for the development costs of rectifying the cause of the recent missile failures.

Experimental ELF Transmitter

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if his Department is still considering alternative sites to the Glengarry Forest site for the placement of an experimental ELF transmitter.

Mr. Archie Hamilton: No.

Maple Flag Exercises

Mr. Foulkes: To ask the Secretary of State for Defence how many and what types of Royal Air Force aircraft participated in Exercise Maple Flag 21; over what period the exercise was held; and how many work-up training sorties for this exercise were conducted over the United Kingdom.

Mr. Archie Hamilton: Information on Exercise Maple Flag was provided to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 10 May 1989 at column *472*. Only the minimum essential amount of work-up training was conducted in the United Kingdom in preparation for these exercises.

Mr. Foulkes: To ask the Secretary of State for Defence if he will make a statement on planned Royal Air Force participation in Maple Flag exercises in the coming year.

Mr. Archie Hamilton: It is planned that nine Royal Air Force Jaguar aircraft will participate in Exercise Maple Flag at Canadian Forces base Cold Lake, Alberta in 1990.

Nuclear Weapons (Verification Research)

Mr. Cohen: To ask the Secretary of State for Defence if her Majesty's Government will take steps actively to co-operate in verification research relating to nuclear weapons at sea; and if he will make a statement.

Mr. Archie Hamilton: The United Kingdom is not involved in negotiations relating to nuclear weapons at sea. However, we follow developments in this field of verification research closely, and consult our allies on such matters as and when appropriate.

Public House, Knightsbridge (Assault)

Mr. Cohen: To ask the Secretary of State for Defence what action has been taken in respect of the assault on 6 September on a black soldier by two members of the Household Cavalry at a public house in Knightsbridge; and if he will make a statement.

Mr. Archie Hamilton: The incident is being investigated by the special investigation branch of the Royal Military Police. My noble Friend the Parliamentary Under-Secretary of State for the Armed Forces will write to the hon. Member once our investigation is complete.

Departmental Stocks and Supplies

Mr. Cohen: To ask the Secretary of State for Defence what is the current level of his Department's stocks and supplies stolen or vandalised; what progress has been made to introduce bar coding and other improved security measures; and if he will make a statement.

Mr. Archie Hamilton: The information is not available in the form requested. In the case of crimes reported to the Ministry of Defence police, statistics are published in annex E to the annual report to the chief constable, a copy of which is available in the Library of the House. However, similar information is not available in respect of those crimes reported to and investigated by Home Department police forces or the Services police.

Bar coding is being gradually introduced into the Ministry of Defence as a means of obtaining data but is not a security measure in itself. The Department is mindful of the need for adequate security measures and these are regularly appraised and updated as necessary. It is not, however, our policy to publicise these measures.

England, Northern Ireland and Wales Crime Return 1988

Property	*General crime type*	*Offences*	*Percentage detected*	*Employee*	*Forces*	*Other*	*At gate*	*Value*	*Recovered*
Crown: MOD, PSA, DOT, DHSS, C and E, United States forces, Visiting forces	Life threatening[1]	11	46		2	1		261,044·91	
	Assaults non-police	8	88	6	1				
	Assaults on police	3	67	2		1			
	Sexual offences	3	100		2				
	State offences	1	100	1			1	0·50	0·50
	Public order offences	68	27	9	1	4	4		
	Criminal damage[2]	969	37	190	90	125	6	200,171,994·52	1,009·24
	Burglary	395	31	103	7	4	1	282,924·03	10,861·63
	Fraud	1,321	83	575	335			32,840,141·13	103,560·94
	Other theft act	1,999	51	845	211	7	170	1,223,678·11	254,232·77
	Forgery	125	73	54	25		4	585·55	
	Drugs offences	3	33	1					
	Customs offences	320	100	157	142	4	210	5,152·62	4,630·46
	Traffic offences	597	98	332	209	6	133	39,397·50	36,165·00
	Other offences	547	95	231	35	283	22	32,562·23	32,062·23
	Totals	6,370	65	2,506	1,060	435	551	234,857,481·10	442,522·77
Non-Crown: Service personnel, MOD employee, Other civilian, Dockyard management, Commercial company, Royal Ordnance factory, Royal Mint	Life threatening	16	44	6	1			3,528·00	2,419·00
	Assaults non-police	221	85	89	88	8	1		
	Assaults on police	15	100	12	2	1	3		
	Other child offences	2	0						
	Child sexual offences	23	78	11	4				
	Sexual offences	58	72	30	10				
	Public order offences	66	73	27	21	8	2	10·00	
	Criminal damage	662	18	60	53	3	3	79,581·87	228·60
	Burglary	544	23	133	10			175,299·20	14,625·26
	Fraud	456	71	178	101		5	59,431·15	11,094·24
	Other theft act	3,857	23	506	264	11	53	785,845·93	193,585·99
	Forgery	116	64	16	53		3	1,303·10	275·40
	Drugs offences	33	88	24	7			41·00	31·00
	Customs offences	39	100	20	14		20	472·32	472·32
	Traffic offences	340	87	195	94	1	64	12,882·05	7,025·00
	Other offences	390	45	87	56	21	17	220·68	188·56
	Totals	6,838	35	1,394	778	53	169	1,118,615·30	229,945·37
Total Crown and non-Crown		13,208	49·6	3,900	1,838	488	720	235,976,096·40	672,468·14

Total No Crime = 1,049.

[1] Includes arson endangering life at Waltham Abbey.

[2] Includes arson at COD Donnington.

Scottish Crime Return 1988

Property	*General crime type*	*Offences*	*Percentage detected*	*Employee*	*Forces*	*Other*	*At gate*	*Value*	*Recovered*
Crown:	Life threatening	2	100	2				9·60	9·60
MOD, PSA,	Assaults non-police	7	100	3	4				
DOT, DHSS,	Sexual offences	1	100		1		1	380·00	380·00
C and E,	State offences	1	100	4				13,041·81	
United States	Public order offences	15	67	3	2	5	2		
forces, Visiting	Malicious mischief	185	27	20	37	23		632,282·00	558·49
forces	Theft by opening lock-fast places	39	10	2				3,889·98	789·50
	Fraud	560	20	26	33		2	37,019·78	5,461·87
	Other theft act	797	25	57	138	7	123	135,862·03	52,589·06
	Forgery	435	1	6				13,205·71	
	Drugs offences	1	100		1			7·00	
	Customs offences	527	18	19	80	1	90	23,686·97	939·61
	Traffic offences	218	100	82	140	37	144	10,538·79	3,890·00
	Other offences	84	83	33	32	29	9	1,053·64	501·00
	Bomb hoaxes	17	24	1	9		1	15·00	
	Totals	2,889	27	258	477	102	372	870,992·31	65,139·13
Non-Crown:	Assaults non-police	31	94	16	16	1	1		
Service	Sexual offences	7	57		4				
personnel,	Public order offences	125	57	41	31	4	3	14,000·00	14,000·00
Other civilian,	Malicious mischief	70	13	2	12			7,985·38	
Dockyard	Theft by opening lock-fast places	84	21	9	3			5,258·76	752·71
management,	Fraud	62	87	18	43		2	5,332·48	1,026·56
Commercial	Other theft act	540	36	41	136	1	111	68,153·01	26,908·92
company,	Forgery	10	100	10				602·00	
Royal	Drugs offences	3	100	0	2		2	25·00	25·00
Ordnance	Customs offences	2	100		2		2	16·50	16·50
factory, Royal	Traffic offences	76	96	20	64		39	1,535·70	
Mint	Other offences	63	68	37	11	4	8	2,062·36	842·70
	Totals	1,073	47	194	324	10	168	104,971·19	43,572·39
Total Crown and non-Crown		3,962	32·4	452	801	112	540	975,963·50	108,711·52

Total No Crime = 150.

Advanced Avionics Architecture and Packaging Development

Mr. Cohen: To ask the Secretary of State for Defence what is the purpose and estimated cost of the advanced avionics architecture and packaging development.

Mr. Alan Clark: The advanced avionics architecture and packaging programme will consider the potential for modular avionics architecture in order to enhance operational capability and to reduce costs of ownership. Some minor studies are being undertaken but it is too early to give an estimate for any follow on work.

Anthorn Military Establishment

Mr. Cohen: To ask the Secretary of State for Defence what is the purpose of the military establishment at Anthorn.

Mr. Archie Hamilton: There is a NATO naval communications installation at Anthorn.

Aircraft Tail Fins

Mr. Redmond: To ask the Secretary of State for Defence why the tail fins of Royal Air Force aircraft are in bright colours; what proportion of front-line fast jet squadrons have these colours applied; which other North Atlantic Treaty Organisation air force has adopted this policy; and if he will make a statement.

Mr. Archie Hamilton: Many RAF squadrons paint the tail fins (and other parts) of their aircraft with the insignia of their squadron or their squadron numbers. This helps to create an esprit de corps, and facilitates identification in peacetime. Although the RAF does not have a formal policy to identify aircraft in this way, all markings used have official approval. No record is kept of the number of front-line fast jet aircraft or squadrons with such insignia.

The policy of other NATO Governments and air forces on such markings is a matter for them, but I understand that it is normal practice for squadrons to identify aircraft with their own insignia.

AGRICULTURE, FISHERIES AND FOOD

Farmers

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what estimates he has of the number of working farmers in England who derive more than half of their income from occupations outside agriculture or forestry; and what estimates he has of the recent trend in these figures.

Mr. Curry: No estimates are available.

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what estimates he has of the proportion of the total number of working farmers in England who are aged *(a)* over 60 years, *(b)* over 50 years and *(c)* under 40 years; and what estimates he has of the proportions for *(a)*, *(b)* and *(c)* for: (i) the south-west region, and (ii) Somerset.

Mr. Curry: The nearest available information is as follows. It is taken from the results of a sample inquiry conducted for the EC farm structure survey 1985. The percentages are based on the number of holdings farmed by persons, excluding those farmed by firms and institutions. Information is not available at county level.

Percentage distribution of farmers by age group: 1983

Age group	England per cent.	South west region per cent.
Under 35 years	6·9	6·6
35 to 44 years	20·5	20·7
45 to 54 years	26·5	26·6
55 to 64 years	27·4	27·4
65 years and over	18·8	18·7
All ages	100·0	100·0

Butter Fat

Mr. Simon Coombs: To ask the Minister of Agriculture, Fisheries and Food what research is being undertaken, or is proposed to be undertaken by his Department into alternative uses for excess butter fat.

Mr. Curry: My Department does not undertake any such research and has no plans to do so. However, European Community funds for market research into dairy products are available to industry from the milk co-responsibility levy receipts and, in 1988-89, some £849,000 was allocated for this purpose. Of this, about £186,000 was earmarked for research projects concerned with the use of cream in products other than butter and another £186,000 for market research into certain cheeses.

Alar

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what is his Department's current policy towards use of the apple spray Alar following the decision by Uniroyal to withdraw it from sale for food use, after the disclosure in tests of *(a)* lung tumours in mice and *(b)* liver tumours in rats.

Mr. Gummer: The current approvals for Alar have been under review since February this year. The independent Advisory Committee on Pesticides in April considered all available data on daminozide, the active ingredient of Alar, and its breakdown product UDMH. It concluded these did not show a health risk, but asked the manufacturers to provide as quickly as possible the results of further tests being carried out on UDMH. A summary of the interim results arrived in September and was reported to the ACP; the supporting data have just become available and are being studied urgently. The doses of UDMH given to both rats and mice were massive compared to any amounts likely to be encountered by humans. Animals dosed with significant amounts showed no more tumours than the control group but very large doses produced some effects and the ACP is now considering whether or not these indicate any change in its assessment of risk. Its recommendation to Ministers will be made public.

These tests were reported in September to a group of international experts on pesticide residues working jointly to the Food and Agriculture Organisation and World Health Organisation. It recommended that an acceptable daily intake of 0·5mg/kg body weight/day could safely be set for daminozide.

The decision of the manufacturers to withdraw Alar was taken on commercial grounds since they have stated publicly that they do not believe its use on food crop poses a significant risk to public health. However, they have also stated that even if continued registration of their product is successful they believe that growers and the food industry would be reluctant to return to their product.

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what recommendations were made at its last meeting by his advisory committee on pesticides with regard to the use of Alar.

Mr. Gummer: The advisory committee did not make any recommendations at its last meeting on the use of the product Alar.

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will re-examine the procedures whereby the apple spray Alar was given clearance by the Advisory Committee on Pesticides in the light of the withdrawal of the product by its makers Uniroyal.

Mr. Gummer: I refer the hon. Member to the reply I gave today to the hon. Member for Don Valley (Mr. Redmond). I see no reason to re-examine the procedure of the ACP.

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what stocks of the apple spray Alar exist in this country; whether users will be permitted to exhaust these; and what plans he has to order their withdrawal.

Mr. Gummer: I have no quantitative information about stocks of Alar in this country.

I have no plans to order withdrawal of Alar stocks from growers. Continued usage of their stocks will depend on the advice of the Advisory Committee on Pesticides during its review of daminozide.

Salmonella

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his replies of 17 May, *Official Report*, columns *212-13*, and of 19 June, *Official Report*, column *44*, whether those provisions awaiting implementation on 19 June have now been implemented.

Mr. Gummer: Yes. New orders come into force today which extend compulsory testing for salmonella to include hatcheries and include registration requirements which will apply from 2 April 1990, for breeding and laying flocks and hatcheries. Codes of practice on the production of final feed for livestock and animal protein were introduced on 7 August. The adoption of these measures reflects the Government's determination to tackle the salmonella problem at each point along the chain from poultry feeding stuffs, through the breeding flocks and hatcheries to the laying houses and then on to the home.

Farm Workers

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) how many farmers were employed in each county in England in *(a)* June 1988 and *(b)* June 1989;

(2) how many farm workers were employed in each county in England in *(a)* June 1988 and *(b)* June 1989.

Mr. Gummer: The figures for 1988 have recently become available and are shown in the tables. The processing of the June 1989 census is continuing and will be published as soon as possible.

Numbers of Farmers, Partners and Directors on Agricultural holdings. England, June 1988.

County by Standard Statistical Region	Farmers, partners and directors						
	Whole-time			Part-time			
	Principal Farmers and Partners	Other Partners and Directors	Total	Principal Farmers and Partners	Other Partners and Directors	Total	Total Farmers Partners and Directors
Cleveland	303	116	419	81	56	137	556
Cumbria	4,485	1,590	6,075	985	644	1,629	7,704
Durham	1,502	496	1,998	396	268	664	2,662
Northumberland	1,659	624	2,283	384	319	703	2,986
Tyne and Wear	191	59	250	43	31	74	324
North Region	8,140	2,885	11,025	1,889	1,318	3,207	14,232
Humberside	2,398	1,091	3,489	664	489	1,153	4,662
North Yorkshire	6,009	2,246	8,255	1,444	1,049	2,493	10,748
South Yorkshire	916	342	1,258	308	198	506	1,764
West Yorkshire	1,681	521	2,202	1,025	412	1,437	3,639
Yorks & Humberside	11,004	4,200	15,204	3,441	2,148	5,589	20,793
Derbyshire	2,387	734	3,121	808	468	1,276	4,397
Leicestershire	1,758	645	2,403	557	39	896	3,299
Lincolnshire	3,954	1,595	5,549	1,134	925	2,059	7,608
Northamptonshire	1,178	450	1,628	417	297	714	2,342
Nottinghamshire	1,280	538	1,818	367	300	667	2,485
East Midlands Region	10.557	3,962	14,519	3,283	2,329	5,612	20,131
Cambridgeshire	2,439	883	3,322	710	512	1,222	4,544
Norfolk	3,131	1,066	4,197	1,111	685	1,796	5,993
Suffolk	2,174	818	2,992	760	540	1,300	4,292
East Anglia Region	7,744	2,767	10,511	2,581	1,737	4,318	14,829
Bedfordshire	819	337	1,156	239	164	403	1,559
Berkshire	443	121	564	256	119	373	937
Buckinghamshire	1,049	327	1,376	524	251	775	2,151
East Sussex	1,169	305	1,474	700	324	1,026	2,498
Essex	2,107	855	2,962	757	607	1,364	4,326
Greater London	252	96	348	106	53	159	507
Hampshire	1,629	517	2,146	804	411	1,215	3,361
Hertfordshire	721	265	986	269	161	430	1,416
Isle of Wight	307	72	379	128	76	204	583
Kent	2,311	685	2,996	1,316	747	2,063	5,059
Oxfordshire	1,239	413	1,652	469	302	771	2,423
Surrey	816	194	1,010	555	222	777	1,787
West Sussex	1,181	326	1,507	563	280	843	2,350
South East Region	14,043	4,513	18,556	6,684	3,717	10,401	28,957
Avon	1,279	349	1,628	445	206	651	2,279
Cornwall (Incl Isle of Scilly)	4,400	1,107	5,507	1,703	762	2,465	7,972
Devon	7,193	1,811	9,004	2,097	1,094	3,191	12,195
Dorset	1,784	520	2,304	724	440	1,164	3,468
Gloucesterhire	1,874	507	2,381	846	428	1,274	3,655
Somerset	3,612	977	4,589	1,262	681	1,943	6,532
Wiltshire	1,768	579	2,347	635	378	1,103	3,360
South West Region	21,910	5,850	27,760	7,712	3,989	11,701	39,461
Hereford & Worcester	4,059	1,297	5,356	1,629	856	2,485	7,841
Shropshire	3,290	973	4,263	929	599	1,528	5,791
Staffordshire	2,853	853	3,706	963	498	1,461	5,167
Warwickshire	1,433	480	1,913	550	295	845	2,758
West Midlands	285	79	364	118	73	191	555
West Midlands Region	11,920	3,682	15,602	4,189	2,321	6,510	22,112
Cheshire	2,804	893	3,687	836	435	1,271	4,958
Greater Manchester	893	292	1,185	374	184	558	1,743
Lancashire	3,732	1,302	5,034	1,093	652	1,745	6,779
Merseyside	344	108	452	90	70	160	612
North West Region	7,773	2,585	10,358	2,393	1,341	3,734	14,092
ENGLAND	93,091	30,444	123,535	32,172	18,900	51,072	174,607

Source: June census.
Note: Figures exclude minor holdings not included in June census.

Numbers of workers and salaried managers engaged on agricultural holdings. England. June 1989

County by Standard Statistical Region	All workers (excluding salaried managers)			Salaried managers
	Male	Female	Total	
Cleveland	450	112	562	27
Cumbria	4,192	670	4,862	81
Durham	1,687	483	2,170	30
Northumberland	2,540	487	3,027	86
Tyne and Wear	312	97	409	9
North Region	9,181	1,849	11,030	233
Humberside	5,196	1,779	6,975	237
North Yorkshire	8,159	3,331	11,690	298
South Yorkshire	1,287	474	1,761	34
West Yorkshire	2,353	782	3,135	71
Yorkshire and Humberside	16,995	6,366	23,361	640
Derbyshire	2,563	739	3,302	48
Leicestershire	2,543	816	3,359	97
Lincolnshire	9,183	4,127	13,310	437
Northamptonshire	2,062	476	2,538	114
Nottinghamshire	2,526	1,068	3,594	121
East Midlands Region	18,877	7,226	26,103	817
Cambridgeshire	5,085	2,983	8,068	256
Norfolk	8,646	4,901	13,547	396
Suffolk	5,351	2,528	7,879	325
East Anglia Region	19,082	10,412	29,494	977
Bedfordshire	1,550	662	2,212	86
Berkshire	1,201	433	1,634	109
Buckinghamshire	2,025	760	2,785	153
East Sussex	2,150	1,347	3,497	127
Essex	4,731	2,694	7,425	281
Greater London	676	521	1,197	51
Hampshire	4,565	2,436	7,001	362
Hertfordshire	1,732	567	2,299	116
Isle of Wight	550	297	847	23
Kent	7,064	8,202	15,266	385
Oxfordshire	2,863	923	3,786	193
Surrey	2,306	1,751	4,057	193
West Sussex	3,548	2,800	6,348	288
South East Region	34,961	23,393	58,354	2,367
Avon	1,923	1,445	3,368	99
Cornwall (including Isles of Scilly)	4,306	1,349	5,655	70
Devon	7,411	1,763	9,174	157
Dorset	3,297	853	4,150	149
Gloucestershire	3,092	1,274	4,366	167
Somerset	5,087	1,731	6,818	152
Wiltshire	3,770	876	4,646	230
South West Region	28,886	9,291	38,177	1,024
Hereford and Worcester	6,454	3,763	10,217	251
Shropshire	4,594	1,541	6,135	125
Staffordshire	3,788	1,027	4,815	83
Warwickshire	2,292	845	3,137	113
West Midlands	462	304	766	15
West Midlands Region	17,590	7,480	25,070	587
Cheshire	4,141	974	5,115	164
Greater Manchester	1,111	488	1,599	23
Lancashire	4,855	1,860	6,715	155
Merseyside	649	283	932	15
North West Region	10,756	3,605	14,361	357
England	156,328	69,622	225,950	7,002

Source: June census.
Note: Figures exclude minor holdings not included in June census.

Deer (Tuberculosis)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list all the measures he *(a)* has taken or *(b)* plans to take to control the spread of tuberculosis from farmed deer, indicating whether the Government or the farmers bear the cost of each measure; and if he will make a statement.

Mr. Curry: Legislation making tuberculosis in deer a notifiable disease and giving power to require the testing of deer (which will be used in known infected herds) came into force on 1 June 1989. Marking and movement record requirements came into force on 1 September 1989. The cost of administering these schemes falls to the Government, but the cost of testing, marking and keeping of movement records falls to individual farmers. A compulsory slaughter with compensation scheme was introduced also on 1 September 1989 with the Ministry paying compensation at 50 per cent. of the value of the slaughtered animal subject to a ceiling of £600 per animal.

Several meetings of the deer health scheme advisory group have been held and agreement has been reached to introduce a deer health scheme within the next few weeks. Details of charges under the scheme are still being discussed.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the research projects he is carrying out or funding to look into the level of tuberculosis in wild and farmed deer and methods of controlling the spread of the disease; and if he will make a statement.

Mr. Gummer: Research on the development of diagnostic tests for detecting tuberculosis in deer is currently being carried out at my Department's central veterinary laboratory. This forms part of a wider programme, designed to safeguard human health by reducing the incidence of tuberculosis in cattle and wildlife through improved diagnostic tests and the development of a vaccine for badgers.

My Department has recently invited proposals to begin in 1990-91 under the open contracting fund on the following topics:

the ecology of deer as it relates to domestic animal husbandry and the possible spread of tuberculosis and pathogenic mycobacteria;

further work on improving the sensitivity and specificity of diagnostic tests for deer.

Food Safety Directorate

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about his plans to set up a food safety directorate, including the date for its introduction and the powers it will have.

Mr. Gummer: I shall make a further announcement shortly.

Bovine Spongiform Encephalopathy

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 22 June, *Official Report*, column *249*, if he will publish the results of his first quarterly survey into the incidence of bovine spongiform encephalopathy at EEC approved and non-EEC approved slaughterhouses.

Mr. Curry *[holding answer 3 July 1989]:* In the period April to June 1989, 17 suspected cases of BSE were reported at EC approved slaughterhouses, of which 16 were confirmed, and nine at non-EC approved slaughterhouses of which five were confirmed.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many confirmed cases of BSE have been reported to him to date in cattle first identified as infected by BSE by veterinary inspection at *(a)* fatstock markets and *(b)* slaughterhouses.

Mr. Curry *[holding answer 19 October 1989]:* Since BSE became notifiable on 21 June 1988 up to 30 June 1989, a total of 58 suspect cases of BSE were identified at markets, of which 39 were confirmed, and 85 cases were identified at slaughterhouses, of which 62 were confirmed.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will publish in the *Official Report* a table showing the number of confirmed cases of BSE for each county of England and Wales for the four-week periods ended *(a)* 16 July, *(b)* 16 August, *(c)* 16 September and *(d)* 16 October.

Mr. Curry *[holding answer 19 October 1989]:* The information is as follows:

Number of cases confirmed in 4 week periods ending:

County	*(a) 16 July*	*(b) 16 August*	*(c) 16 September*	*(d) 16 October*
Avon	10	9	13	11
Bedfordshire	—	—	2	1
Berkshire	—	3	1	4
Buckinghamshire	3	—	1	6
Cambridgeshire	1	—	2	—
Cheshire	4	1	13	16
Clwyd	1	—	2	11
Cornwall	38	31	42	32
Cumbria	9	11	11	1
Derbyshire	4	2	10	7
Devon	10	61	63	70
Dorset	40	39	41	59
Durham	4	1	1	1
Dyfed	4	9	21	20
Essex	1	—	3	1
Glamorgan Mid	—	—	—	5
Glamorgan South	2	—	3	2

County	(a) 16 July	(b) 16 August	(c) 16 September	(d) 16 October
Glamorgan West	—	—	1	—
Gloucestershire	20	17	18	17
Gwent	3	3	3	6
Gwynedd	2	1	2	3
Hampshire	21	12	22	23
Herefordshire and Worcestershire	8	3	7	10
Hertfordshire	1	1	7	2
Humberside	1	3	1	—
Isle of Wight	3	4	2	1
Kent	4	3	7	13
Lancashire	6	7	7	3
Leicestershire	5	5	14	14
Lincolnshire	2	3	4	5
London	—	—	1	—
Norfolk	9	8	6	7
Northamptonshire	6	4	1	5
Northumberland	1	2	3	—
Nottinghamshire	—	—	5	2
Oxfordshire	6	4	6	3
Powys	1	3	9	8
Shropshire	14	—	20	27
Somerset	25	35	53	38
Staffordshire	7	3	13	7
Suffolk	3	2	3	8
Surrey	1	3	2	7
Sussex East	5	4	8	9
Sussex West	5	13	16	10
West Midlands	1	1	2	—
Warwickshire	1	—	8	4
Wiltshire	36	28	43	26
Yorkshire North	14	19	16	16
Yorkshire South	2	1	1	—
Yorkshire West	2	1	—	3
	376	360	540	522

SCOTLAND

Ministerial Meetings

Mr. Sillars: To ask the Secretary of State for Scotland how many meetings he has held with *(a)* the Scottish Business Group and *(b)* the Scottish TUC in the past 12 months.

Mr. Lang: My right hon. and learned Friend has attended four meetings of the Scottish Business Group since October 1988. He is due to meet the general council of the Scottish Trades Union Congress on 10 November.

Hospital Redundancies

Mr. Sillars: To ask the Secretary of State for Scotland if he will list for each hospital board the total number of redundancies following the award of private contracts to the nearest available date.

Mr. Michael Forsyth: The number of staff of health boards who have become redundant as a result of contracts awarded to private contractors in the period to 1 October 1989 is shown in the table. There have been no redundancies for this reason in other health boards. The vast majority of those made redundant were offered posts by the successful private contractors and a substantial proportion of those took up the offer of employment.

Health Board	Number of staff made redundant
Argyll and Clyde	98
Ayrshire and Arran	35
Fife	20
Grampian	243
Greater Glasgow	1,840
Lothian	666
Tayside	236

Housing

Mr. Sillars: To ask the Secretary of State for Scotland if he will publish a table showing *(a)* for all Scotland and *(b)* for each district council a breakdown per 1,000 of the population of public spending on housing from 1977-78 to 1988-89 at constant prices.

Lord James Douglas-Hamilton: The information requested at *(a)* is set out in the table.

Public spending on housing per 1,000 of the Scottish population (at 1988-89 constant prices)

	£000
1977-78	275
1978-79	266
1979-80	279
1980-81	261
1981-82	257
1982-83	227
1983-84	241
1984-85	213
1985-86	188
1986-87	185
1987-88	205
1988-89	202

The data required to provide the information requested at *(b)* are not available centrally.

Interest Rates

Mr. Sillars: To ask the Secretary of State for Scotland what recent representations he has received from the Scottish Business Group about the effect of high interest rates on the Scottish economy.

Mr. Lang: Subjects discussed at meetings of the Scottish Business Group are normally confidential and it would not be appropriate for me to divulge them.

Historic Buildings

Mr. Steel: To ask the Secretary of State for Scotland what steps the Government propose to take to preserve the textile mills of Scotland, which are listed buildings regarded as being architecturally important, from dereliction and neglect.

Mr. Rifkind: Listed status affords a building statutory protection. The maintenance of a listed building, as of any other building, is the responsibility of its owner. Listed building consent procedures ensure that any changes to a listed building will, as far as possible, preserve its character.

I give historic building grants for buildings which are of outstanding architectural or historic interest. Since 1985, repairs to former textile mills at Forfar, Dundee and New Lanark have been grant assisted.

Council Housing (Rent Arrears)

Mr. Wilson: To ask the Secretary of State for Scotland if he will list the level of council house rent arrears for each Scottish district and islands authority at *(a)* April 1986 and *(b)* April 1989.

Lord James Douglas-Hamilton: Information on the accumulated rent arrears owed to Scottish local authorities is collected annually on the basis of arrears outstanding at 30 September. The amounts outstanding at 30 September 1985 and 30 September 1988 are as follows:

Rent arrears of District and Islands Councils at 30 September

	1985 £	*1988* £
SCOTLAND	17,698,066	30,067,921
Berwickshire[1]	43,397	54,638
Ettrick and Lauderdale	28,780	40,664
Roxburgh	162,267	100,708
Tweeddale	19,568	15,813
Clackmannan	169,583	800,903
Falkirk	604,830	667,830
Stirling	362,592	635,700
Annandale and Eskdale	89,947	121,708
Nithsdale	138,123	322,710
Stewartry	16,908	31,137
Wigtown	67,272	173,229
Dunfermline	466,974	669,523
Kirkcaldy	381,896	698,990
North East Fife	63,600	117,675
Aberdeen	568,992	1,144,379
Banff and Buchan	194,557	277,064
Gordon	38,498	76,225
Kincardine and Deeside	25,599	48,878
Moray	41,825	105,555
Badenoch and Strathspey	11,981	17,900
Caithness	26,307	109,666
Inverness	137,154	[2]
Lochaber	97,700	53,259
Nairn	5,170	[2]
Ross and Cromarty	214,453	268,364
Skye and Lochalsh	24,687	27,400
Sutherland	14,254	29,279
East Lothian	213,935	416,583
Edinburgh	993,270	1,709,041
Midlothian	244,054	279,632
West Lothian	150,568	239,049
Argyll and Bute	65,299	167,810
Bearsden and Milngavie	30,484	126,374
Clydebank	516,541	1,567,976
Clydesdale	73,984	191,031
Cumbernauld and Kilsyth	394,358	446,934
Cumnock and Doon Valley	269,013	391,219
Cunninghame	170,000	304,415
Dumbarton[1]	486,136	445,232
East Kilbride	35,536	40,059
Eastwood	25,392	38,237
Glasgow	5,814,000	10,241,488
Hamilton	537,661	487,120
Inverclyde	254,159	318,000
Kilmarnock and Loudoun	113,144	214,026
Kyle and Carrick	189,839	333,026
Monklands	594,509	958,767
Motherwell	743,287	1,063,807
Renfrew	463,214	1,226,984
Strathkelvin	468,721	459,718
Angus	94,055	117,843
Dundee	488,398	1,019,368
Perth and Kinross	132,890	188,615
Orkney Islands	34,091	57,583
Shetland Islands	94,614	111,934
Western Isles	[2]	296,853

[1] Figures include rate arrears.
[2] Not available.

Nursery Education

Mr. Sillars: To ask the Secretary of State for Scotland if he is able to assess the current annual revenue cost of providing nursery education.

Mr. Lang: In 1987-88, the latest year for which figures are available, 39,290 children attended local authority nursery schools at a revenue cost of £30·7 million.

Lead Water Pipes

Mr. Sillars: To ask the Secretary of State for Scotland (1) if he is able to estimate the number of public sector properties in Scotland which require replacement of domestic lead piping; and if he is able to estimate the position affecting private sector properties;

(2) if he is able to estimate the total cost of eliminating lead piping from all of Scotland's domestic and private water supplies;

(3) what is his estimate of the total numbers of persons currently served by lead water piping in domestic property.

Lord James Douglas-Hamilton: The information on which to base such estimates is not held centrally.

Mr. Sillars: To ask the Secretary of State for Scotland if he is able to estimate the total cost of eliminating lead piping from all of Scotland's water supplies to property.

Lord James Douglas-Hamilton: The number of properties that still have lead pipes connecting them to public water supply mains is not know accurately. However, the cost of replacing such pipes has been broadly estimated at £300 million. There are no lead water mains in public water supply systems.

Information on private supplies is not held centrally.

Farming

Mr. Wilson: To ask the Secretary of State for Scotland if he will detail the measures being taken by his Department to encourage diversification into organic farming.

Lord James Douglas-Hamilton: We have already set the framework for organic production by establishing under the auspices of Food From Britain the United Kingdom register of organic food standards which sets standards for the production and processing of organic produce and serves as a quality assurance mark for consumers.

The set-aside scheme offers farmers an opportunity to switch to organic methods: land may be put to fallow either for the full five year set-aside period or in rotation with cropping, thus allowing land to be taken out of intensive production and cleared of chemical residues. We are also considering whether the European Community arable extensification scheme, which is due to be implemented shortly, might include provision to assist a switch to organic production methods.

Mr. Wilson: To ask the Secretary of State for Scotland if he will identify the sums of money paid by his Department to organic farmers in Scotland in the past five years.

Lord James Douglas-Hamilton: The assistance from the Department of Agriculture and Fisheries for Scotland to the farming industry is generally available to both organic and other farmers on the same basis and it is not possible to identify separately the sums paid to organic farmers. Assistance aimed specifically at promoting the development of organic farming includes the funding of research and development work carried out by the Scottish agricultural colleges. The recently-launched joint pilot project to be carried out by the Edinburgh university centre for human ecology and the Edinburgh school of agriculture to demonstrate the viability of organic farming has also attracted public funding from the Scottish Development Agency as well as support from the European Community and Safeway plc. Part of the Scottish Development Agency contribution will assist the Scottish Organic Producers' Association with market development work and will help to meet the cost of providing training and marketing advice to organic producers.

Mr. David Clark: To ask the Secretary of State for Scotland how many farmers were employed in each county in Scotland in June 1989.

Lord James Douglas-Hamilton: Scottish counties ceased to be used for agricultural statistics purposes after 1975 following local government reform. When regional results for June 1989 become available my noble Friend the Minister of State will write to the hon. Member.

Mr. David Clark: To ask the Secretary of State for Scotland how many farm workers were employed in each county in Scotland in June 1989.

Lord James Douglas-Hamilton: Scottish counties ceased to be used for agricultural statistics purposes after 1975 following local government reform. When regional results for June 1989 become available my noble Friend the Minister of State will write to the hon. Member.

Schools Inspectors

Mr. McLeish: To ask the Secretary of State for Scotland how many of Her Majesty's inspectors' reports were prepared for *(a)* education authority schools and *(b)* independent schools in each of the years 1979-80 to 1988-89, inclusive.

Mr. Lang: Publication of Her Majesty's inspectors' reports on schools was instituted from the beginning of the 1983-84 session. The number of reports produced for education authority schools and independent schools in each of the years since then are:

	Education authority	*Independent*
1983-84	143	3
1984-85	152	5
1985-86	158	2
1986-87	158	4
1987-88	146	3
1988-89	121	3

Mr. McLeish: To ask the Secretary of State for Scotland what was *(a)* the total expenditure on research undertaken by Her Majesty's inspectorate of schools in each of the years 1985-86, 1986-87, 1987-88 and 1988-89 inclusive, *(b)* the number of staff involved in research undertaken by the inspectorate in each of those years, and *(c)* the number of reports prepared by the inspectorate in each of those years.

Mr. Lang: Her Majesty's inspectors of schools do not undertake educational research projects.

Mr. McLeish: To ask the Secretary of State for Scotland how many targeted inspections were undertaken by Her Majesty's inspectorate of schools in 1988-89.

Mr. Lang: All inspections conducted by Her Majesty's inspectorate are targeted to meet agreed objectives, which are notified to the establishments concerned at the outset of inspection.

Mr. McLeish: To ask the Secretary of State for Scotland if he has any plans to review the role of Her Majesty's inspectorate of schools.

Mr. Lang: No.

Technology Academies

Mr. McLeish: To ask the Secretary of State for Scotland (1) how many *(a)* pupils *(b)* teachers and *(c)* non-teaching staff are being considered for the first technology academy;

(2) if he will give the total estimated expenditure for technology academies in each of the years 1989-90 and 1990-91 for capital and current expenditure;

(3) if he will give the total estimated expenditure likely to be contributed from the private sector for setting up the first technology academy including *(a)* the amount of capital expenditure for the construction or refurbishment costs and *(b)* the organising revenue costs;

(4) when he will announce the location of the first technology academy in Scotland.

Mr. Lang: No decisions have been made by the Glasgow Technology Academy Company regarding the

location or size of the first academy. It is therefore too early to give an indication of pupil and staff numbers or estimated expenditure. Trusthouse Forte have already announced its decision to contribute £1·5 million towards the cost of establishing a technology academy.

Mr. McLeish: To ask the Secretary of State for Scotland (1) if he has consulted *(a)* Glasgow district council, *(b)* Eastwood district council, *(c)* Strathclyde regional council and *(d)* Greater Glasgow health board about a site for a technology academy in Glasgow;

(2) if he will list the education authorities which have expressed an interest in hosting the first technology academy;

(3) if he will list the sites in Glasgow which have been consulted by his Department for the first technology academy.

Mr. Lang: The identification of a site for a technology academy and any relevant consultation are matters for the Glasgow Technology Academy Company. Earlier this year my right hon. and learned Friend held discussions with Strathclyde regional council about the possibility of its participating in the establishment of an academy in Glasgow. Unfortunately the regional council was unable to pursue this proposal.

Mr. McLeish: To ask the Secretary of State for Scotland how many technology academies he will establish in Scotland in the period 1989-90 to 1991-92.

Mr. Lang: A firm and generous offer of sponsorship has been made for the first technology academy. Progress with others will depend on the availability of further sponsorship.

Mr. McLeish: To ask the Secretary of State for Scotland (1) if any meetings have taken place with the teaching unions and professional associations about technology academies;

(2) if he will list the organisations which have been consulted about technology academies.

Mr. Lang: A policy paper about the establishment of technology academies in Scotland was issued on 12 October 1988. A copy of this paper and a list of recipients has been placed in the Library.

Schools (Advertising)

Mr. McLeish: To ask the Secretary of State for Scotland if he has any plans to *(a)* use public expenditure for publicity and advertising for self-governing schools and *(b)* set up a similar body to the Grant-Maintained Schools Trust to promote opting out.

Mr. Lang: In line with normal practice I intend to make available to school boards and others information and advice on the operation of new legislation giving Scottish parents the right to seek self-governing status for a school. Setting up a body on similar lines to the Grant-Maintained Schools Trust would not be a matter for Government.

Mr. McLeish: To ask the Secretary of State for Scotland if he will give for school boards *(a)* the total expenditure on publicity and advertising and *(b)* the total estimated expenditure in each of the years 1987-88 and 1988-89.

Mr. Lang: The figures for expenditure on information about School Boards are as follows:

Total expenditure to date—£790,000
Expenditure in financial year 1988-89—£48,000

No expenditure on information about school boards was incurred in financial year 1987-88.

Employment Training

Mr. McLeish: To ask the Secretary of State for Scotland if he will give in each of the months September 1988 to September 1989 *(a)* the total number of applications from single parents on employment training for financial assistance with child care, *(b)* the numbers approved and *(c)* the total expenditure.

Mr. Lang: This information is not collected by the Training Agency and could be obtained only at disproportionate cost.

Mr. McLeish: To ask the Secretary of State for Scotland what was *(a)* the total number of occupied places on employment training for the most recent date for which information is available, *(b)* the total number of planned places in employment training in 1989-90, *(c)* the total planned expenditure on employment training in 1989-90 and *(d)* the total expenditure on employment training for the most recent dates for which information is available.

Mr. Lang: The information requested is as follows:

(a) The number of Employment Training filled places in Scotland as at 20 October 1989 was 25,446.

(b) The number of Employment Training planned places in Scotland for the year to March 1990 is 36,002.

(c) The total planned expenditure on Employment Training in Great Britain in 1989-90 is £1,271 million. No separate detailed figure is provided for Scotland. However, the Scottish share is estimated at approximately £153 million.

(d) The total expenditure on Employment Training in Great Britain for the period 1 April 1989 to 31 August 1989 was £388 million. No detailed figure is available for Scotland. However, the Scottish share is estimated to be approximately £47 million.

Independent Schools

Mr. McLeish: To ask the Secretary of State for Scotland if he will list the steps and procedures involved in monitoring and reviewing *(a)* the development of the curriculum, *(b)* teacher training and *(c)* quality and standards of educational attainment within independent schools.

Mr. Lang: Independent schools are, like other schools, subject to inspection on a continuing basis by Her Majesty's inspectors of schools to ensure that efficient and suitable instruction is being provided. Such inspections will take account of the state of the curriculum, the quality of teaching and the level of educational attainment.

Mr. McLeish: To ask the Secretary of State for Scotland if he will publish Her Majesty's inspectors' reports for independent schools.

Mr. Lang: Reports on independent schools are published in the same way as for education authority schools.

Economic Output

Mr. McLeish: To ask the Secretary of State for Scotland what was *(a)* the index of output for production industries divisions 1-4 and *(b)* the output per person employed for each of the years 1979 to 1989, inclusive, using the employed labour force as a denominator.

Mr. Lang: Estimates of the employed labour force are not available for the production industries in Scotland. The table shows an index of output in the production industries (SIC divisions 1 to 4) for Scotland together with estimates of employees in employment. Output per employee is calculated and expressed in index form for comparative purposes.

Year	Production output index (1985 = 100)	Employees in Employment (thousands)	Output per employee (1985 = 100)
1979	101·4	674	74
1980	95·2	631	75
1981	93·2	580	79
1982	93·7	545	85
1983	93·4	511	90
1984	97·2	499	96
1985	100·0	495	100
1986	97·6	474	102
1987	99·6	463	106
1988	107·2	470	113

Source: Index of Industrial Production for Scotland Department of Employment

Mr. McLeish: To ask the Secretary of State for Scotland what was *(a)* the total index of output of manufacturing industrial divisions 2-4 and *(b)* the output per person employed for each of the years 1979 to 1989, inclusive, using the employed labour force as a denominator.

Mr. Lang: Estimates of the employed labour force are not available for the manufacturing industries in Scotland. The table shows an index of output in the manufacturing industries (SIC divisions 2 to 4) for Scotland together with estimates of employees in employment. Output per employee is also calculated and expressed in index form for comparative purposes.

Year	Manufacturing output index (1985 = 100)	Employees in employment (Thousands)	Output per Employee (1985 = 100)
1979	103·5	602	74
1980	96·6	556	75
1981	94·0	507	80
1982	94·7	474	86
1983	93·7	443	91
1984	97·8	434	97
1985	100·0	431	100
1986	97·7	416	101
1987	100·7	407	107
1988	108·7	412	114

Source: Index of Industrial Production for Scotland Department of Employment

Mr. McLeish: To ask the Secretary of State for Scotland what was *(a)* the total index of output of the whole economy and *(b)* the output per person employed for each of the years 1979 to 1989 inclusive, using the employed labour force as a denominator.

Mr. Lang: The table gives the information requested for the years 1979 to 1987, the latest year for which there are estimates of Scotland's gross domestic product.

Year	Gross Domestic Product[1]	Output per person employed[2]
1979	94·5	88
1980	92·7	88
1981	91·4	90
1982	92·8	93
1983	94·1	95
1984	97·2	98
1985	100·0	100
1986	100·5	102
1987	102·9	104

Source: Scottish Office Department of Employment.
Notes:
[1] Output based estimate of Scottish gross domestic product 1985 = 100.
[2] Based on estimates of employed labour force in Scotland and expressed as an index (1985 = 100). The employed labour force comprises employees in employment, the self-employed and Her Majesty's Forces.

Assisted Places Scheme

Mr. McLeish: To ask the Secretary of State for Scotland what was the total expenditure on the assisted places scheme in 1988-89 and the estimated expenditure in 1989-90, 1990-91 and 1991-92.

Mr. Lang: As regards the period 1989-91, I refer the hon. Gentleman to the answer he was given on 17 January. To achieve the planned increase in the number of children benefiting from the scheme I estimate that spending in 1991-92 could rise to £8·8 million.

Mr. McLeish: To ask the Secretary of State for Scotland what was the total number of assisted places in independent schools for the following levels of family income: under £8,000 per annum, £8,000 to £12,000 per annum, £12,000 to £15,000 per annum and over £15,000 per annum for each of the years 1982-83 to 1988-89, inclusive.

Mr. Lang: The information is as follows:

School Year	Under £8,000	£8,000-£12,000	£12,000-£15,000	Over £15,000
1982-83	1,211	239	—	—
1983-84	1,484	416	—	—
1984-85	1,616	649	—	—
1985-86	1,666	780	171	3
1986-87	1,532	768	285	41
1987-88	1,409	750	399	122
1988-89[1]	1,273	697	433	214

[1] Provisional figures.

Lothian Health Board

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will call for a report from the chief constable of Lothian and Borders police on the progress of his investigations into Lothian health board.

Lord James Douglas-Hamilton: Lothian and Borders police are investigating allegations of criminal conduct by employees of Lothian health board. The procurator fiscal at Edinburgh is being kept advised as to progress and will receive a full report from the police at the conclusion of the inquiries.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will detail any unforeseen losses incurred by Lothian health board during the current financial year.

Mr. Michael Forsyth: It is not yet known whether Lothian health board has incurred any unforeseen losses in the current financial year.

Hospitals (Self-governing Status)

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will accord pilot study status to those hospitals that first become self-governing trusts.

Mr. Michael Forsyth: The early schemes will provide valuable, practical experience on how best to set up and manage self-governing NHS trusts and this will guide later developments.

Mr. Kirkwood: To ask the Secretary of State for Scotland whether he expects any acute hospitals to express an interest in becoming self-governing.

Mr. Michael Forsyth: My right hon. and learned Friend looks forward to receiving expressions of interest from a wide range of types of hospital and services within the NHS, including acute hospitals.

Mr. Kirkwood: To ask the Secretary of State for Scotland whether the policy outlined in Scottish Working Paper No. 3 that self-governing status is likely to be particularly appropriate to major acute hospitals providing a reasonably comprehensive service, remains the case.

Mr. Michael Forsyth: Yes, but all hospitals and a number of other services are potentially eligible.

Victoria Infirmary

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will make a statement regarding the proposed closure of laboratories at the Victoria infirmary, Glasgow.

Mr. Michael Forsyth: The provision of laboratory services in its area is a matter for Greater Glasgow health board and I have asked the chairman to write to the hon. Member.

Infant Mortality

Mr. Wray: To ask the Secretary of State for Scotland, pursuant to his reply of 18 October to the hon. Member for Glasgow, Provan, *Official Report*, column *172*, what account is taken in shaping health policies and measures for Scotland of infant mortality and its causes.

Mr. Michael Forsyth: Account is taken of information, advice and recommendations in relation to infant mortality from a variety of sources. Perinatal and infant deaths in Scotland are the subject of continuous epidemiological audit. In addition, cognisance is taken of reports from advisory bodies and from professional colleges and associations. Research studies into specific causes of infant death are also undertaken. In the decade 1978 to 1987 the infant mortality rate in Scotland declined from 12·9 to 8·5 infant deaths per 1,000 live births.

Charities

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on his proposals for improved regulation of charities in Scotland.

Lord James Douglas-Hamilton: My right hon. and learned Friend issued a statement, "Charities in Scotland: A Framework for Supervision" on Monday 23 October. Copies have been placed in the Library.

EMPLOYMENT

Member's Question

Dr. Thomas: To ask the Secretary of State for Employment, pursuant to the reply to the hon. Member for Edinburgh, East (Mr. Strang) 28 July, *Official Report* column *1050*, if he will set out *(a)* the reasons for not replying to the priority written question referred to and *(b)* the longest interval between the asking of a priority written question and its answer by his Department.

Mr. Nicholls: The question from the hon. Member for Edinburgh, East (Mr. Strang) of 17 April was answered on 28 July, *Official Report*, column *1049*. Information on the longest interval between the asking of a priority written question and its answer by my Department is not available and could be obtained only at disproportionate cost.

YTS

Ms. Short: To ask the Secretary of State for Employment by region, how many unfilled places there were on YTS at the most recently available date and at the same date one and two years previously.

Mr. Nicholls: The table shows the number of unfilled places by region as at August 1987, August 1988 and August 1989.

Number of unfilled YTS places by region as at August of 1987, 1988 and 1989

Region	*1987*	*1988*	*1989*
South East	22,000	18,400	19,900
London	18,000	11,400	10,200
South West	13,600	12,000	9,300
West Midlands	21,100	20,000	17,600
East Midlands and Eastern	17,700	13,800	11,600
Yorkshire and Humberside	8,500	9,200	9,800
North West	20,200	15,400	12,700
Northern	8,400	7,100	6,000
Wales	6,500	4,500	3,700
Scotland	12,900	12,800	10,700

Notes:
1. Figures are rounded to the nearest 100.
2. 1987 figures exclude continuation places for YTS1 trainees.

Employment Training

Mr. Robert G. Hughes: To ask the Secretary of State for Employment what measures his Department is introducing to encourage members of ethnic minorities to take part in employment training; and if he will make a statement.

Mr. Nicholls: My Department has already introduced a wide range of measures to encourage members of ethnic minorities to take part in Employment Training and has plans for further measures which include:

action to ensure that racial discrimination does not take place;

action to ensure that training is attractive to and meets the needs of members of ethnic minorities and;

action to ensure, through local marketing and publicity, that ethnic minority communities are aware of the programme.

The success of existing measures is clearly reflected in a 10 per cent. participation rate for trainees from ethnic minorities and my Department will continue to build upon this excellent beginning.

Nearly half the people in England who are taking advantage of ET are resident in inner cities. The proportion of inner city residents entering ET from ethnic minorities is 14 per cent. above the national average. These people will benefit from the special measures which were announced by my right hon. Friend on 9 March, from the appointment of inner city development officers and from a number of initiatives which have been locally planned to meet local needs.

Ms. Short: To ask the Secretary of State for Employment for each of the Training Agency's areas within Greater London, Birmingham and Greater Manchester, what are the monthly statistics for each month since September 1988 for employment training showing *(a)* the number of trainees receiving employment training allowances, *(b)* the number of people receiving community programme wages, *(c)* the overall cumulative number of trainees in training for each month, and *(d)* the number of starts in each month with employment training training managers.

Mr. Nicholls: The information is given in the tables.

Table 1
Employment Training: Number of Trainees Receiving ET Allowances September 1988—September 1989

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	August	Sept.
Inner London North	1,280	2,258	3,043	3,479	4,577	5,123	5,577	5,675	5,794	6,054	6,362	6,434	6,986
Inner London South	956	1,268	1,698	1,922	2,335	2,653	3,019	3,355	3,345	3,302	3,485	3,429	3,556
London East	832	1,098	1,421	1,574	1,821	1,988	2,010	2,158	2,198	2,338	2,519	2,523	2,502
London North	897	1,271	1,813	2,142	2,516	2,880	3,278	3,321	3,555	3,704	3,772	3,922	4,180
London South	389	431	614	653	1,017	1,300	1,439	1,630	1,609	1,759	1,698	1,598	1,798
London West	248	431	631	740	939	1,097	1,181	1,214	1,176	1,186	1,152	1,086	1,186
Birmingham and Solihull	1,363	2,070	2,871	3,647	4,519	5,666	6,639	7,402	7,346	7,677	7,894	8,151	8,119
Central Manchester	1,346	1,809	2,372	2,510	2,797	3,360	3,815	4,051	4,069	4,136	4,327	4,060	4,136
Greater Manchester North	714	1,103	1,469	1,725	1,967	2,290	2,535	2,658	2,618	2,810	2,983	2,963	2,899
Greater Manchester East	848	1,224	1,589	1,742	1,895	2,158	2,368	2,519	2,595	2,560	2,642	2,433	2,546

Table 2
Employment Training: Number of Trainees Receiving CP Wages September 1988—September 1989

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	August	Sept.
Inner London North	1,826	1,514	1,306	1,063	590	278	0	0	0	0	0	0	0
Inner London South	1,736	1,331	939	742	454	189	0	0	0	0	0	0	0
London East	851	639	511	351	176	44	0	0	0	0	0	0	0
London North	1,554	1,368	1,032	829	562	248	0	0	0	0	0	0	0
London South	451	311	195	175	100	38	0	0	0	0	0	0	0
London West	273	239	191	135	76	12	0	0	0	0	0	0	0
Birmingham and Solihull	4,649	3,655	2,764	1,975	1,318	596	92	28	13	0	0	0	0
Central Manchester	3,295	2,592	1,965	1,531	976	445	122	121	120	0	0	0	0
Greater Manchester North	2,364	1,916	1,448	1,050	621	107	13	6	4	0	0	0	0
Greater Manchester East	1,552	1,211	931	795	608	370	36	35	31	0	0	0	0

Table 3
Employment Training: Total number of trainees in training
September 1988—September 1989

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	August	Sept.
Inner London North	3,106	3,772	4,349	4,542	5,167	5,401	5,577	5,675	5,794	6,054	6,362	6,434	6,986
Inner London South	2,692	2,599	2,637	2,664	2,789	2,842	3,019	3,355	3,345	3,302	3,485	3,429	3,556
London East	1,683	1,737	1,932	1,925	1,997	2,032	2,010	2,158	2,198	2,338	2,519	2,523	2,502
London North	2,451	2,639	2,845	2,971	3,072	3,128	3,278	3,321	3,555	3,704	3,772	3,922	4,180
London South	840	742	809	828	1,117	1,338	1,439	1,630	1,609	1,759	1,698	1,598	1,798
London West	521	670	822	875	1,015	1,109	1,181	1,214	1,176	1,186	1,152	1,086	1,186

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	August	Sept.
Birmingham and Solihull	6,012	5,725	5,635	5,622	5,837	6,262	6,731	7,430	7,359	7,677	7,894	8,151	8,119
Central Manchester	4,641	4,401	4,337	4,041	3,773	3,805	3,937	4,172	4,189	4,136	4,327	4,060	4,136
Greater Manchester North	3,078	3,019	2,917	2,775	2,588	2,397	2,548	2,664	2,622	2,810	2,983	2,963	2,899
Greater Manchester East	2,400	2,435	2,520	2,537	2,503	2,528	2,404	2,554	2,626	2,560	2,642	2,433	2,546

Table 4
Starts with employment training training managers
September 1988—September 1989

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	August	Sept.
Inner London North	820	1,159	948	712	1,314	1,090	1,115	927	770	1,005	1,073	955	1,638
Inner London South	404	491	540	454	639	572	756	675	456	543	542	469	823
London East	268	382	432	329	488	453	487	381	339	452	452	290	467
London North	730	565	602	533	655	664	848	566	583	549	544	592	999
London South	116	202	216	179	404	390	295	360	216	399	261	216	530
London West	165	258	372	198	302	263	283	177	187	198	206	138	307
Birmingham and Solihull	465	1,190	1,237	1,051	1,377	1,739	1,576	1,437	1,016	1,254	1,079	1,033	1,461
Central Manchester	545	738	899	608	828	1,051	866	923	770	965	871	643	937
Greater Manchester North	323	541	646	523	602	759	717	616	521	871	589	569	609
Greater Manchester East	363	596	660	426	477	643	800	664	548	588	516	458	588

Ms. Short: To ask the Secretary of State for Employment for each of the Training Agency's areas within Greater London, Birmingham and Greater Manchester, what are the latest available statistics for employment training giving a breakdown of entrants which shows how many were male and female, the length of time they had been out of work, their ethnic backgrounds and whether or not they had any disabilities.

Mr. Nicholls: The information is given in the table.

Employment Training Characteristics of Entrants (September 1988 to June 1989) Greater London, Birmingham, and Manchester
(all figures are percentages, figures may not total 100 because of rounding)

Areas	Men	Women	Unemployment Duration (Months)				Ethnic Origin[1]					PWD[2]	
			0-6	6-12	13-23	24+	1	2	3	4	5	Yes	No
Manchester East	69	31	21	31	12	36	93	1	4	2	1	10	90
Manchester Central	73	27	19	31	15	36	84	6	5	2	3	9	91
Manchester North	71	29	23	31	13	33	92	1	5	1	1	9	91
Birmingham	70	30	16	26	11	47	63	17	15	2	3	8	92
North London	57	43	17	32	14	36	48	26	13	7	6	10	90
London West	56	44	22	29	14	34	59	12	18	7	4	10	91
London East	60	41	10	35	15	40	60	17	18	3	2	12	88
South London	54	46	18	29	13	40	67	16	8	4	4	12	88
Inner London North	54	46	18	30	15	38	49	27	9	8	6	8	92
Inner London South	61	39	12	31	14	43	43	37	4	11	5	11	90

[1] Ethnic origin.
1.—White.
2.—Black/African/Caribbean.
3.—Indian/Pakistan/Bangladeshi/Sri Lankan.
4.—None of these.
5.—Prefer not to say.

[2] PWD—People with disabilities. Those trainees answering whether they had a long-term health problem or disability which affected the type of work they could do.

. . = less than 0·5 per cent.

Ms. Short: To ask the Secretary of State for Employment when information from the comprehensive employment training leavers survey will be available; and when a copy will be placed in the Library.

Mr. Nicholls: First questionnaires for the 100 per cent. follow-up survey of employment training leavers were sent out on 16 October. Information will be available later in the year.

Health and Safety Executive

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment what criteria are used when setting the price to the public of Health and Safety Executive publications including the annual report; and what has been the average profit yielded by these publications in each of the last five years.

Mr. Nicholls: In line with Her Majesty's Treasury rules, the Health and Safety Executive (HSE) operates a pricing policy which seeks to recover in full the costs of production. Information is not available for the last five years but the HSE has produced a memorandum trading account in each of the last three financial years as follows:

Year	*Profit* £
1986-87	306,000
1987-88	167,000
1988-89	150,000

Statistics (Swindon)

Mr. Simon Coombs: To ask the Secretary of State for Employment what were the largest 15 categories of employment in the Swindon constituency in the last five years for which figures are available; how many were employed in each category; and what percentage of the total work force these represent.

Mr. Nicholls: The information is given in the table.

The available information from the censuses of employment taken in September 1984 and September 1987 is given in the table below Numbers and percentage of employees in employment[1] in the 15 industry classes with the largest number of employees in the Swindon constituency

Classes of the Standard Industrial Classification 1980		*September 1984*		*September 1987*	
		Number (000s)	*Per cent.*[2]	*Number (000s)*	*Per cent.*[2]
32	Mechanical engineering	[3]—	[3]—	2·1	3·7
34	Electrical and electronic engineering	4·4	8·0	4·7	8·1
35/36	Manufacture of motor vehicles and other transport equipment	[3]—	[3]—	—	—
50	Construction	2·0	3·7	2·6	4·5
61	Wholesale distribution	4·7	8·5	3·9	6·7
64	Retail distribution	7·2	13·1	7·2	12·6
66	Hotels and catering	2·0	3·6	2·0	3·6
71/72	Railways and other inland transport	1·7	3·0	2·2	3·9
79	Postal services and telecommunications	2·6	4·7	2·5	4·4
81	Banking and finance	1·3	2·4	—	—
82	Insurance except for social security	2·2	4·1	2·5	4·4
83	Business services	2·7	5·0	3·8	6·7
91	Public administration and defence	1·8	3·2	1·9	3·2
92	Sanitary services	—	—	2·0	3·4
93	Education	2·8	5·0	3·0	5·2
95	Medical, other health aad veterinary services	2·8	5·1	3·1	5·4
96	Other services to the general public	—	—	2·0	3·6

[1] Excludes the self-employed and members of Her Majesty's forces.
[2] Percentage of all industries and services total.
[3] Indicates in top 15 but figures cannot be given without disclosing confidential information relating to individual firms.

Labour Statistics

Mr. Powell: To ask the Secretary of State for Employment if he will list in the *Official Report* the estimate for the number of people in work in Great Britain for March in each year since 1970.

Mr. Nicholls: Estimates of the self-employed are based on the census of population and the labour force surveys. Prior to 1971 this information was obtained from the Department of Health and Social Security's sample of national insurance cards. The current surveys of work force in employment, including the self-employed, are therefore not comparable with data before 1971.

The available information is as follows:

Workforce in employment Great Britain Seasonally adjusted (Thousands)

March	
1971	23,944
1972	23,935
1973	24,505
1974	24,507
1975	24,509
1976	24,286
1977	24,285
1978	24,368
1979	24,699
1980	24,824
1981	23,966
1982	23,435
1983	22,999
1984	23,568
1985	23,923
1986	23,959
1987	24,219
1988	25,159
1989	25,687

Mr. McLeish: To ask the Secretary of State for Employment if he will give for the standard regions of England, Scotland, Wales and Northern Ireland and the United Kingdom *(a)* the total estimated numbers of the civilian work force in employment in March 1983, in each of the years to 1989 inclusive and *(b)* the changes by number and percentage between March 1983 and March 1989 and March 1988 and March 1989.

Mr. Nicholls: The information requested is as follows:

Civilian workforce in employment
(Unadjusted for seasonal variation)

Thousands

Regions	*March 1983*	*March 1984*	*March 1985*	*March 1986*	*March 1987*	*March 1988*	*March 1989*	*Change between March 1983 and March 1989*		*Change between March 1988 and March 1989*	
								Number	*Per cent.*	*Number*	*Per cent.*
South East	7,764	8,002	8,139	8,169	8,275	8,616	8,816	1,052	13·5	200	2·3
East Anglia	761	798	825	823	845	888	916	155	20·4	28	3·2
South West	1,685	1,748	1,792	1,817	1,864	1,953	2,012	327	19·4	59	3·0
West Midlands	2,104	2,160	2,174	2,171	2,199	2,292	2,331	227	10·8	39	1·7
East Midlands	1,560	1,610	1,641	1,654	1,669	1,735	1,782	222	14·2	47	2·7
Yorkshire and Humberside	1,940	1,978	1,999	1,991	2,001	2,076	2,085	145	7·5	9	0·4
North West	2,524	2,552	2,574	2,578	2,618	2,707	2,757	233	9·2	50	1·8
North	1,151	1,161	1,179	1,177	1,181	1,226	1,253	102	8·9	27	2·2
Wales	1,004	1,023	1,037	1,040	1,056	1,100	1,136	132	13·1	36	3·3
Scotland	2,054	2,083	2,107	2,093	2,077	2,143	2,190	136	6·6	47	2·2
Northern Ireland	564	565	572	571	571	579	584	20	3·5	5	0·9
United Kingdom	23,434	24,005	24,365	24,405	24,674	25,633	26,175	2,741	11·7	542	2·1

Mr. McLeish: To ask the Secretary of State for Employment if he will give from the censuses of employment *(a)* the total number of employees in employment in each standard region of England, Scotland, Wales, Northern Ireland and the United Kingdom in September 1984 and 1987 and *(b)* the change in numbers and percentage between September 1984 and 1987 in each of the areas.

Mr. Nicholls: The information is as follows:

Employees in Employment (Unadjusted for Seasonal Variation) (Thousands).

Regions:	*September 1984*	*September 1987*	*Change between Sept. 84 and Sept. 87*	
			Number	*Percentage*
South East	7,219	7,400	182	2·5
East Anglia	717	739	22	3·0
South West	1,553	1,628	76	4·9
West Midlands	1,981	1,989	8	0·4
East Midlands	1,457	1,508	51	3·5
Yorkshire and Humberside	1,774	1,783	9	0·5
North West	2,296	2,345	49	2·1
North	1,060	1,074	14	1·3
Wales	886	924	38	4·3
Scotland	1,904	1,881	−23	−1·2
Northern Ireland	500	507	7	1·4
United Kingdom	21,346	21,778	432	2·0

Mr. McLeish: To ask the Secretary of State for Employment if he will give, based on the census of employment and the labour force survey for the standard regions of England, Scotland, Wales, Northern Ireland and the United Kingdom *(a)* the total estimated number of employees in employment in March 1983, 1984, 1985, 1986, 1987, 1988 and 1989 and *(b)* the change by number and percentage between March 1983 and March 1984 and March 1988 and March 1989.

Mr. Nicholls: The information is as follows:

Employees in employment (unadjusted for seasonal variation). Thousands.

Regions	*March 1983*	*March 1984*	*March 1985*	*March 1986*	*March 1987*	*March 1988*	*March 1989*	*Change between March 1983 and March 1984*		*Change between March 1988 and March 1989*	
								Number	*Per cent.*	*Number*	*Per cent.*
South East	7,038	7,143	7,211	7,232	7,237	7,513	7,659	105	1·5	146	1·9
East Anglia	668	688	708	709	715	745	764	20	3·0	19	2·6
South West	1,470	1,507	1,531	1,547	1,573	1,634	1,676	37	2·5	42	2·6
West Midlands	1,928	1,956	1,968	1,963	1,961	2,016	2,030	28	2·5	14	·7
East Midlands	1,405	1,430	1,465	1,471	1,467	1,511	1,545	25	1·8	34	2·3
Yorkshire and Humberside	1,772	1,765	1,762	1,753	1,744	1,804	1,792	−7	−·4	−12	−·7
North West	2,301	2,280	2,286	2,288	2,307	2,374	2,399	−21	−·9	25	1·1
North	1,061	1,056	1,065	1,058	1,053	1,086	1,090	−5	−·5	4	·4
Wales	879	873	880	877	889	933	955	−6	−·7	22	2·4
Scotland	1,879	1,880	1,890	1,868	1,850	1,893	1,911	1	·1	18	1·0
Northern Ireland	494	496	503	503	503	510	514	2	·4	4	·8
United Kingdom	20,896	21,076	21,267	21,269	21,298	22,019	22,337	180	·9	318	1·4

Mr. McLeish: To ask the Secretary of State for Employment if he will provide an estimate of the economically active population in March 1979, 1983 and 1989 for each of the standard regions of England, Scotland, Wales, Northern Ireland and the United Kingdom and the changes by number and percentage between 1979 and 1983 and 1983 and 1989.

Mr. Nicholls: Estimates for spring each year from the labour force survey are given in the table below. Estimates for 1989 are not yet available, so preliminary 1988 figures have been given instead.

Economically active by region

	1979 '000s	1983 '000s	[1] 1988 '000s	Change 1979-83 '000s	Change 1979-83 Per cent.	Change 1983-88 '000s	Change 1983-88 Per cent.
Northern	1,429	1,417	1,484	−13	−0·9	67	4·8
Yorkshire and Humberside	2,283	2,299	2,359	17	0·7	60	2·6
North West	3,053	2,974	3,108	−79	−2·6	134	4·5
East Midlands	1,784	1,839	1,976	55	3·1	137	7·4
West Midlands	2,484	2,438	2,580	−46	−1·8	142	5·8
East Anglia	878	918	1,027	40	4·6	109	11·8
South East	8,087	8,272	8,926	185	2·3	653	7·9
Greater London	3,330	3,335	3,423	5	0·1	87	2·6
South West	1,965	2,027	2,260	63	3·2	232	11·5
Wales	1,222	1,198	1,272	−24	−2·0	74	6·2
Scotland	2,459	2,415	2,449	−44	−1·8	34	1·4
Northern Ireland	613	650	672	37	6·1	21	3·3
United Kingdom	26,256	26,447	28,112	192	0·7	1,665	6·3

[1] Preliminary results (1988 only).

Mr. McLeish: To ask the Secretary of State for Employment what was *(a)* the total estimated number of people in work-related Government training schemes included in the civilian work force in employment, in each of the standard regions of England, Scotland, Wales, Northern Ireland and the United Kingdom in March in each of the years 1983 to 1989 inclusive and *(b)* the change by number and percentage between March 1983 and March 1989 and March 1988 and March 1989 in each of the areas in *(a)* above.

Mr. Nicholls: The information is as follows:

Participants on work-related Government training schemes (Thousands).

Regions	March 1983	March 1984	March 1985	March 1986	March 1987	March 1988	March 1989	Change between March 1983 and March 1989 Number	Change between March 1983 and March 1989 Per cent.	Change between March 1988 and March 1989 Number	Change between March 1988 and March 1989 Per cent.
South East	0	34	36	33	38	54	64	64	n.a.	10	18·5
East Anglia	0	4	5	6	8	11	12	12	n.a.	1	9·1
South West	0	13	15	15	19	27	32	32	n.a.	5	18·5
West Midlands	0	19	20	21	34	41	50	50	n.a.	9	22·0
East Midlands	0	16	18	17	18	26	31	31	n.a.	5	19·2
Yorkshire and Humberside	0	18	20	20	27	39	53	53	n.a.	14	35·9
North West	0	22	23	23	35	48	62	62	n.a.	14	29·2
North	0	13	13	14	21	29	47	47	n.a.	18	62·1
Wales	0	10	11	11	17	21	31	31	n.a.	10	47·6
Scotland	0	19	21	22	30	40	57	57	n.a.	17	42·5
Northern Ireland	9	8	8	8	9	9	10	1	11·1	1	11·1
United Kingdom	9	176	190	191	255	343	448	440	n.a.	105	30·6

Mr. McLeish: To ask the Secretary of State for Employment what was *(a)* the total number unemployed in March 1979, 1983 and 1989 for each of the standard regions of England, Scotland, Wales, Northern Ireland and the United Kingdom and *(b)* the changes by number and percentages between March 1979 and 1983 and March 1983 and 1989.

Mr. Nicholls: The information is available from the Library. The following table shows, seasonally adjusted, the number of unemployed claimants along with the change and percentage change for the dates and regions requested.

Unemployed claimants—seasonally adjusted

March	1979	1983	1989
England			
Total	852·2	2,198·7	732·0
Change	—	+1,345·9	−1,466·7
Percentage change	—	+1,57·8	−66·7
Scotland			
Total	142·1	295·1	250·5
Change	—	+153	−44·6
Percentage change	—	+107·8	−15·1
Wales			
Total	70·6	153·1	104·9
Change	—	+82·5	−48·2
Percentage change	—	+116·9	−31·5
Northern Ireland			
Total	53·2	104·2	109·2
Change	—	+51·0	−5·0
Percentage change	—	+95·9	−4·8
United Kingdom			
Total	1,118·7	2,751·1	1,916·6

March	1979	1983	1989
Change	—	+1,632·4	−834·5
Percentage change	—	145·9	−30·3

Mr. McLeish: To ask the Secretary of State for Employment what was *(a)* the total of estimated number of self-employed in each of the standard regions of England, Scotland, Wales, Northern Ireland and the United Kingdom in March in each of the years 1983 to 1989, inclusive and *(b)* the change by number and percentage between March 1983 and March 1984 and March 1988 and March 1989.

Mr. Nicholls: The information is as follows:

Self-Employed (Thousands)

Regions	March 1983	March 1984	March 1985	March 1986	March 1987	March 1988	March 1989	Change between March 1983 and March 1984 Number	Change between March 1983 and March 1984 Per cent.	Change between March 1988 and March 1989 Number	Change between March 1988 and March 1989 Per cent.
South East	726	826	892	904	1,000	1,049	1,093	100	13·8	44	4·2
East Anglia	93	105	113	107	122	133	140	12	12·9	7	5·3
South West	215	228	247	255	273	292	305	13	6·0	13	4·5
West Midlands	176	185	186	187	204	235	251	9	5·1	16	6·8
East Midlands	155	164	159	165	184	198	207	9	5·8	9	4·5
Yorkshire & Humberside	168	195	217	218	231	233	240	27	16·1	7	3·0
North West	223	250	265	267	276	286	296	27	12·1	10	3·5
North	90	92	101	105	107	112	116	2	2·2	4	3·6
Wales	125	140	146	152	150	147	150	15	12·0	3	2·0
Scotland	175	184	196	204	197	210	222	9	5·1	12	5·7
Northern Ireland	61	61	61	60	60	60	60	0	0·0	0	0·0
United Kingdom	2,209	2,428	2,582	2,623	2,802	2,954	3,079	219	9·9	125	4·2

Mr. McLeish: To ask the Secretary of State for Employment what was the total number of *(a)* full-time male employees in employment, *(b)* part-time male employees in employment, *(c)* full-time female employees in employment, *(d)* part-time female employees in employment in each of the standard regions of England, Scotland, Wales, Northern Ireland and the United Kingdom in March 1983 and March 1989 and *(e)* the changes by number and percentage between March 1983 and March 1989 in each of the of the areas in *(a)* to *(d)* above.

Mr. Nicholls: Information on full-time and part-time employment is not available for males in the regions or for all employees in Northern Ireland and therefore in the United Kingdom for these dates.

The available information is as follows:

Employees in employment male/female and part/full time (unadjusted)

Thousands

Regions	March 1983 Total male	March 1983 Full-time female	March 1983 Part-time female	March 1989 Total male	March 1989 Full-time female	March 1989 Part-time female	Changes between March 1983 and March 1989 Total male number	Per cent.	Full-time female number	Per cent.	Part-time female number	Per cent.
South East	3,989	1,826	1,223	4,075	2,205	1,378	86	2·2	379	20·8	155	12·7
East Anglia	399	146	123	413	193	158	14	3·5	47	32·2	35	28·5
South West	841	338	291	883	429	364	42	5·0	91	26·9	73	25·1
West Midlands	1,124	471	334	1,119	519	392	−0·5	−0·4	48	10·2	58	17·4
East Midlands	814	341	250	833	395	317	19	2·3	54	15·8	67	26·8
Yorkshire and Humberside	1,023	400	350	959	431	402	−64	−6·3	31	7·8	52	14·9
North West	1,281	586	434	1,277	637	486	−4	−0·3	51	8·7	52	12·0
North	610	251	199	586	273	231	−24	−3·9	22	8·8	32	16·1
Wales	512	213	154	516	245	194	4	0·8	32	15·0	40	26·0
Scotland	1,055	495	329	1,015	534	361	−40	−3·8	39	7·9	32	9·7
Northern Ireland	270	—	—	269	—	—	−1	−0·4	—	—	—	—
United Kingdom	1,837	—	—	1,800	—	—	−37	−2·0	—	—	—	—

Tourism

Mr. Wigley: To ask the Secretary of State for Employment whether the English tourist board and the English regional tourism authorities, will be empowered to market their areas within the whole of the European Community from 1992 onwards.

Mr. Nicholls: Under the Development of Tourism Act 1969, the English tourist board can engage in marketing activities outside the United Kingdom on behalf of the British Tourist Authority, but not otherwise. In practice, the English tourist board does not engage in any marketing activity outside England. There are no plans to introduce any change to this position.

The English regional tourist boards are independent, non-statutory organisations, and are therefore free to carry out marketing activities both inside and outside the United Kingdom.

Noise at Work

Mr. Flannery: To ask the Secretary of State for Employment how many improvement notices for each of the last 10 years have been issued against employers

relating to the control of noise at work for each of the geographical areas of, respectively, the factory inspectorate, mines and quarries inspectorate, agricultural inspectorate, and railway inspectorate.

Mr. Nicholls: The figures cover the period 1981-89. Information in the form requested is not available for 1979 and 1980.

Improvement notices issued by Her Majesty's factory inspectorate and agricultural inspectorate[*] against employers[1] where subject of offence/requirement of notice-noise, 1981-1988/89p

HSE area	Year of issue 1981	1982		1983	1984	1985	Q1/1986[2]	1986-87[3]		1987-88[3]		1988-89p[3]	
South West	1	—		2	6	6	2	2		4		1	
South	1	—		1	1	1	1	1		1		—	
South East	—	1		2	13	14	3	7		4		2	
Greater London	7	2		3	18	7	3	8		10		10	
East Anglia	—	1		—	4	16	—	7		7		7	
Northern Home Counties	—	—		1	4	2	—	—		—		—	
East Midlands	3	4		4	14	11	3	4		6		4	
West Midlands	2	—		2	19	8	2	2		4		—	
Wales	3	2		3	1	—	—	1		—		—	
Marches	—	—	*1	3	2	1	—	7		1		1	
North Midlands	3	3		2	—	—	—	—		1		1	
South Yorkshire and Humberside	4	2		6	9	17	1	6		3	*10	3	*6
West and North Yorkshire	—	4		2	1	6	—	—		4		3	
Greater Manchester	2	3		4	9	4	—	2		2		1	
Merseyside	—	1		5	3	1	—	4		1		1	
North West	1	—		2	3	3	1	1		1		2	
North East	2	4		4	9	23	4	4	*1	5		2	
Scotland East	9	29		16	14	6	1	8	*1	7		3	
Scotland West	6	1		3	1	7	—	2		—		5	
Total	44	57	*1	65	131	133	21	66	*2	61	*10	46	*6

p = Provisional.
*Figures for numbers of notices issued by agricultural inspectorate are indicated by an asterisk.
[1]Notices issued against all persons excluding employees.
[2]1st quarter (January-March).
[3]Year commencing 1 April.
Mines and quarries inspectorate and railway inspectorate issued no improvement notices.

Mr. Flannery: To ask the Secretary of State for Employment how many prohibition notices have been issued against employers relating to the control of noise at work for each of the geographical areas of factory inspectorate, mines and quarries inspectorate, agricultural inspectorate and railway inspectorate.

Mr. Nicholls: The figures cover the period 1981-1989. Information in the form requested is not available for 1979 and 1980.

The following prohibition notices were issued by the factory inspectorate:

1981 None
1982 None
1983 3 in Scotland West
1984 1 in South West
1 in South East
1 in Scotland East
1 in Scotland West
1985 None
Q1. 1986 1 in Scotland West
1986-87 1 in Greater London
2 in Scotland East
1987-88 1 in Scotland East
1988-89 1 in North Midlands
1 in South Yorkshire and Humberside

Notes:

1. No prohibition notices were issued for noise related offences by HSE's agricultural inspectorate, and mines and quarries inspectorate or by the railway inspectorate during the period 1981-1989.

Mr. Flannery: To ask the Secretary of State for Employment how many prosecutions have beeen taken against employers for each of the last 10 years relating to control of noise at work for each of the geographical areas of factory inspectorate, mines and quarries inspectorate, agricultural inspectorate, and railway inspectorate.

Mr. Nicholls: The figures cover the period 1981-1989. Information in the form requested is not available for 1979 and 1980

The following informations were laid by the factory inspectorate in respect of noise-related offences:

1981 1 information laid in Scotland West
1982 None
1983 1 information laid in W & N Yorkshire
1984 1 information laid in W & N Yorkshire
1 information laid in Scotland West
1985 None
1986 None
1986-87 None
1987-88 1 information laid in East Anglia
1 information laid in North East
1988-89 1 information laid in S Yorkshire and Humberside
1 information laid in W & N Yorkshire

Notes:

1. No proceedings were instituted for noise related offences by HSE's agricultural inspectorate, and mines and quarries inspectorate during the period 1981-89, or by the railway inspectorate.
2. The legislation under which this action was taken has recently been strengthened by the addition of new Noise at Work Regulations (SI 1989 No. 1790) coming into force next January, reflecting the Government's commitment to controlling noise at work.

Special Employment

Mr. McLeish: To ask the Secretary of State for Employment what was *(a)* the total estimated number of people in special employment and training measures in each of the standard regions of England, Scotland, Wales and Northern Ireland of the United Kingdom in March 1983 and March 1989 and *(b)* the change by number and percentage between March 1988 and March 1989.

Mr. Nicholls: The number of people starting special employment and training programmes in Great Britain in 1982-83 and 1988-89 is shown in the table. Figures for

March only are not available, nor are regional analyses for 1982-83. The Secretary of State for Northern Ireland is responsible for similar measures there.

Thousands

Regions			*Change between 1987-88 and 1988-89*	
	1982-83	*1988-89*	*Number*	*Per cent.*
South East	—	91	−12	−11
London	—	93	+3	+3
South West	—	66	−14	−18
West Midlands	—	112	−1	−2
East Midlands	—	101	+2	+2
Yorkshire and Humberside	—	121	+19	+19
North West	—	167	−12	+8
Northern	—	87	−14	−20
England[1]	442	978	−122	−12
Scotland	71	136	−10	−7
Wales	40	85	−4	−4
Great Britain Totals[1]	565	1,262	−140	−10

[1] Columns may not sum to the England and Great Britain totals because of rounding and because several schemes have been included in the England and Great Britain totals which could not be shown by region.

Wages Councils

Mrs. Mahon: To ask the Secretary of State for Employment what is the evidence on which he based his assertions in the wages councils 1988 consultative document that the decline in youth unemployment is a direct result of young persons' removal from wages councils remit in 1986.

Mr. Nicholls: There were indications from employers that their freedom to offer jobs at rates they could afford had resulted in the engagement of young people who would not otherwise have been recruited. It follows that this has contributed to the decrease in youth unemployment.

PRIME MINISTER

Inner Cities Policies

Q8. **Mr. Kirkhope:** To ask the Prime Minister if she will make a statement on the Government's inner cities policies.

The Prime Minister: Excellent progress continues to be made in the regeneration of our inner cities under the Government's Action for Cities programmes, spending on which is planned to increase to about £3·5 billion this year. Unemployment in the 57 inner city target areas has fallen by 23 per cent. over the last year.

Pakistan

Q18. **Mr. Waller:** To ask the Prime Minister if she will make a statement on the United Kingdom's relations with Pakistan.

The Prime Minister: Our close and friendly relations with the democratic Government in Pakistan have been reinforced by Pakistan's recent resumption of Commonwealth membership. After Prime Minister Bhutto's welcome visit to Britain in July, I was pleased to renew my acquantance with her at the Commonwealth Heads of Government meeting in Kuala Lumpur last week.

Housing Policy

Q20. **Mr. Fishburn:** To ask the Prime Minister if she has received recent representations regarding housing policy.

The Prime Minister: Many representations are received on housing policy. The Government's policies have encouraged the spread of owner-occupation which has increased by 3,600,000 homes since 1979, an increase in the total housing stock of nearly 2 million since 1979 and the highest number of private housing starts since 1972.

Legal Profession

Q21. **Mr. Alexander:** To ask the Prime Minister if she has received recent representations regarding reform of the legal profession.

The Prime Minister: I have received a number of representations both on the Government's consultation papers. Many support the Government's aim of securing for the public the best possible access to legal services of sound quality.

Countryside

Q27. **Mr. Marland:** To ask the Prime Minister if she has received recent representations regarding the preservation of the countryside.

The Prime Minister: Widespread appreciation has been expressed at this Government's determination to protect the countryside, and to recognise the interests of people who live and work there.

United States of America

Q45. **Mr. Leigh:** To ask the Prime Minister if she has received recent representations regarding the United Kingdom's relations with the United States of America.

The Prime Minister: I regularly receive representations on a range of subjects from members of the public and from hon. Members of this House.

Education Policy

Q57. **Sir Anthony Grant:** To ask the Prime Minister if she has received recent representatives regarding educational policy.

The Prime Minister: I receive many representations about education. The Government's educational policies, in particular the introduction of the national curriculum, will continue to raise standards at all levels.

National Heritage

Q60. **Mr. William Powell:** To ask the Prime Minister if she has received recent representations regarding the preservation of the national heritage.

The Prime Minister: My right hon. Friends and I receive representations frequently. Our heritage makes a particularly important contribution both to the quality of

life within our communities and to the tourism industry. The Government are concerned to ensure that the nation's wealth of important historic buildings, monuments and sites are preserved wherever possible.

British Rail

Q64. **Mr. Cyril D. Townsend:** To ask the Prime Minister if she has received recent representations regarding British Rail.

The Prime Minister: Yes. Many welcome the current investment programme which at £4 billion over the next five years is the largest programme since the transition from steam to diesel 30 years ago.

Cawston, Rugby

Q80. **Mr. Pawsey:** To ask the Prime Minister if she has any plans to pay an official visit to Cawston near Rugby.

The Prime Minister: I have at present no plans to do so.

Exeter

Q96. **Mr. Hannam:** To ask the Prime Minister if she will pay an official visit to Exeter.

The Prime Minister: I have at present no plans to do so.

Water Act

Q99. **Mr. Knapman:** To ask the Prime Minister what representations she has received on the implementation of the Water Act.

The Prime Minister: We have received a wide range of representations on the subject of water privatisation generally. In our view this represents the best way of achieving even higher standards of water quality more quickly and more cost effectively.

Waste Disposal

Q104. **Sir Hugh Rossi:** To ask the Prime Minister if she has received recent representations regarding waste disposal.

The Prime Minister: I receive representations from a variety of sources on a wide range of waste disposal issues.

USA President

Q108. **Mr. David Nicholson:** To ask the Prime Minister when she next proposes to meet the President of the United States of America.

The Prime Minister: I expect to meet President Bush again next month.

South Hams

Q135. **Mr. Steen:** To ask the Prime Minister if she will visit South Hams.

The Prime Minister: I have at present no plans to do so.

Transport Policy

Q149. **Mr. Page:** To ask the Prime Minister if she has received recent representations regarding transport policy.

The Prime Minister: I regularly receive representations on a wide range of issues concerning transport policy.

Food Safety

Q152. **Mr. Boswell:** To ask the Prime Minister what recent representations she has received on food safety.

The Prime Minister: I have received a number of representations on a range of matters relating to food safety. These have been drawn to the attention of my right hon. Friend the Minister of Agriculture, Fisheries and Food and my right hon. and learned Friend the Secretary of State for Health. The Government's proposals on food safety have been set out in its White Paper published in July this year.

London Transport

Q155. **Mr. Malins:** To ask the Prime Minister if she has received recent representations regarding London Transport.

The Prime Minister: I receive various representations concerning different aspects of London Regional Transport's operations.

EC Intergovernmental Conference

Q165. **Mr. Cash:** To ask the Prime Minister if she has received recent representations regarding the proposed intergovernmental conference in the European Community.

The Prime Minister: No such representations have been received.

Engagements

Mr. Wareing: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Dunnachie: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Tony Banks: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Battle: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Nigel Griffiths: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Thursday 26 October.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Southern Africa

Mr. Robert Hughes: To ask the Prime Minister if she will make a statement on Her Majesty's Government's position on the Organisation of Africa Unity declaration on South Africa, adopted in Harare on 21 August.

The Prime Minister: We do not believe that it is for outsiders to prescribe constitutional solutions to South Africa's problems. South Africans themselves must decide their own future. However, we welcome signs that the ANC is now thinking seriously about a negotiating process.

Mr. Robert Hughes: To ask the Prime Minister (1) if she will make a statement on the Commonwealth Heads of Government document, "Southern Africa: The Way Ahead.";

(2) if she will make a statement on the document, "Southern Africa: The Way Ahead: Britain's View."

The Prime Minister: I refer the hon. Member to the statement I made earlier this afternoon.

Mr. Robert Hughes: To ask the Prime Minister if she will make it her policy to call upon the Governments of the United States of America, the Nordic countries and others to maintain existing sanctions and other measures against South Africa, as agreed at the Kuala Lumpur meeting of the Heads of Government of the Commonwealth.

The Prime Minister: Britain agreed with all other Commonwealth countries at the Commonwealth Heads of Government meeting the passage in the Kuala Lumpur statement on Southern Africa

"that all existing sanctions and measures should be maintained and called upon the wider international community to do likewise."

Mr. Robert Hughes: To ask the Prime Minister if she will publish in the *Official Report* a statement on the progress that Her Majesty's Government believe has been made towards dismantling the pillars of apartheid.

The Prime Minister: Progress towards the dismantling of apartheid has included the abolition of the pass laws and influx control, the ending of job reservation on a racial basis, the granting of freehold property rights to all South Africans, the legalisation of black trades unions and the lifting of many restrictions on black small businesses. There have also been substantial moves towards the desegregation of public amenities. The release of eight long-term security prisoners and the granting of permission for peaceful demonstrations are welcome steps in the right direction. We will continue to seek the total abolition of apartheid, including the repeal of the remaining discriminatory legislation which forms the legal basis of apartheid, and its peaceful replacement by a system of government acceptable to all South Africans.

Mr. Robert Hughes: To ask the Prime Minister if she will publish in the *Official Report*, in relation to the document, "Southern Africa: The Way Ahead: Britain's View", when it was released, when it was decided to release the document and on which previous occasions Her Majesty's Government has issued a formal document of explanation further to a Commonwealth statement.

The Prime Minister: "Southern Africa: The Way Ahead: Britain's View" is not a formal document. It is a statement setting out our views on those passages of the Kuala Lumpur statement with which we disagreed and on how we see the way forward. At previous meetings of the Commonwealth Heads of Government I have expressed publicly Britain's views on matters which have arisen in discussion.

Correspondence

Mr. Pawsey: To ask the Prime Minister what percentage of letters from hon. Members to her received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

The Prime Minister: This information is not held centrally and could therefore be provided only at disproportionate cost.

HOME DEPARTMENT

Crime Screening

11. **Mr. Dykes:** To ask the Secretary of State for the Home Department if he has received any representations from the public concerning the Metropolitan police crime screening ratios policy.

Mr. Peter Lloyd: Representations about crime screening have been received in the course of consultation meetings which my right hon. Friend had earlier this year with London Conservative Members of Parliament and the London local authority associations.

Crime Prevention (West Cornwall)

13. **Mr. Harris:** To ask the Secretary of State for the Home Department what steps his Department is taking to help prevent crime in west Cornwall; and if he will make a statement.

Mr. John Patten: We have a crime reduction strategy that applies to all parts of England and Wales. Central to this strategy is the involvement of the local community in crime prevention activity. Crime Concern was launched to support such activity and our national publicity campaign will continue to provide further advice to the public on ways in which they can reduce crime. In west Cornwall, I am pleased to report that there are now 100 neighbourhood watch schemes where 18 months ago there were none. Young people, too, are co-operating with the police. Youth crime prevention panels have been set up in Hayle with the assistance of schools liaison officers. The police and community of west Cornwall are enthusiastically working together to prevent crime.

Dogs

14. **Mr. McAllion:** To ask the Secretary of State for the Home Department what further steps he intends to take to control the dog population in the United Kingdom.

Mr. Peter Lloyd: Following the passage of the Dangerous Dogs Act 1989 I believe that effective steps have been taken to control the problem of dangerous dogs. The Act greatly improves the effectiveness of the courts' power to order the destruction of dangerous dogs and increases maximum penalties for offences.

Right to Silence

15. **Mr. Riddick:** To ask the Secretary of State for the Home Department whether he intends to implement the proposals contained in the recent Home Office report on the right to silence; and if he will make a statement.

Mr. John Patten: We are waiting for comments, which are requested by 25 January, before reaching a final view.

West Midlands Serious Crimes Squad

16. **Mr. Andrew F. Bennett:** To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands on the decision to disband the serious crimes squad; and if he will make a statement.

Mr. Hurd: I refer the hon. Member to the reply which I gave earlier to the hon. Member for Motherwell, South (Dr. Reid).

34. **Mr. Meale:** To ask the Secretary of State for the Home Department if, in the light of the recent decision to disband the West Midlands serious crimes squad, he will review convictions for serious crimes based wholly or mainly on confessions obtained from people in the custody of the West Midlands police.

47. **Mr. Harry Barnes:** To ask the Secretary of State for the Home Department when he last met the chief constable of the West Midlands; and what matters were discussed.

65. **Ms. Primarolo:** To ask the Secretary of State for the Home Department if, in the light of the recent decision to disband the West Midlands serious crimes squad, he will review all convictions for serious crimes based wholly or mainly on confessions obtained in the custody of the West Midlands police.

66. **Mr. Jim Marshall:** To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands on the decision to disband the serious crimes squad; and if he will make a statement.

69. **Mr. Mullin:** To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands on the decision to disband the serious crimes squad; and if he will make a statement.

70. **Ms. Short:** To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands on the decision to disband the serious crimes squad; and if he will make a statement.

Mr. Peter Lloyd: I refer the hon. Members to the answer given today by my right hon. Friend to the hon. Member for Motherwell, South (Dr. Reid).

19. **Mr. Bradley:** To ask the Secretary of State for the Home Department if he will review the case of the six men convicted of the Birmingham pub bombings, in the light of recent evidence that officers of the West Midlands serious crimes squad have been forging confessions.

55. **Mr. Grocott:** To ask the Secretary of State for the Home Department if he will review the case of the six men convicted of the Birmingham pub bombings, in the light of recent evidence that officers of the West Midlands serious crimes squad have been forging confessions.

Mr. Hurd: I referred this case to the Court of Appeal on 20 January 1987 and after a thorough investigation by the Devon and Cornwall police, the court heard the case in November and December 1987. In its judgment, announced in January 1988, the court concluded that it had no doubt that the convictions were safe and satisfactory.

I am always ready to consider new evidence or other information which has not been before the courts and which appears to cast doubt on the safety of the conviction. We are in close touch with the Police Complaints Authority about the investigations into the allegations made about the West Midlands serious crime squad. If relevant information came to light in the course of the investigation, I should as I stated in the House on 19 October consider whether there were grounds to justify my further intervention in this or any other case.

Street Drinking

17. **Mr. Squire:** To ask the Secretary of State for the Home Department if he will report on Government initiatives to curb drinking in the street.

Mr. John Patten: The experimental byelaw, which prohibits the consumption of alcohol in designated public places, is now in force in seven areas. The operation of the byelaw is being closely monitored by participating local authorities, the police and the Home Office. The results so far are encouraging. The byelaw has maintained its initial popularity and continues to be generally complied with. There have been 10 prosecutions, with 11 pending.

Special Constables

18. **Mr. Fearn:** To ask the Secretary of State for the Home Department how many special constables were appointed during the first half of 1988.

Mr. Hurd: On 31 December 1988 there were 15,778 special constables in England and Wales (10,578 men and 5,210 women). On 30 June 1989 there were 15,625 (10,465 men and 5,160 women). Statistics relating to appointments are not held centrally.

32. **Mr. Burns:** To ask the Secretary of State for the Home Department how many special constables now serve in police forces in England and Wales; and if he will make a statement.

Mr. Peter Lloyd: I refer my hon. Friend to the answer my right hon. Friend gave to the hon. Member for Southport (Mr. Fearn) earlier today.

Immigrants

20. **Mr. McCrindle:** To ask the Secretary of State for the Home Department what is his latest estimate of the number of immigrants allowed to enter Britain; and what are the figures for each of the previous five years.

Mr. Renton: In the 12 months ending 30 June 1989, a total of 50,200 persons were accepted for settlement in the United Kingdom. The corresponding figures for previous years were 53,500 in 1983, 51,000 in 1984, 55,400 in 1985, 47,800 in 1986, 46,000 in 1987 and 49,300 in 1988.

Neighbourhood Watch

21. **Mr. Anthony Coombs:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes now exist in West Mercia; and if he will make a statement.

Mr. John Patten: I understand from the West Mercia constabulary that at the end of September 1989 there were

2,928 schemes in West Mercia, covering approximately 73,000 households. This is an increase of 859 schemes compared with the position reported 12 months previously.

29. **Mr. Gerald Howarth:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes now exist in Staffordshire; and if he will make a statement.

Mr. John Patten: I understand from the Staffordshire police that at the end of September 1989 there were 760 neighbourhood watch schemes in Staffordshire, covering approximately 84,000 households. This represents an increase of 228 schemes compared with the position reported 12 months previously.

36. **Dr. Twinn:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes now exist; and if he will make a statement.

67. **Mrs. Roe:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes now exist in England and Wales; and if he will make a statement.

Mr. John Patten: At the end of September 1989 there were estimated to be in the region of 75,300 residential neighbourhood watch schemes in England and Wales. The total number of schemes is almost 16,000 more than recorded 12 months ago and covers well over 3·5 million households. In addition the original neighbourhood watch idea has diversified to include initiatives such as pub watch, business watch, taxi watch and farm watch schemes. I welcome this evidence of the public's continuing support for crime prevention in general and neighbourhood watch in particular.

59. **Mr. Jacques Arnold:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes now exist in Kent; and if he will make a statement.

Mr. John Patten: I understand from the Kent constabulary that at the end of September 1989 there were 1,604 neighbourhood watch schemes in Kent, covering approximately 201,000 households. This is an increase of some 280 schemes compared with the position reported 12 months previously.

"Practical Ways to Crack Crime"

22. **Mr. Day:** To ask the Secretary of State for the Home Department how many copies of "Practical Ways to Crack Crime" have now been distributed; and if he will make a statement.

Mr. John Patten: Nearly 2·5 million copies of the first and second editions of "Practical Ways to Crack Crime" have been distributed in England and Wales. The third edition was published yesterday.

Forensic Science Service

23. **Mr. John Greenway:** To ask the Secretary of State for the Home Department what plans he has to improve the effectiveness of the forensic science service.

Mr. Peter Lloyd: Following the publication of its strategy statement in May 1989, the forensic science service has prepared a comprehensive programme of action aimed at improving both its effectiveness and efficiency. Copies of both the strategy statement and the more detailed action programme are in the Library.

Homelessness

24. **Mr. Nellist:** To ask the Secretary of State for the Home Department what are the latest figures for the level of prosecutions, under sections 3 and 4 of the Vagrancy Act 1824, for homeless young people in London; and if he will make a statement.

Mr. John Patten: The number of persons aged under 21 proceeded against in the Metropolitan police district under sections 3 and 4 of the Vagrancy Act 1824 for 1987 was 171. Information is not collected centrally on the number of homeless people who have been prosecuted under the aforesaid Act. However of the 171 prosecutions only four were for sleeping out. This compares with 66 for being on enclosed premises for an unlawful purpose, 49 for indecent exposure and 38 for begging. Data for 1988 are not yet available.

Drug Traffickers

25. **Mr. Marlow:** To ask the Secretary of State for the Home Department what progress is being made towards concluding further international agreements to confiscate the assests of convicted drug traffickers.

54. **Mr. Charles Wardle:** To ask the Secretary of State for the Home Department what progress is being made towards concluding further international agreements to confiscate the assets of convicted drug traffickers.

Mr. John Patten: We have concluded reciprocal agreements or arrangements with 11 countries: the United States, Australia, Canada, the Bahamas, Bermuda, Spain, Switzerland, Nigeria, Anguilla, Gibraltar and Malaysia. An agreement with Sweden is also near completion and negotiations are under way with several other countries.

57. **Mr. Stevens:** To ask the Secretary of State for the Home Department if he will report the latest available totals for drug traffickers' assets confiscated or frozen pending trial.

Mr. John Patten: The information available centrally relates only to confiscation orders made under the Drug Trafficking Offences Act 1986. For 1988, £8·1 million was ordered to be confiscated by the courts. The national drugs intelligence unit estimates that confiscation and restraint orders exceeding £13 million and £20 million respectively have been made since the Act came into force in January 1987.

61. **Mr. Alton:** To ask the Secretary of State for the Home Department how many drugs trafficking offences were recorded and successfully prosecuted during the past 12 months.

Mr. John Patten: The information available centrally indicates that 9,214 offences of trafficking in controlled drugs were dealt with in the United Kingdom in 1988. A total of 4,208 persons were found guilty of 5,600 of these offences and a further 811 persons were cautioned or dealt with by compounding (payment of a penalty in lieu of prosecution) for a single offence.

Policing

26. **Mr. Campbell-Savours:** To ask the Secretary of State for the Home Department what proposals he has for increased policing throughout the United Kingdom over the next 12 months.

Mr. Peter Lloyd: My right hon. Friend will be able to approve 1,100 additional police posts for police forces in England and Wales in 1990-91.

Cocaine and Crack

27. **Mr. Wells:** To ask the Secretary of State for the Home Department what steps his Department is taking to combat the threat from cocaine and crack.

63. **Mrs. Maureen Hicks:** To ask the Secretary of State for the Home Department what progress has been made towards targeting publicity campaigns warning of the dangers of crack in certain key cities.

Mr. Peter Lloyd: I refer my hon. Friends to the reply my right hon. Friend gave earlier to a question from my hon. Friend the Member for Suffolk, Central (Mr. Lord).

Mr. Colin Wallace

28. **Mr. Livingstone:** To ask the Secretary of State for the Home Department what recent representations he has received on the conduct of the Sussex police force when investigating the murder charge against Mr. Colin Wallace.

Mr. John Patten: We have received representations from the hon. Member and from Mr. Colin Wallace. I hope to be able to let them have a substantive reply to their representations shortly.

Police (Norfolk)

30. **Mr. Patrick Thompson:** To ask the Secretary of State for the Home Department what progress is being made towards securing greater efficiency and value for money by the police service in Norfolk; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for securing value for money in the Norfolk constabulary rests primarily on the chief constable and the police authority. Among the initiatives taken in pursuit of better value for money are a programme of civilianisation including the setting up of administrative support units which has released 112 officers to operational duties since 1981; sharing underused police premises with other services; putting police canteens out to competitive tendering; and a review of vehicle fleet management.

Slopping Out (Prisons)

31. **Mr. Blunkett:** To ask the Secretary of State for the Home Department when he expects to end the practice of slopping out within prisons.

Mr. Hurd: As I indicated in a reply to a question from my hon. Friend the Member for Boothferry (Mr. Davis) on 20 February 1989 at column 506, we accept that ending slopping out would make a substantial difference to the lives of prisoners and staff, and that achieving this should be given a high priority. Work is under way to reach this goal, with all prisons built or designed since 1979 having either integral sanitation within the living accommodation or free access to sanitation. At existing establishments, the introduction of sanitary facilities is proceeding as quickly as possible within financial and physical constraints. I also announced a provisional programme to add more than 6,500 cells to those already scheduled for conversion. In addition, each establishment which does not have integral sanitation, or where it has not already been scheduled to be included, is being examined to determine the best way of providing such access, taking account of its individual circumstances. We thus plan to reduce the number of places without access to sanitation as quickly as possible, though it is not yet possible to say exactly when the practice will finally cease.

Shotgun Certificates

33. **Mr. Shersby:** To ask the Secretary of State for the Home Department if he will call for a report from chief constables in England and Wales on the steps they are taking to satisfy themselves that applicants for shotgun certificates can possess these weapons without danger to the public safety or the peace.

Mr. Peter Lloyd: My right hon. Friend has issued guidance to chief officers of police on this matter in the publication entitled "Firearms Law: Guidance to the Police", a copy of which is in the Library. Her Majesty's inspectors of constabulary give considerable attention to this aspect in their inspections of forces.

Fines

35. **Mr. Menzies Campbell:** To ask the Secretary of State for the Home Department how many fines were imposed by courts in June 1989, March 1989, December 1988 and September 1988.

Mr. John Patten: The information for 1988 and 1989 is not yet available.

48. **Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department when he expects to receive and make public the findings of the five assessment projects on the feasibility of day fines and the causes of the decline in the use of fines as punishment.

Mr. John Patten: Autumn 1990: the project includes following up the enforcement of the fines assessed on a unit basis.

War Crimes Report

37. **Mr. Rooker:** To ask the Secretary of State for the Home Department if he will make a statement in respect of comments received by his Department on the war crimes report.

Mr. John Patten: Since the war crimes inquiry's report was published, we have received a considerable number of letters representing a range of differing arguments of principle and practicality raised by the issue of war crimes prosecutions. We hope that it will be possible for the House to debate the issues raised by the report shortly.

Orange Badges

38. **Mr. Ashley:** To ask the Secretary of State for the Home Department if he will discuss with chief constables measures which would make it easier for police and traffic wardens to identify misuse of orange badges by able-bodied people.

Mr. Peter Lloyd: I refer the right hon. Member to the reply given to his question on 20 July 1989 at column *301*.

Turkish Kurds

39. **Mr. Hunter:** To ask the Secretary of State for the Home Department what progress has been made in deciding applications for political asylum by Turkish Kurds.

Mr. Renton: By 11 October the asylum applications from 592 Turkish nationals had been considered in detail. The results of this consideration are that 71 met the criteria of the 1951 UN convention and have been recognised as refugees; 243 have been given leave to remain in the United Kingdom on an exceptional basis; 24 departed voluntarily before a final decision was reached; 172 have been notified of a provisional decision that they do not qualify for asylum and further information/representations are awaited; 36 did not qualify for asylum or leave to enter under the immigration rules, were refused entry and returned to Turkey.

In addition, a further 207 have made voluntary departures after withdrawing their claims for asylum.

Mr. Darling: To ask the Secretary of State for the Home Department if he will list the number of Kurds currently seeking asylum in the United Kingdom and of those the number in custody in *(a)* Her Majesty's prisons and *(b)* detention centres.

Mr. Renton: Immigration statistics do not record ethnic origins, but most of the 4,200 Turkish nationals currently seeking asylum in the United Kingdom are believed to be of Kurdish origin. Six Turkish asylum seekers, whose applications have been refused and who await removal, are currently detained, all in prisons.

Police Statistics

40. **Mr. Hind:** To ask the Secretary of State for the Home Department if he will make a statement on the increase in police numbers since October 1979.

Mr. Peter Lloyd: Between October 1979 and July 1989 police officer strength increased by 12,925 to 125,808.

Police Service (Cambridgeshire)

41. **Mr. Moss:** To ask the Secretary of State for the Home Department what progress is being made towards securing greater efficiency and value for money by the police service in Cambridgeshire; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for securing value for money in the Cambridgeshire constabulary rests primarily on the chief constable and police authority.

In pursuit of better value for money Cambridgeshire constabulary has undertaken, amongst other things, the following initiatives: the introduction of a comprehensive performance review system; reduction in the number of tiers of management and clarification of management responsibilities; streamlining paperwork to reduce time spent by officers on administrative tasks; the introduction of graded response to calls; and civilianisation of police officer posts.

The chief constable has identified a number of other areas for further work to improve value for money, including transport and communications.

Safer Cities Initiative

42. **Mr. Robert G. Hughes:** To ask the Secretary of State for the Home Department what progress is being made with his Department's safer cities initiative; and if he will make a statement.

Mr. John Patten: Progress is good. Eleven local safer cities projects are now operating and five more should be in place by next January. Resulting action to reduce crime, and fear of crime, encompasses well-tried physical security and other more innovative measures. Examples are better fittings in homes of the elderly and in business premises; improved lighting in car parks and streets; personal safety classes; and new activity for young people at risk of offending.

Her Majesty's Inspector of Prisons (Report)

43. **Mr. Key:** To ask the Secretary of State for the Home Department what representations he has received following the publication on 24 July of the report of Her Majesty's chief inspector of prisons 1988.

Mr. Peter Lloyd: As yet we have received no representations on this report.

Crime (Bury)

44. **Mr. Burt:** To ask the Secretary of State for the Home Department what steps his Department is taking to help prevent crime in Bury; and if he will make a statement.

Mr. John Patten: Our strategy for crime prevention applies to all parts of England and Wales. We have substantially increased police manpower and resources, set up Crime Concern to stimulate, support and develop local crime prevention activity, and have launched this month the third phase of our national crime prevention advertising campaign which will provide further advice for the public on how they can help to reduce crime. The Government encourage the growth and development of neighbourhood watch schemes and crime prevention panels and I am pleased to note that there are now 401 watch schemes in Bury, North compared to 259 this time last year. I know also that the Bury and district crime prevention panel has run successful campaigns against shoplifting and recently organised a major crime prevention exhibition.

Television Licences

45. **Mr. Latham:** To ask the Secretary of State for the Home Department whether he will make a statement on the implementation of the new regulations relating to concessionary television licences; and what representations he has received from local authorities on this matter.

Mr. Renton: By the end of August 1989 about 27,000 schemes had been reviewed under the May 1988 regulations, and some 804,500 people were covered by concessionary licences. Applications in respect of a further 10,000 schemes are being considered by the national TV licence records office and it is hoped that they will be dealt with by the end of the year. Since the change in the regulations, we have received 62 letters, 52 through hon. Members, from local authorities about aspects of the concessionary television licence scheme. I have also received two delegations from local authorities.

Chief Constable of Essex

46. **Mr. Amess:** To ask the Secretary of State for the Home Department when he last met the chief constable of Essex; and what was discussed.

Mr. Peter Lloyd: My right hon. Friend last met the chief constable of Essex on 21 September when he opened the new police station at Colchester. They touched on a number of matters during the brief conversation which the occasion allowed.

Remand Prisoners

49. **Mr. Simon Hughes:** To ask the Secretary of State for the Home Department what proportion of remand prisoners held in custody during 1988 later received a custodial sentence.

Mr. Peter Lloyd: The information for 1988 is incomplete because for a proportion of the prisoners the outcome of court proceedings is not yet recorded. Final figures for 1987 and provisional figures for 1988 are given in tables 2.10 and 2.6 respectively of "Prison Statistics England and Wales 1988", published today, which is available in the Library.

Broadcasting Standards Council

50. **Mr. David Nicholson:** To ask the Secretary of State for the Home Department what progress the Broadcasting Standards Council is making towards its code of conduct.

Mr. Renton: I understand that the Broadcasting Standards Council has completed work on its code of practice on the portrayal of sex and violence in broadcast programmes and video works, and that it will be published along with the council's annual report on 1 November.

Police Officers (Administrative Support)

51. **Mr. Wood:** To ask the Secretary of State for the Home Department what steps his Department is taking to implement the recommendations of the Audit Commission report on administrative support for police officers; and if he will make a statement.

Mr. Peter Lloyd: The Audit Commission recommendations in its report on administrative support for police officers contain valuable guidelines for improved value for money in the use of police resources. Responsibility for responding to the recommendations lies primarily with chief officers of police and local police authorities with the advice and encouragement of Her Majesty's inspectors of constabulary. A survey carried out by the inspectorate last June showed that over 90 per cent. of forces had completed or were carrying out reviews of their administrative support services.

Nationality Applications

52. **Mrs. Peacock:** To ask the Secretary of State for the Home Department what progress has been made in dealing with nationality applications at the Liverpool nationality office.

Mr. Renton: Excellent progress continues to be made. The number of applications currently outstanding is less than 40,000. As I indicated to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) on 26 July at column *709*, we expect to have taken decisions on all these applications by January 1990.

Metropolitan Police

53. **Mr. Carrington:** To ask the Secretary of State for the Home Department what progress is being made towards securing greater efficiency and value for money by the police service in the London metropolitan area; and if he will make a statement.

Mr. Peter Lloyd: A wide range of initiatives is being pursued to improve value for money in the Metropolitan police. They include a programme of civilianisation, which has released more than 360 officers for operational duties since April 1986; an annual programme of efficiency scrutinies with seven scrutinies completed to date; the introduction of external inspections by Her Majesty's inspectorate of constabulary; improvements in resource planning and central processes, including the development of output measures and performance indicators and targets, progressive delegation of budgets to areas and divisions and improvements in financial management information; wide-ranging reviews by external consultants, including reviews of provisioning services and of building project management; appointment of specialist procurement and accounting advisers; and numerous other internal reviews. Further details on value for money activity may be found in the Commissioner's report for 1988 (Cm. 670).

National Investigation Bureau

56. **Mr. Maclennan:** To ask the Secretary of State for the Home Department what representations he has received from the Commissioner of the Metropolitan police about proposals to create a national investigative bureau; and if he will make a statement.

Mr. Peter Lloyd: We have not received any formal representations, but we welcome the views the Commissioner expressed in his speech to the Police Foundation on 6 July as being an important contribution to the debate on the organisation of policing to combat the challenge of serious crime. At this stage I believe that it would be premature to create an operational national unit to investigate serious crime, which would involve a substantial reorganisation of our present police force structures. Co-ordination of criminal intelligence is, however, essential. I am, therefore, asking the police service to consider how we might build on the excellent work of the regional crime squads, the national drugs intelligence unit and the national football intelligence unit to improve the collection and dissemination of criminal intelligence about all kinds of serious crime, perhaps by the creation of a national criminal intelligence unit.

Broadcasting

58. **Mr. Canavan:** To ask the Secretary of State for the Home Department what subjects he expects to discuss at his next meeting with representatives of the broadcasting authorities.

Mr. Renton: I have regular meetings with the broadcasting authorities at which a wide range of broadcasting issues are discussed.

Gaelic Broadcasting

60. **Mr. Kennedy:** To ask the Secretary of State for the Home Department if he will make a further statement on the future role envisaged for Gaelic broadcasting.

Mr. Renton: My right hon. Friend hopes before long to be in a position to make an announcement on Gaelic broadcasting.

Hong Kong Citizens

62. **Mr. Sumberg:** To ask the Secretary of State for the Home Department how many citizens of Hong Kong have been granted abode in the United Kingdom over the past five years for which figures are available.

Mr. Renton: The number of British dependent territory citizens from Hong Kong granted settlement in the United Kingdom in the years 1984 to 1988 is published in table 22 of the Home Office Command Paper "Control of Immigration: Statistics; United Kingdom 1988" (Cm. 726), a copy of which is in the Library.

Police Officials (Removals)

64. **Mr. Cox:** To ask the Secretary of State for the Home Department what progress his Department has made on proposals that would lead to the removal of inefficient police officials; and if he will make a statement.

Mr. Peter Lloyd: This issue is still under consideration by a committee of the Police Advisory Board. I expect it to be discussed at the committee's next meeting on 15 November.

Violence and Sex (Television)

68. **Mr. Summerson:** To ask the Secretary of State for the Home Department what representations he has received from ethnic minorities about violence and sex on television.

Mr. Renton: We receive a number of letters about the portrayal of sex and violence on television, but have not received any specifically from ethnic minority groups.

EC Border Control

71. **Mr. Kilfedder:** To ask the Secretary of State for the Home Department if he will make a statement about border control between the United Kingdom and other European community countries.

Mr. Renton: I refer the hon. Member to the reply given earlier today to my hon. Friend the Member for Staffordshire, Moorlands (Mr. Knox).

Burials

Mr. Steel: To ask the Secretary of State for the Home Department what advice has been given to registrars in England in easing the formalities for the burial in England of persons who have died in Scotland.

Mr. Freeman: I have been asked to reply.

Registrars are advised to obtain documentary evidence of the place and cause of death of persons who die in Scotland where it is intended that the burial or cremation take place in England or Wales.

The registrars general for England and Wales and for Scotland have recently agreed revised written instructions which will shortly be circulated to registrars in England and Wales, advising that the appropriate documentary evidence would include either a certified extract of an entry in a Scottish death register, or a letter from the procurator fiscal stating the place and cause of death.

I understand that similar instructions are about to be issued to registrars in Scotland so that they can give advice on the documentary evidence required in England and Wales in such cases.

Passports

Mr. Gale: To ask the Secretary of State for the Home Department if he has considered, as recommended in the fifth report of the Home Affairs Select Committee (1987-88 session), the withdrawal of the British visitor's passport and the issue of the back page of the new United Kingdom passport as a voluntary identification document to facilitate travel within the European Community and to replace the growing number of cards now being issued by football clubs, public houses and other private establishments for the purposes of identification; and if he will make a statement.

Mr. Renton: As explained in the Government's reply to the Committee's fifth report (Cm. 635), no decision about withdrawal or replacement of the British visitor's passport can be made until the main passport issuing system has been fully computerised and tested under a full workload.

Prisons

Mr. Dover: To ask the Secretary of State for the Home Department (1) how many staff and of what grades are to be recruited or transferred to posts at *(a)* Her Majesty's Garth prison and *(b)* Her Majesty's Wymott prison (i) over the next six months and (ii) over the following six months;

(2) how many staff and of what grades are to be redeployed from *(a)* Her Majesty's remand centre, Risley and *(b)* Her Majesty's young offenders institution, Buckley Hall (i) over the next six months and (ii) over the following six months.

Mr. Peter Lloyd: In his statement on 25 July 1989 about action to be taken in the light of the Risley disturbances, at columns 607-8, my right hon. Friend indicated that he had decided to work towards the end of Risley's remand function for males by the summer of next year, after which it would take only sentenced prisoners. The staffing requirement for the establishment after these changes have been made has not yet been precisely set, but it is expected that more than 200 staff—mainly from the prison service

unified grades—will need to be redeployed. An exercise has been mounted to establish the wishes of the staff, which will be met so far as possible.

My right hon. Friend has recently decided that the young offender institution at Buckley Hall should close and it will cease to function on 12 November, with formal closure some time thereafter. Arrangements are being made for the staff—as shown in the table—to be redeployed.

Movements of staff into other establishments in the north-west, including those mentioned by my hon. Friend, depend on a number of factors, and I cannot say at this stage how many such movements there will be. Priority in filling such vacancies will, however, be given to staff transferred from Risley and Buckley Hall, and it is therefore unlikely that any newly recruited staff will be posted to Garth or Wymott.

HMYOI Buckley Hall: Staff in post 1 October 1989

	Numbers
Governor 3	1
Governor 5	1
Principal Officers	3
Senior Officers	4
Officers	34
Night Patrols	5
Storeman	1
Farm Manager 3	1
Chaplains (part-time)	3
Medical Officer (part-time)	1
Executive Officer	1
Administrative Officers	5
Administrative Assistant	1
Typists	3
Industrial grades	14

Pub Bombings

Mr. Mullin: To ask the Secretary of State for the Home Department at what time and on what day Gerry Conlon was informed formally of the Director of Public Prosecution's decision not to contest his appeal against the Guildford and Woolwich pub bombing convictions.

Mr. Peter Lloyd: I understand that the Crown Prosecution Service informed Mr. Conlon's solicitor of the Director of Public Prosecution's decision at about 11 am on Tuesday 17 October (one hour before the press notice). The solicitor was advised of Mr. Conlon's arrival at Brixton prison the same afternoon and she was able to speak to Mr. Conlon later in the day. There was no formal announcement of these events by the prison authorities.

Mr. Mullin: To ask the Secretary of State for the Home Department at what time and on what day Patrick Armstrong was informed formally of the Director of Public Prosecution's decision not to contest his appeal against the Guildford and Woolwich pub bombing convictions.

Mr. Peter Lloyd: I understand that the Crown Prosecution Service informed Mr. Armstrong's solicitor of the Director of Public Prosecution's decision at about 11 am on Tuesday 17 October (one hour before the press notice). The solicitor was advised of Mr. Armstrong's arrival at Brixton prison the same afternoon and he was able to speak to Mr. Armstrong later in the day. There was no formal announcement of these events by the prison authorities.

Mr. Mullin: To ask the Secretary of State for the Home Department at what time and on what day Paul Hill was informed formally of the Director of Public Prosecution's decision not to contest his appeal against the Guildford and Woolwich pub bombing convictions.

Mr. Peter Lloyd: I understand that the Crown Prosecution Service informed Mr. Hill's solicitor of the Director of Public Prosecution's decision at about 11 am on Tuesday 17 October (one hour before the press notice). The solicitor was advised of Mr. Hill's arrival at Brixton prison the same afternoon and he was able to speak to Mr. Hill later in the day. There was no formal announcement of these events by the prison authorities.

Mr. Winnick: To ask the Secretary of State for the Home Department if he will name those who have been involved in the administration of justice who have sought to have the case of those convicted of the Birmingham bombing put before the courts again.

Mr. John Patten: Since the case of those convicted of the Birmingham public house bombings was last considered by the Court of Appeal following a reference by my right hon. Friend, representations proposing that the case be referred again to the Court of Appeal have been received from members of both Houses of Parliament, representatives of the clergy, representatives of various campaign groups, and members of the public. Some of these have legal qualifications.

Mr. Mullin: To ask the Secretary of State for the Home Department (1) on how many occasions Gerry Conlon was strip-searched between 1 pm Tuesday 17 October and his release on Thursday 19 October;

(2) on how many occasions Patrick Armstrong was strip-searched between 1 pm Tuesday 17 October and his release;

(3) on how many occasions Paul Hill was strip-searched between 1 pm Tuesday 17 October and his release.

Mr. Peter Lloyd: Comprehensive records of this kind are not routinely maintained, but it would be normal practice for them to have been strip-searched on arrival at Brixton prison, before and after receiving visits, and before their appearance at the Court of Appeal on Thursday 19 October; a total of about half a dozen occasions. It is standard practice to strip-search Category A prisoners on such occasions.

Terence William Rivett

Mr. Onslow: To ask the Secretary of State for the Home Department on what date Terence William Rivett escaped from HM prison, Ford, where he was serving a sentence of three years' imprisonment imposed at Guildford Crown court.

Mr. Peter Lloyd: Terence William Rivett absconded from Ford open prison on 25 August 1989.

Criminal Cases Appeal

Mr. Winnick: To ask the Secretary of State for the Home Department what is his policy on deciding whether to reconsider a previous decision not to refer criminal cases to appeal; and if he takes into account the later views of the judge who had dismissed a particular appeal at the time.

Mr. John Patten: In deciding whether to refer to the Court of Appeal, under section 17 of the Criminal Appeal Act 1968, the case of a person convicted on indictment, my right hon. Friend would normally consider it right to intervene whether there is new evidence or other consideration of substance which has not previously been before the courts, and which appears to cast doubt upon the safety of the conviction. If any member of the judiciary expressed views on the safety of a conviction my right hon. Friend would consider these very carefully.

Fostering

Mr. Marlow: To ask the Secretary of State for the Home Department how many children of West African origin were left by their parents for fostering in the United Kingdom in each of the last five years; and if he will set out in each case the main categories by percentage of the immigration status of the children so left.

Mr. Renton: The information requested is not available. There is no provision in the immigration rules for the admission of children to be fostered in the United Kingdom. Under the rules children may settle here if their parents are also settled here. Children may also be admitted temporarily either as visitors or with parents who come here for a limited period, for example as students or work permit holders. A child admitted for a limited period would become an overstayer if he did not depart when his leave to remain expired.

Dr. Siddiqui

Mr. Marlow: To ask the Secretary of State for the Home Department what is the immigration status of the Dr. Siddiqui who recently addressed a meeting on the subject of Salman Rushdie.

Mr. Renton: He is a British citizen.

Criminal Injuries Compensation

Mr. Bermingham: To ask the Secretary of State for the Home Department, what is the average time taken between awards being made from the Criminal Injuries Compensation Board and the issue of cheques for such awards; and if he will make a statement.

Mr. Hurd: The board does not keep the information requested, but I understand that once an applicant has written to accept an offered award it will normally be paid in a few weeks.

Mr. Bermingham: To ask the Secretary of State for the Home Department what is the average time taken to make awards on claims to the Criminal Injuries Compensation Board; and if he will make a statement.

Mr. Hurd: I refer the hon. Member to the reply given to my hon. Friend the Member for Uxbridge (Mr. Shersby) on 17 October at column *16*.

Trespassing

Mr. Key: To ask the Secretary of State for the Home Department if he intends undertaking an evaluation of the working of section 39 of the Public Order Act 1986; and if he will make a statement.

Mr. Hurd: Section 39 of the Public Order Act 1986 was introduced into the Public Order Bill as it was going through Parliament in response to the depredations suffered by landowners by members of the so-called peace convoy during the summer of 1986. The section provides the police with a power to direct trespassers to leave land in certain circumstances. Only if the trespassers knowingly fail to obey such a direction do they commit a criminal offence.

Section 39 put in place entirely new powers for the police and introduced an accompanying criminal sanction. It has been in force for about two and a half years. It has been the subject of representations by a number of people and organisations. In view of the time the section has been operative and because of the interest it has aroused I propose to institute an evaluation of how the section is working in order to obtain a clearer picture of the consistency and effectiveness of its application. Views on the section may be directed in writing to F8 Division, Home Office, 50 Queen Anne's Gate, London SW1H 9AT, to arrive by 31 December 1989.

Race Relations Act 1976

Mr. Bernie Grant: To ask the Secretary of State for the Home Department (1) what guidance the Department issues with regard to the meaning of "appropriate arrangements" in section 71 of the Race Relations Act 1976;

(2) what monitoring arrangements his Department operates to ensure that section 71 of the Race Relations Act 1976 is carried out by all local authorities.

Mr. John Patten: The joint circular 54/77, sent with the Race Relations Act 1976 to local authorities, advised them to examine their policies and practices for carrying out their different functions to ensure that they met the requirements of section 71, and to keep their employment policies and practices under regular review to ensure equality of opportunity for members of minority groups. No special monitoring arrangements are made by the Home Office.

Genetic Fingerprinting

Mr. Pike: To ask the Secretary of State for the Home Department if he will publish figures of immigration cases where DNA has proved a positive relationship where entry has previously been refused for *(a)* those still under 18 years of age and *(b)* those who have passed their 18th birthday subsequent to entry refusal.

Mr. Renton: The information requested is not available. DNA evidence can be produced at any stage of the entry clearance or appeals process. Statistics relating to entry clearance applications granted or appeals allowed do not identify the number of cases which were resolved on the basis of DNA evidence or the number of such cases previously refused on relationship grounds.

Immigration (Body Searches)

Mr. Cohen: To ask the Secretary of State for the Home Department what guidelines are given on the circumstances in which immigration officials should undertake body searches; and how many such searches were made in the last year.

Mr. Renton: Paragraph 4(3) of schedule 2 to the Immigration Act 1971 provides that an immigration

officer may search the baggage and person of passengers seeking entry to ascertain whether they are carrying relevant documents, but no woman or girl may be searched except by a woman. Immigration officers normally seek the co-operation of HM Customs in any search of a passenger's baggage or person which may be considered necessary. In practice immigration officers do not carry out body searches and no guidelines on this have therefore been issued.

Police Records

Mr. Cohen: To ask the Secretary of State for the Home Department what guidelines there are for chief constables on how long they should keep records on individuals who have committed no crime which were collected prior to a security-sensitive event which has subsequently passed; and if he will make a statement.

Mr. Peter Lloyd: None. This is an operational matter for chief constables.

Prisoners (Health Care)

Mr. Cohen: To ask the Secretary of State for the Home Department what steps he has taken to ensure that prisoners enjoy the same rights in relation to health care as the general population except that of being able to choose their doctor; and if he will make a statement.

Mr. Peter Lloyd: Every prison has a medical officer who is statutorily responsible for the health care, mental and physical, of the prisoners held therein. All medical officers are bound by the prison or young offender institution rules and by prison standing orders which inter alia require 24-hour availability of doctors for regular surgeries and emergencies and allow medical officers unfettered clinical freedom to call upon such National Health Service and other specialist out-patient and in-patient services as they consider appropriate. Such services are used extensively.

Unconvicted prisoners may be treated by a doctor or dentist of their choice in consultation with the medical officer if certain conditions are satisfied.

Immigration

Mr. Vaz: To ask the Secretary of State for the Home Department what are the numbers of extra staff required by the immigration and nationality department to clear the backlog of immigration and nationality cases by 31 December.

Mr. Renton: The information requested is not readily available. Efforts to reduce the backlog by improved efficiency and streamlining caseworking procedures continue. The backlog of nationality registration applications is planned to be cleared during January 1990, and of naturalisation applications by 31 March 1991.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the current backlog of immigration applications in terms of *(a)* the total number of cases, *(b)* the number in each category and *(c)* the average length of time it takes to deal with a case in each category.

Mr. Renton: At the end of September 1989, there were 27,600 cases outstanding in the immigration caseworking groups and 10,000 active cases in the refugee and special cases unit. Information by category on the number of cases currently outstanding is not readily available, but marriage and student cases are thought to account for the greater part of the backlog. The estimated average length of time to deal with applications in the main variation of leave categories in the third quarter of 1989 is given in the table:

Estimated average length of time between the receipt of an application and the decision, for variation of leave cases[1] [2] decided in the third quarter of 1989, for the main categories of applications

1989 Third Quarter

Category of application	*Months*
Student	3½
Work permit holder	1½
Settlement grant	2½
Limited leave prior to settlement as a spouse	4
Visitor	2

[1] Includes cases decided in the Public Enquiry Offices as well as in the caseworking groups.

[2] Excludes EC nationals.

Immigration and Nationality Department

Mr. Vaz: To ask the Secretary of State for the Home Department what is the number and location of the sites suggested by the consultants employed by his Department for the possible relocation of the immigration and nationality department; and what was the cost of the consultants' work.

Mr. Renton: The consultants considered the broad potential benefits that might be secured from relocating in a number of areas. These were the north-east, north-west, west midlands, south Wales, Glasgow and central Birmingham. They made no specific recommendations regarding possible sites. The cost of the consultants' work was £70,100. Their report is still under consideration.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the number of staff vacancies at *(a)* the immigration and nationality department, Croydon and *(b)* the immigration and nationality department, Liverpool.

Mr. Renton: At 19 October there were 50 vacancies in the immigration and nationality department in Croydon, and two in the Liverpool nationality office.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the number of applications for registration which were completed by the immigration and nationality department in *(a)* 1987, *(b)* 1988, and *(c)* the current year to date.

Mr. Renton: The information is as follows:

Year	*Applications for registration completed*
1987	51,291
1988	53,947
[1]1989	79,605

[1] Provisional figure to end September.

Naturalisation

Mr. Vaz: To ask the Secretary of State for the Home Department what was the number of applications for naturalisation dealt with and completed by his Department in *(a)* 1986, *(b)* 1987, *(c)* 1988, and *(d)* the current year to date.

Mr. Renton: The information is as follows:

Year	*Applications for naturalisation completed*
1986	15,213
1987	20,180
1988	15,772
[1]1989	16,194

[1] Provisional figure to end September.

Illegal Abortions

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list, by year and location, for the last five years, the number of successful prosecutions in respect of illegal abortion operations and the ages of the patients.

Mr. Peter Lloyd: Information available to me relates to the number of persons found guilty of procuring illegal abortions under the Offences against the Person Act 1861, sections 58 and 59 as amended by the Abortion Act 1967, in England and Wales by police force area for 1983 to 1987.

Police force area	*1983*	*1984*	*1985*	*1986*	*1987*
Kent	—	—	—	1	—
Lancashire	1	—	—	—	—
Leicestershire	—	1	—	—	—
Metropolitan police district	1	—	—	—	—
Norfolk	1	—	—	—	—
South Yorkshire	—	1	—	1	—
England and Wales	3	2	—	2	—

Data for 1988 is not yet available. Information is not collected centrally on the age of the patients.

Fire Service

Mr. Atkinson: To ask the Secretary of State for the Home Department if he will make a statement on the future of the fire service.

Mr. John Patten: The Government wish to see the fire service in Great Britain maintain the present high level of service while giving the best value for money to the public. It is the Government's view that this can be achieved within existing administrative structures.

Sir Peter Blaker : To ask the Secretary of State for the Home Department if Her Majesty's Government have any plans to privatise the fire service.

Mr. John Patten: I refer my right hon. Friend to the reply given by my right hon. Friend the Prime Minister to the hon. Member for Bradford, South (Mr. Cryer) on 10 January.

Lorrain Osman

Mr. Devlin: To ask the Secretary of State for the Home Department when he intends to answer recent correspondence from the hon. Member for Stockton, South about Mr. Lorrain Osman.

Mr. John Patten: I wrote to my hon. Friend on 25 October.

Written Answers to Questions

Friday 27 October 1989

HEALTH

GP Referrals

Mr. Redmond: To ask the Secretary of State for Health what research projects are being carried out in the Trent regional health authority into the pattern of general practitioner referrals; where they are taking place; if he will give details of the research; and how much of this is in connection with hospitals considering opting out.

Mr. Mellor: We do not hold this information centrally. The hon. Member may wish to contact the chairman of Trent regional health authority for the information he requires.

Occupational and Speech Therapists

Mr. Simon Coombs: To ask the Secretary of State for Health if he will list for each regional health authority the numbers of occupational and speech therapists in 1979, 1984 and 1988.

Mr. Freeman: The information is shown in the table.

National Health Service staff in post in England
Qualified staff—by regional health authority
Occupational therapists and speech therapists at 30 September of each year

[1] *Whole-time equivalent*

Region	*1979*		*1984*		*1988*	
	Occupational therapists	*Speech therapists*	*Occupational therapists*	*Speech therapists*	*Occupational therapists*	*Speech therapists*
Northern	100	80	130	120	230	160
Yorkshire	160	110	240	130	340	170
Trent	200	120	370	200	550	250
East Anglia	130	70	200	100	250	110
North West Thames	230	140	290	180	340	270
North East Thames	200	100	300	200	370	250
South East Thames	200	140	260	180	320	250
South West Thames	200	120	250	150	320	190
Wessex	170	70	240	100	320	130
Oxford	190	90	240	110	300	140
South Western	200	100	300	150	410	200
West Midlands	220	150	290	210	420	260
Mersey	130	60	180	90	250	110
North Western	160	130	270	210	400	230
London post-graduate special health authorities	50	30	50	20	50	20
England	2,530	1,510	3,610	2,150	4,870	2,730

Source: Department of Health (SMI3) Annual Census of NHS Non-Medical Manpower.
[1] All figures are indpendently rounded to the nearest ten (10) whole-time equivalent.

DRG plc

Mr. William Powell: To ask the Secretary of State for Health in the light of the work of DRG plc in the distribution of medical packaging products to the National Health Service, what consideration his Department has given to the effect of the bid for DRG plc by Pembridge Investments of Bermuda and any resulting sale of DRG Hospital Supplies on competition within the supply of such products to the National Health Service; whether his Department has made a submission to the Office of Fair Trading; and if he will make a statement.

Mr. Freeman: Officials have received representations concerning the bid both from DRG and Pembridge Investments Ltd. At the request of the Office of Fair Trading written comments have been passed to them which will be taken into account with other advice received. I am not aware that the bid will necessarily result in the sale of DRG Hospital Supplies and it would be my intention to ensure as far as possible that effective competition and security of supply was maintained for the NHS in this area of medical packaging.

Practice Budgets

Mr. John Marshall: To ask the Secretary of State for Health what will be the effect on patient care of the proposals to allow large general practitioners practices to hold their own budgets.

Mr. Mellor: I refer my hon. Friend to the reply I gave to my hon. Friend, the Member for Rochford (Dr. Clark) on 27 June at column *417*.

Private Ambulance Companies

Mr. Spearing: To ask the Secretary of State for Health (1) what requirements in respect of experience, competence, or probity he lays down or recommends to the regional or district health authorities in respect of proprietors or managers of private ambulance companies whose vehicles are hired to them at public expense;

(2) what requirements in respect of qualifications, experience or health he lays down or recommends to regional or district health authorities in respect of personnel employed by private ambulance companies whose services they use at public expense;

(3) what requirements, standards or specifications he lays down or recommends to regional or district health

authorities in respect of the minimum standards of private ambulances hired or contracted to them and paid out of public funds.

Mr. Freeman: Health authorities are responsible for the day-to-day management of National Health Service ambulance services. It is for these authorities to arrange the most appropriate, efficient and cost effective means of transport for each of the patients the ambulance service is asked to convey. This may involve the use of private services. Requirements in respect of qualifications and experience are not set centrally: health authorities are responsible for negotiating contracts locally and for setting standards of service, patient care, and safety.

Cash Limits

Mr. Knox: To ask the Secretary of State for Health whether any changes will be made in the cash limits of his Department for 1989-90.

Mr. Kenneth Clarke: Subject to parliamentary approval of the necessary supplementary estimates, the following changes will be made.

The cash limit for class XIV vote 1 (Hospital and community health and other services, England) will be increased by £47,879,000 (from £11,861,947,000 to £11,909,826,000). This increase provides an additional £32,000,000 for expenditure in connection with the implementation of the NHS review; £17,340,000 for the carry forward of underspends under the end year flexibility arrangements as announced by my right hon. Friend and Chief Secretary to the Treasury on 20 July 1989; and £539,000 in respect of a transfer from class XIV, vote 3 (subhead G2) for a management communications programme to inform NHS staff about the NHS review proposals. These increases are partly offset by a reduction of £2,000,000 in respect of a transfer to class XIV, vote 3 (subhead G3) for AIDS publicity.

The cash limit for class XIV, vote 3 (Department of Health, administration, miscellaneous health services and personal social services, England) will be increased by £8,891,000 (from £688,170,000 to £677,061,000). This increase provides an additional £7,400,000 for expenditure on Departmental administration in connection with the NHS review; £2,000,000 for a transfer from class XIV, vote 1 for AIDS publicity; and £30,000 for a transfer from class XV, vote 7 to adjust the apportionment of resources following the split of the former Department of Health and Social Security. These increases are partly offset by £539,000 in respect of a transfer to class XIV, vote 1 for a management communications programme to inform NHS staff about the NHS review proposals. As a result of the changes on this vote, the Department's running costs limit is increased by £7,341,000 from £238,815,000 to £246,156,000.

The net effect of these changes will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

OPCS

Mr. Robert G. Hughes: To ask the Secretary of State for Health if he has made any changes to both the cash and gross running costs limits for the Office of Population Censuses and Surveys for 1989-90.

Mr. Freeman: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class XX, vote 15 will be increased by £1,515,000 from £30,253,000 to £31,768,000. This increase reflects the carry forward of £192,000 underspend on running costs in 1988-89 under the end-year flexibility scheme and increased provision of £485,000 for work to correct NHS statistics held on the family practitioner committee systems; the carry forward of £323,000 underspend on capital in 1988-89 under the end-year flexibility scheme; an additional £1,000,000 to allow for greater computer capacity for system development work on the 1991 census (this represents a timing change within the overall 1991 census expenditure); increased capital provision of £200,000 for processing the 1991 census of Scotland. The costs to correct the NHS statistics and for processing the 1991 census of Scotland will be met from within the respective existing resources of the Department of Health and the General Register Office (Scotland). Both of these costs will be balanced by an equivalent increase in appropriations-in-aid. The balance of the increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

The OPCS gross running cost limit for class XX, vote 15 will be increased by £677,000 from £35,377,000 to £36,054,000 as a result of these changes.

Insulin

Mr. Ashley: To ask the Secretary of State for Health how many deaths and adverse reactions have been reported since the introduction of human insulin; and if he will make a statement.

Mr. Freeman: Since December 1982 the Committee on Safety of Medicines has received just over 100 reports of adverse reactions which may be associated with human insulin. In four of these cases the patient died. A report of a suspected adverse reaction does not necessarily mean there is a causal relationship with the drug so it does not follow, that human insulin was responsible for the reported deaths.

Mr. Ashley: To ask the Secretary of State for Health which companies manufacture human insulin; what warnings they gave to those taking the insulin; whether these were approved by the Committee on Safety of Medicines; and whether the warnings have been changed.

Mr. Mellor: Product licences for human insulin are held by:

The Wellcome Foundation
Lilly Industries
Fisons Ltd.
Nordisk UK Ltd.
Novo Laboratories Ltd.
Novo Industries

Patient information leaflets for human insulin give a range of warnings covering such subjects as pregnancy, illness, taking other medicines, taking physical exercise and drinking alcohol. All patient information leaflets are approved by the licensing authority. All manufacturers of human insulin agreed to include an additional warning that a few patients who experienced hypoglycaemic reactions after transfer to human insulin have reported that the early warning symptoms were less pronounced or different from those experienced with their previous insulin.

Whooping Cough Vaccine

Mr. Ashley: To ask the Secretary of State for Health in what circumstances his Department recommends that whooping cough vaccine should not be given; and what are the recommendations of the manufacturers.

Mr. Freeman: The recommendations of the joint committee on vaccination and immunisation, which the Department has accepted and which are published in the memorandum "Immunisation Against Infectious Disease", advise that if a child is suffering from any acute illness, vaccination against whooping cough should be postponed until the child has fully recovered; and that vaccination should not be given to children who have a history of severe local or general reaction to a preceding dose. "Local" and "general" are defined in the memorandum.

The JCVI also advises in the memorandum that there are certain groups of children for whom the advisability of whooping cough vaccination requires special consideration because of their own or their families histories. In such children the risk from vaccine may be higher, but the effects of the disease could be more severe. If the doctor is in doubt, he should seek advice from a consultant paediatrician or specialist in community medicine. These groups are:

(1) children with a documented history of cerebral damage in the neonatal period;
(2) children with a personal history of convulsions;
(3) children whose parents or siblings have a history of idiopathic epilepsy—in such children there may be a risk of developing a similar condition irrespective of vaccination.

The manufacturer of whooping couch vaccine is bound by the terms of the product licences granted to the company for its manufacture, sale and supply as a prescription-only medicine.

Cancer Screening and Immunisation

Mr. Haselhurst: To ask the Secretary of State for Health what is the typical level of coverage achieved within district health authority areas for cancer screening and immunisation; and what information he has on preventive health performance in other European Community countries.

Mr. Mellor: For cervical cancer screening, the information is not available in the form requested. Following the introduction of a new statistical return from April 1988, it is hoped to be able to give details of levels of coverage for 1988-89 towards the end of this year. Similarly, following the introduction of a new statistical return for breast cancer screening from April 1989, it is hoped to be able to give details of levels of coverage achieved in 1989-90 towards the end of 1990.

The United Kingdom is the first country in the European Community to implement nationwide cervical cancer screening based on computerised call and recall. The United Kingdom and the Netherlands are currently implementing similar programmes for breast cancer screening.

On immunisation, the coverage for England in 1987-88 (the latest year available) averaged 87 per cent. for diphtheria, tetanus and polio, 76 per cent. for measles and 73 per cent. for whooping cough. In that year nearly 100 of the English health authorities exceeded 90 per cent. for diphtheria, tetanus and polio, and eight also exceeded that figure for measles.

Although European Community countries make immunisation uptake data available to the World Health Organisation, only the United Kingdom and the Netherlands use similar calculations to derive uptake. It is not therefore possible to make accurate comparisons.

Grading

Mr. Campbell-Savours: To ask the Secretary of State for Health (1) what administrative costs have so far been incurred at district health authority level in dealing with appeals made in accordance with section 32 of the General Whitley Council handbook against the imposition of particular grades under the new clinical grading structure;

(2) what are the projected costs of dealing with appeals made in accordance with section 32 of the General Whitley Council handbook against the imposition of particular grades under the new clinical grading structure made at district, regional and national levels;

(3) what extra funds have been set aside to meet the administrative costs of appeals made in accordance with section 32 of the General Whitley Council handbook against the imposition of particular grades under the new clinical grading structure at district, regional and national levels.

Mr. Mellor: Detailed information about health authorities' particular administrative expenditure is not held centrally and to obtain it would incur disproportionate cost.

Mr. Campbell-Savours: To ask the Secretary of State for Health whether, in view of the number of clinical grading appeals from nurses, he will instruct Health Service managers to return to the negotiating table to resolve the dispute over the interpretation of the clinical grading criteria of continuing responsibility and supervision.

Mr. Mellor: I understand that these issues were discussed at length in the nursing and midwifery staffs negotiating council last year without agreement being reached between the staff and management sides. We share the vew of the management side that further discussions would not now be a helpful way forward, since the prospect of reaching agreement has not improved.

Mr. Tony Lloyd: To ask the Secretary of State for Health what additional funding has been made available by the Government to date in respect of successful nurse grading appeals.

Mr. Mellor: In 1988-89 the Government made available to health authorities in England additional funding of £731 million to meet the cost of the nurses pay and regrading exercise. This figure, which was based on health authorities' own estimates, includes the further £98 million announced in October 1988 to meet in full the final cost of the clinical regrading exercise. The total sum has been rolled forward to 1989-90 and this together with the substantial real terms increase in resources announced in the 1988 Autumn Statement provides authorities with sufficient resources to plan flexibly to meet the cost of successful appeals.

Ambulance Services (Privatisation)

Mr. Spearing: To ask the Secretary of State for Health pursuant to his reply to the hon. Member for Newham, South of 20 October, *Official Report*, column *270*, what authority, option, or instruction has been given by him relating to the privatisation, or sub-contracting, of any non-emergency ambulance service in England and Wales.

Mr. Freeman: There are no plans to privatise the ambulance service.

Health authorities are responsible for the operational management of the ambulance service. In 1984 the Department published a scrutiny report on the non-emergency sector of the ambulance service when we said that it was open to district health authorities to buy-in part of the ambulance service from the private sector if that is more cost effective and provided the quality of service was maintained. Many NHS ambulance authorities already use private contractors, the hospital car service and voluntary aid societies to transport appropriate NHS patients. This has been the case for many years and helps to ensure that skilled ambulance crews and specialist vehicles are used for those who need the special care and attention which they can provide.

Tobacco Advertising

Mr. Amos: To ask the Secretary of State for Health if he will place in the Library a full copy of the research commissioned by the committee for monitoring agreements on tobacco advertising and sponsorship into compliance with the agreements on advertising and sponsorship between the Government and the tobacco industry.

Mr. Freeman *[holding answer 28 July 1989]:* My right hon. and learned Friend the Minister for Health wrote to the hon. Member on 27 September to explain that the independent Committee for Monitoring Agreements on Advertising and Sponsorship (COMATAS) had been consulted about this matter, and that the tobacco industry had objected to the release of this material on various grounds.

This matter has been pursued with the industry's representatives with the aim of securing the release of this material but they remain of the view that the research reports should not be made public. They argue that the business of COMATAS is private and confidential to the committee and that the research in question was not intended to be free-standing. They insist also that the reports contain commercially sensitive information.

This matter was discussed at a COMATAS meeting on Thursday 5 October. The independent chairman, Sir Peter Lazarus, concluded that since COMATAS is a joint committee consisting of equal representation from the industry and from Government, if one party insisted that the research reports should not be released, this view should prevail. The committee accepted this position.

The results of the research projects commissioned by COMATAS are reported in the first and second annual reports of the committee, published by Her Majesty's Stationery Office (ISBNs 0 11 321138 4 and 0 11 321225 9), both of which are in the Library.

GPs (Contracts)

Mr. Maxwell-Hyslop: To ask the Secretary of State for Health whether, in the 1990 contract *(a)* "The Public Service" includes schools which have opted out from local education authority control, local education authority schools and further education colleges, *(b)* in paragraph 13(a) the £400,000 fund is annually refreshed by that amount and for post-graduate teaching only, *(c)* the definition of sparsely populated areas in paragraph 13(b) is altered; and *(d)* to qualify under paragraph 26 a general practitioner must be qualified to perform all operations on the list of surgical procedures.

Mr. Mellor *[holding answer 19 October 1989]:* The National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations 1989, laid on 16 October, set out the criteria by which FPCs should determine applications from GPs to work over four instead of five days a week. It will therefore be for the FPC to decide whether the provision of health care services to local education authority schools and further education colleges, whether opted out or not, may justify a GP providing general medical services over four rather than five days. The fund of up to £400,000 a year is recurrent, and will mainly be directed at undergraduate teaching. As regards "sparsely populated areas", no change is being made to the inducement practice scheme. To qualify for inclusion on the minor surgery list, a doctor must demonstrate competence to undertake all the procedures listed in schedule 1B of the amending regulations.

Mr. Maxwell-Hyslop: To ask the Secretary of State for Health whether, in the 1990 contract *(a)* the paragraph 51 general practitioner age limits apply to locums and assistant doctors, *(b)* time spent by general practitioners on representational work on official bodies can be subtracted from the 26 hours, referred to in paragraph A2, *(c)* the substantial extra resources referred to in paragraph 58 means resources new to the National Health Service, or resources reallocated within it and *(d)* proof of posting an offer, paragraph A7 will constitute offering the required services to a post-75 patient; and who bears the cost of paragraph A13 reports.

Mr. Mellor *[holding answer 19 October 1989]:* Locums and assistant doctors who are not included in an FPC medical list are not affected by the introduction of a compulsory retirement age. Under the revised terms of service, a doctor will be required to be available to his patients for at least 26 hours over five days a week at times convenient to patients. Provision is made for an FPC to agree that a GP may fulfil this requirement over four instead of five days, provided the GP satisfies the criteria set out in the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations 1989.

Because a number of fees and allowances will be abolished, it will be necessary to redistribute a considerable proportion of the funds currently expended on general medical services to meet the costs of new payments. The reference to "substantial extra resources" in paragraph 2.6 of the White Paper "Promoting Better Health" and quoted in paragraph 58 of "The 1990 Contracts" referred to extra investments additional to current expenditure. Where a GP makes an offer in writing

to a patient aged 75 or over under paragraph 13D of the revised terms of service, proof of posting the written offer will be accepted as discharging the responsibility to make such an offer. Should the patient accept the offer, the GP will be required to carry out the check-up as laid down in those terms of service.

The production of annual reports by practices will not be a significant expense and, as with other expenses related to the provision of general medical services, will be reimbursed to the profession indirectly through fees and allowances.

NATIONAL FINANCE

Marriage Allowance

Miss Emma Nicholson: To ask the Chancellor of the Exchequer what arrangements he has made for the allocation of the marriage allowance following the introduction of separate taxation; and what measures he will take to ensure that the marriage allowance is shared equally between husband and wife.

Mr. Lilley: The married couple's allowance which will be introduced under independent taxation in April 1990 will be given in the first instance to the husband. If he has insufficient income to use part or all of the allowance himself he will be able to transfer the surplus to his wife. Allowing married couples generally to share the married couple's allowance between them would add considerably to the complexity of independent taxation and would delay its introduction. Fewer than one in 300 couples would gain any financial advantage from this additional complexity.

DRG plc

Mr. William Powell: To ask the Chancellor of the Exchequer what representations he has received about the use by Pembridge Investments of Bermuda of that off-shore tax haven to launch a takeover bid for the Bristol-based company DRG plc and the fact that the tax status of Pembridge Investments would allow it to break up the constituent parts of DRG and sell them free of tax at the corporate level; whether he will be considering legislation to bring the United Kingdom into line with the tax regime as it operates in this respect elsewhere in Europe; and whether he will make a statement.

Mr. Lilley: I cannot comment on the tax aspects of individual takeover bids, but I have noted my hon. Friend's suggestion.

Central Statistical Office

Mr. Harry Greenway: To ask the Chancellor of the Exchequer whether he is proposing any change to the Central Statistical Office's cash limits for 1989-90.

Mr. Lilley: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class XIX, vote 18 will be increased by £1,615,000, from £13,727,000 to £15,342,000 and the running cost limit by £1,163,000, from £10,804,000 to £11,967,000. Part of the increase reflects further transfers of provision from other Departments following the establishment of the Central Statistical Office as a separate Department: corresponding reductions will be included in supplementary estimates for the Cabinet Office: other services (class XX, vote 2), the Department of Trade and Industry (class V, vote 3) and the Department of Employment (class VII, vote 2). The remainder reflects provision to meet some of the additional administrative and other expenditure which arises for the Central Statistical Office as a separate Department, and to meet expenditure on a share register survey in connection with the Department's work to improve the quality of the national accounts' statistics. These elements (totalling £695,000) will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

HOME DEPARTMENT

Police (Supermarket Sites)

Mr. Redmond: To ask the Secretary of State for the Home Department if he will make a statement on the proposed deals with supermarket chains to build on sites owned by the Metropolitan police in return for providing a free police station; and what other police forces in England and Wales are considering these proposals.

Mr. Peter Lloyd: We are prepared to consider proposals for new police stations submitted by police authorities in collaboration with the private sector, provided these offer better value for money than schemes which are totally publicly funded.

I understand from the Commissioner of Police of the Metropolis that the Metropolitan police are not at present considering any such scheme. I understand, however, that South Yorkshire police authority is doing so; we are not aware that any other police authority in England and Wales is in a similar position.

Prison Sentences

Mr. Chris Smith: To ask the Secretary of State for the Home Department what sentence, with full remission; results in *(a)* post-sentence or *(b)* a total period of imprisonment of four years; and if he will make a statement.

Mr. Peter Lloyd: A sentence of six years imprisonment (with maximum remission but without parole) will result in a total period of four years being served in custody. The total period spent in custody, whether before or after sentence, earns remission. Thus, the length of sentence requiring four years to be served after sentence depends on the amount of pre-sentence detention.

Leicester (Visits)

Mr. Vaz: To ask the Secretary of State for the Home Department (1) if he will list the numbers and names of organisations invited to meet Mr. Colin Harnett and Mr. Satish Malik when they visited Leicester in October;

(2) if he will place in the Library a copy of the notes taken by his officials during the visit of Mr. Colin Harnett and Mr. Satish Malik to Leicester in October;

(3) what was the cost to the taxpayer of the visit to Leicester in October of Mr. Colin Harnett and Mr. Satish Malik; what was the purpose of the visit; what was the number of organisations attending the meetings; and on what date hon. Members for Leicester were informed of the visit;

(4) whether Mr. Colin Harnett and Mr. Satish Malik during their visit to Leicester in October 1989, sought the

views of the public concerning *(a)* the Salman Rushdie affair *(b)* the effectiveness of hon. Members for Leicester in representing their constituents and *(c)* the police;

(5) which officials from his Department visited Leicester during October; and on what date.

Mr. John Patten: As part of their normal duties (which include visits to all parts of the country), officials from the equal opportunities and general department make occasional visits to regional areas of the Commission for Racial Equality in order to improve their awareness of local community relations. On 17 and 18 October 1989, Mr. Colin Harnett, Mr. Satish Malik and Miss Pamela Johnson made such a visit to the commission's Leicester office. They were joined for the first day only by Mr. Stephen Rimmer of the police department.

At the request of the Home Office, the arrangements for the visit were made locally by the commission for Racial Equality and comprised meetings with the commission's staff, the officers and members of the Leicester Council for Racial Justice, officers of Nottingham and Wellingborough community relations councils, and separately with individual members of the Muslim communities. In additon the police arranged a meeting with the deputy chief constable of the Leicestershire constabulary and some of his officers, also attended by officers of the commission and Leicester Council for Racial Equality.

Discussions at these meetings covered a broad range of community relations issues at both national and local level. These included the impact of the issue surrounding the publication of the book "The Satanic Verses" and the relations between the police and the ethnic minority communities. I am informed that views about the effectiveness of hon. Members for Leicester were not sought at any time.

It would be neither necessary nor appropriate to inform hon. Members in advance of visits by officials in pursuance of their duties and this was not done in this instance. There will be no official report of the visit, which cost £360·80 in officials' expenses. Information on visits made by other officials from this Department to Leicester during October is not readily available and could be obtained only at disproportionate cost.

Citizenship

Mr. Vaz: To ask the Secretary of State for the Home Department what is the current backlog of naturalisation cases.

Mr. Renton: The number of applications for naturalisation outstanding at 16 October 1989 was 69,139.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the current number of outstanding applications for registration for citizenship.

Mr. Renton: The number of applications for registration of all types outstanding at the end of September 1989 was 70,858.

Drugs

Mr. Redmond: To ask the Secretary of State for the Home Department what action his Department is taking over crack; how many seizures have been reported to date; what social background persons successfully prosecuted for using or handling this drug have come from; and if he is planning a prevention advertising campaign in the near future.

Mr. Peter Lloyd: We already have a comprehensive programme of action in place to tackle both the supply of and the demand for drugs. Many of the measures being taken or planned, will have an impact on the misuse of cocaine in the form known as crack. These include:

provision of drug-related assistance to Latin American countries, including a substantial package of training and equipment for Colombia;

specialist customs teams to combat cocaine smuggling;

the stepping up of police action against the supply of crack and

the provision of a fact sheet on crack for drug education co-ordinators in every local education authority.

Some 75 seizures of crack were reported in the first nine months of 1989. Information is not available about the social background of persons prosecuted for offences involving crack.

The ministerial group on the misuse of drugs is considering plans for the next phase of the national drug misuse prevention campaign, which will be aimed at the misuse of all drugs. In addition my right hon. Friend the Member for Whitney (Mr. Hurd) recently announced plans for nine local drug prevention teams which will operate within the community and will help to prevent the spread of the misuse of drugs, including crack.

Mr. Sheerman: To ask the Secretary of State for the Home Department if he intends to publish research commissioned by his Department, on the amount of crime committed to finance drug addiction.

Mr. Peter Lloyd: It is usual practice for the authors of research commissioned by the Home Office to publish their findings. A summary of recent research on the links between drug misuse and crime was published in the Home Office Research Bulletin No. 26 (pp 30-33) on 8 May 1989. A copy was placed in the Library.

London Fire Brigade

Mr. Boateng: To ask the Secretary of State for the Home Department if he will seek a report from Her Majesty's inspectorate of fire brigades on the closure of the London fire control office at Stratford.

Mr. John Patten: Her Majesty's chief inspector of fire services is aware of the decision of the chief fire officer to close the Stratford control room and is monitoring the situation.

Mr. Boateng: To ask the Secretary of State for the Home Department whether he has received any representations about the morale of officers of the control offices of the London fire brigade.

Mr. John Patten: Her Majesty's chief inspector of fire services has received a copy of an unsigned note purporting to have been written by London fire brigade control room staff.

Sex Offences

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to why the Metropolitan police have withdrawn from joint arrangements with Southwark and Islington councils to provide rape suites in these boroughs.

Mr. Peter Lloyd: I understand from the Commissioner that a new examination suite for rape victims has just been opened in Copenhagen street, Islington. Premises offered by Southwark borough council were not considered to be in a suitable location and there are plans instead to use accommodation adjacent to Carter street police station when rebuilding takes place.

Mr. Sheerman: To ask the Secretary of State for the Home Department whether he intends to increase the number of specialist units providing treatment for sex offenders in prison.

Mr. Peter Lloyd: We have no present plans to do so. The research referred to in reply to a question from my hon. Friend the Member for Macclesfield (Mr. Winterton) on 4 May 1989 at columns *231-32* will, when the results are available, facilitate an assessment of the current provision of help for sex offenders in prison.

Police Recruitment

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will provide figures for the numbers of applicants who sat the police initial recruitment examinations in the Metropolitan police district in 1986, 1987 and 1988 broken down separately for white and black applicants.

Mr. Peter Lloyd: I understand from the Commissioner of Police of the Metropolis that the relevant information is as follows:

Year	*White Candidates*	*Black and Asian Candidates*	*Total*
1986	1,884	179	2,063
1987	1,859	228	2,087
1988	2,306	127	2,433

Suicides

Mr. Sheerman: To ask the Secretary of State for the Home Department what action he intends to take with regard to the youth remand wing at Leeds prison, following the publication of the report on teenage suicides at the prison by the Howard League for Penal Reform.

Mr. Peter Lloyd: We are studying the report. It has yet to be decided whether any of its recommendations should be pursued.

Forensic Science Laboratory

Mr. Sheerman: To ask the Secretary of State for the Home Department what action he is taking to improve the pay and conditions of forensic scientists to tackle the shortage of staff at the Metropolitan police forensic science laboratory.

Mr. Peter Lloyd: I understand that the Metropolitan police are looking at the case for pay improvements for staff in their forensic science laboratory. We will consider any case as soon as it is submitted.

Whatton Young Offender Institution

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will provide information on staffing cover at Whatton young offender institution between 1 October 1988 and 1989.

Mr. Peter Lloyd: Total staff in post at Whatton at 1 October 1988 numbered 112, of whom 63 were officers (including senior and principal officers). At 1 October 1989 there were 116, of whom 65 were officers. Between these dates, total staffing levels varied between 111 and 118 and officer levels between 62 and 68.

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what action he is taking to tackle bullying and intimidation amongst inmates at Whatton young offender institution;

(2) what preparation and training has been given to staff at Whatton young offender institution to help them to cope with the increasing number of juveniles serving longer sentences and with previous convictions who have been allocated to Whatton since October 1988.

Mr. Peter Lloyd: Following the introduction of the unified custodial sentence for young offenders last October, Whatton young offender institution now holds young adults aged 17 to 20 serving sentences of up to four months and juvenile offenders serving sentences of up to 12 months and there have been some control problems asociated with this population.

Regional staff have been working closely with the governor and his staff to develop the regime at Whatton. All staff have already been given training in communications, dealing with difficult inmates and resolving conflict. Further guidance on dealing with particular problems associated with the management and control of sentenced juvenile offenders is planned.

Violence and bullying in prison service establishments is regarded very seriously and every effort is made to combat it. Converting dormitory into cubicle accommodation can assist and three dormitories at Whatton have recently been converted.

Crime Screening

Mr. Sheerman: To ask the Secretary of State for the Home Department whether his Department is undertaking research into crime screening.

Mr. Peter Lloyd: The current Home Office research programme includes a study of detective work. The future direction of the study depends on the outcome of preliminary work, but it may well include an investigation into crime screening. Although the introduction and evaluation of crime screening in police forces is an operational matter for chief officers, its use is also examined by Her Majesty's inspectors of constabulary in their annual inspections.

Westerglen Transmission Station

Mr. Canavan: To ask the Secretary of State for the Home Department (1) how much public money has been spent on adapting the BBC Westerglen transmission station, Falkirk, for possible use in the event of a nuclear war; and where the money came from;

(2) what communications he has had with the BBC about the possible use of the Westerglen transmission station, Falkirk, in the event of a nuclear war;

(3) what efforts were made by his Department to assess local opinion regarding the adaptation of the Westerglen transmission station, Falkirk, for possible use in the event of a nuclear war;

(4) whether he will make a statement giving the details of, and the justification for, the adaptation of the Westerglen transmission station, Falkirk, for possible use in the event of a nuclear war.

Mr. Renton: Planning permission has been obtained from Falkirk district council to build limited emergency facilities at the Westerglen transmitter site and work is expected to begin shortly. Such facilities attract Government grant, but it is not the practice to disclose details in individual cases.

I understand that the building work currently being undertaken at the site is to refurbish and upgrade the existing transmitting facilities as part of the BBC's ongoing maintenance programme.

Lance Corporal Clive Shorters

Mr. Stern: To ask the Secretary of State for the Home Department if, in the light of the judgment in the case of Lance Corporal Clive Shorters, convicted at Stafford crown court on 14 September 1989 on two counts of arson, he will ask the Falklands Islands Government to reopen the inquiry into the fire at the King Edward Memorial Hospital at Port Stanley in 1984.

Mr. Sainsbury: I have been asked to reply.

The Falkland Islands police force, the Royal Military Police and Staffordshire CID have just completed a further investigation of the incidents leading to the death of eight people in the fire at King Edward the Seventh Memorial Hospital, Port Stanley, in April 1984. Many witnesses, including Mr. Shorters, have been re-interviewed.

Once they have considered the results of this investigation, the authorities in Port Stanley will consider whether any further steps should be taken in the Falkland Islands in relation to the fire.

FOREIGN AND COMMONWEALTH AFFAIRS

Correspondence

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of letters from hon. Members to his Department received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

Mr. Sainsbury: The information requested is not readily available and could be provided only at disproportionate cost.

Soviet Union

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations have been made to the Russian authorities about the case of Moisey Issakovich Volfenson and Maya Issakovna Luthzkaya, their daughter Elena Moiseevna Volfenson and mother Manya Genehovna Lutzkaya of Kiev;

(2) what representations have been made to the Russian authorities about the case of Roman and Larissa Litovsky and their children Kosya and Sasha of Kiev.

Mr. Waldegrave: We have not previously raised these particular cases with the Soviet authorities, but we shall be happy to do so if the hon. Member for Hendon, South (Mr. Marshall) will provide the necessary details about each case.

British Embassy, Brussels

Mr. Stanbrook: To ask the Secretary of State for Foreign and Commonwealth Affairs if he is satisfied that the developer-built premises leased outside the traditional diplomatic district of Brussels as the new British embassy are of the style, quality, location and construction appropriate for a leading member of the European Community.

Mr. Sainsbury: Her Majesty's proposed new embassy building in Brussels is in an acceptable location being in the same prime diplomatic area as the present embassy. The Foreign and Commonwealth Office is in negotiation with the agents for the building and expect to have available shortly full details about the quality of materials and the standard of construction. These aspects will be investigated fully before a legally binding agreement is signed.

Kurds

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the governments of Iran, Iraq, Syria and Turkey concerning the treatment of Kurdish people; how often prisons and refugee camps for Kurdish people have been visited by representatives of Her Majesty's Government since January; and what meetings have been held with Kurdish organisations.

Mr. Waldegrave: The question of human rights and particularly the Kurds has recently been raised with the Turkish Government, who claimed that efforts to solve remaining problems would continue. Members of Her Majesty's embassy in Ankara have visited all three refugee camps since January. Her Majesty's embassy maintains contacts with representatives of a wide political spectrum in Turkey.

We regularly make clear to the Iraqi Government our concerns about Iraq's human rights record. We have no diplomatic relations with Iran or Syria and have made no direct representations to them, but we continue to make our views on human rights known to those Governments by our statements at international meetings.

Angola

Mr. Boateng: To ask the Secretary of State for Foreign and Commonwealth Affairs on what recent occasions he has met Dr. Jonas Savimbi of the Angolan UNITA movement; and if he will make a statement.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met Dr. Savimbi on 13 October during his recent private visit to Britain. He was accompanied by myself and by FCO officials. We stressed to Dr. Savimbi the urgent need to restore the ceasefire in Angola and to resume negotiations with the Angolan Government without preconditions.

Vietnamese Refugees (Hong Kong)

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the position of refugees in Hong Kong and the compulsory repatriation of people to Vietnam.

Mr. Maude: There are about 13,000 Vietnamese refugees in Hong Kong whom resettlement countries have pledged to resettle within three years. Those who have been determined not to be refugees have no prospect of resettlement and, as agreed by the Geneva conference in June, should return to their country of origin. Repatriation is an internationally accepted method for dealing with illegal immigrants. There is no reason why it should not apply to Vietnamese.

Commonwealth States

Mr. Dunn: To ask the Secretary of State for Foreign and Commonwealth Affairs how many member states of the Commonwealth are multi-party democracies.

Mr. Waldegrave: The Commonwealth consists of 49 independent sovereign states, of which 33 are multi-party democracies and six whose parliaments consist of elected independent members.

EDUCATION AND SCIENCE

Pyrford School

Mr. Onslow: To ask the Secretary of State for Education and Science when he expects to make a decision that will enable a head teacher to be appointed at Pyrford county first school.

Mr. Alan Howarth: A decision has been made and the interested parties have been informed.

Cash Limits

Mr. Couchman: To ask the Secretary of State for Education and Science if he will give details of any revised cash limits for his Department's votes.

Mr. MacGregor: Subject to parliamentary approval to the necessary Supplementary Estimates, cash limits for the following votes will be revised as follows:

Class and vote	*Current cash limit* £	*Change* £	*Revised cash limit* £
XXIII.1	494,136,000	+2,777,000	496,913,000
XII.2	3,123,761,000	+1,026,000	3,124,787,000
XII.4	73,477,000	+3,420,000	76,897,000

The whole of the increases on Class XII, Votes 1 and 2 and £177,000 of the increase on Class XII, Vote 4 are attributable to permitted carry-forward of capital underspends. My Department's overall entitlement to carry-forward under the end-year flexibility scheme was announced by my right hon. Friend the Chief Secretary to the Treasury on 20 July 1989 (*Official Report*, columns 257-62). The carry-forward on Class XII, Vote 1 is £635,000 less than the entitlement of £3,412,000 and the carry-forward on Class XII, Vote 2 is £635,000 greater than the entitlement of £391,000. There is therefore no change in the overall amount of end-year flexibility carry-over from that announced by the Chief Secretary on 20 July, but its distribution is different. This is because services formerly borne on Class XII, Vote 1 in 1988-89 are now borne on Class XII, Vote 2 in 1989-90.

The balance of the increase on Class XII, Vote 4 of £3,243,000 is for initial expenditure on the provision of a new headquarters building in Westminster for my Department.

These increases will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

EC Education Council

Mr. John Marshall: To ask he Secretary of State for Education and Science what was the outcome of the meeting of Education Ministers in Luxembourg on 6 October.

Mr. MacGregor: Together with the Parliamentary Under-Secretary of State, my hon. Friend the Member for Wantage (Mr. Jackson), I attended a Council meeting of the European Community Education Ministers on 6 October. We discussed the Commission communication on guidelines for the medium term in the sphere of education and training and agreed conclusions on co-operation and Community policy in this area in the run up to 1993. These conclusions identify objectives shared by member states as a basis for future co-operation activities. A point of particular concern to us was that the conclusions recognise that future co-operation must have special regard to the principles that the fundamental powers in matters of general education policy lie with member states, that Community action should be subsidiary to action by member states and only undertaken where it can usefully complement it, and that linguistic and cultural diversity should be respected.

Ministers agreed to encourage initiatives related to the development of national youth cards and on the co-ordination of national experiments in the public or private sector which might lead eventually to a European youth card.

Ministers also discussed Community co-operation in technical and vocational education and proposals to combat failure at school. The Commission gave presentations on the European Schools and the extension to individual EFTA countries of participation in the COMETT programme of co-operation between higher education and industry in technology training.

TRANSPORT

Railway Infrastructure

Mr. Spearing: To ask the Secretary of State for Transport what considerations he takes into account, when approving or applying for permission to initiate smaller scale schemes of capital improvements to railway infrastructure, not subject to the investment return criteria normally imposed.

Mr. Portillo: British Rail submits certain schemes over £10 million for infrastructure or rolling stock to my right hon. Friend for authorisation. Smaller schemes are approved by British Rail. Schemes are currently appraised using an 8 per cent. discount rate, and we expect to approve schemes which either:

(i) earn a commercial return;
(ii) represent the most cost-effective way of continuing to provide grant-aided services to the agreed quality standards;
(iii) will be worth while because the cost will be less than the revenues to be earned from passengers and the benefits to non-users, eg in relief of road congestion;
(iv) offer land development advantages, where beneficiaries may be expected to make an appropriate contribution to costs.

Channel Tunnel

Mr. Spearing: To ask the Secretary of State for Transport what information he has on the likely running times in minutes of trains from Brussels, Lille, and Paris to the Cheriton portal of the Channel tunnel, using the fastest routes now authorised and the approximate running times likely from thence to Manchester, Leicester, and Doncaster using (i) existing routes and short new links and (ii) a high speed link from Cheriton to London; and what is his estimate of effect of routing in London via White City and/or Stratford, instead of King's Cross.

Mr. Portillo: British Rail predicts that in 1993 the journey times for through passenger services from the Channel tunnel portal at Cheriton will be one hour 50 minutes to both Paris and Brussels, and 50 minutes to Lille. Some 20 minutes will be saved on the journey time to Brussels with the completion of the new line in Belgium now expected in 1995. The journey time from Cheriton to Manchester will be four hours 25 minutes and three hours 55 minutes to Doncaster. No direct passenger service to Leicester will be technically feasible. With the completion of a new line between Cheriton and London King's Cross, BR expect that passenger services to Manchester would take three hours 55 minutes and Doncaster two hours 55 minutes. The difference in journey time if the through services were to be routed via a new line to Stratford would not be great. BR estimates that, depending on the destination, around six to 10 minutes would be added to journeys. BR considers that the main point about King's Cross is that it would be a far more convenient interchange for passengers from the North and Midlands wishing to connect with the high frequency international services starting in London.

ENERGY

Severn Barrage

Mr. Stern: To ask the Secretary of State for Energy if he will estimate the amount of public money, other than on essential site-specific environmental work referred to in his answer of 23 October, to be expended on the proposed Severn barrage.

Mr. Peter Morrison: Before a Severn tidal barrage could go ahead, a full environmental impact assessment would need to be carried out over several years. This could cost about £10 to £15 million.

Over the next two years only essential work on the Severn barrage will be undertaken. This will include:

some site-specific environmental work;
a study of the organisation and financing issues for a barrage.

The work to be undertaken immediately is under discussion with the Severn tidal power group in the light of its recent report.

The Department will also be funding generic tidal research and development in support of site-specific work on the Severn, Mersey and other estuaries. This work mainly addresses environmental issues. The total cost of generic environmental studies completed since 1986 and currently under way amounts to £1 million.

International Atomic Energy Agency Budget

Dr. Thomas: To ask the Secretary of State for Energy what contribution has been made by the United Kingdom to the International Atomic Energy Agency annual operating budget for 1990; what proportion of the total budget this constitutes; and what was the basis on which the United Kingdom contribution was calculated.

Mr. Michael Spicer: The United Kingdom's subscription to the International Atomic Energy Agency's 1990 regular budget will be $7·7 million, equivalent to 4·99 per cent. This subscription will be paid in the financial year 1990-91. The assessment on member states is based on the United Nations formula for the scale of contributions, adjusted to take account of the safeguards and non-safeguards components of the budget.

Magnox Power Stations

Mr. Jack: To ask the Secretary of State for Energy what estimates his Department had in June from the Central Electricity Generating Board for the remaining operational life for each of the Magnox power stations.

Mr. Michael Spicer: I refer the hon. Member to the answer that I gave him on 23 October at column *296*.

WALES

Housing Revenue Accident Subsidy

Mr. Gwilym Jones: To ask the Secretary of State for Wales when he will consult representatives of local government and relevant professional and other bodies on his determination under part VI of the Local Government and Housing Bill of housing revenue account subsidy for 1990-91; and what proposals he will be making.

Mr. Peter Walker: My Department is today sending local housing authorities in Wales, the Council of Welsh Districts and other interested bodies, consultation papers on the proposed new housing revenue account subsidy. The papers contain my detailed proposals for a method of calculating the new subsidy for which the Local Government and Housing Bill makes provision. They also include details of the guideline rents, and of the allowances for expenditure on management and maintenance which we propose to take into account in calculating each authority's entitlement to subsidy in 1990-91.

Comments are invited within six weeks. I am putting a copy of the consultation papers in the Library together with a list of the guidelines proposed for each authority. For the rent guideline, taking into account prevailing rent levels in Wales, I propose to assume next year an average rent increase of two per cent. above the allowance for inflation.

I also propose to use the provisions in part VI of the Bill to allow the aggregate notional rental income for Wales to be apportioned between housing authorities by reference to variations in the aggregate values of local authority dwellings. This leads to different guideline rents for different authorities. A set of rules to limit changes ensures

that no guideline rent would represent an increase of more than £4·50 a week over the average rent in any authority this year and permits, at the lower end of the scale, guideline increases which are restricted to the allowance for inflation over an authority's existing rent level.

The proposals represent a balanced approach to the establishment of sensible levels of rents in different parts of the Principality.

For the management and maintenance expenditure guideline, I propose to assume a 3 per cent. growth per dwelling above the allowance for inflation next year for each housing authority in Wales.

The guidelines both for rent and for management and maintenance spending are no more than the assumptions my Department will make in calculating subsidy. Each council will have to decide for itself what level of rents it sets and how much it spends on managing and maintaining its stock.

Community Health Councils

Mr. Barry Jones: To ask the Secretary of State for Wales when he will decide the future of the community health councils in Wales; if he will give three months consultation period; and if he will make a statement.

Mr. Grist: We intend to issue very shortly a consultation document on the proposal that there should be one community health council for each DHA area. It is our intention to allow a three month period for comment and decisions on the future community health council structure in Wales will be taken as quickly as possible thereafter.

TRADE AND INDUSTRY

Cash Limits

Mr. Baldry: To ask the Secretary of State for Trade and Industry whether any changes will be made to his Department's cash limits and running costs limit for 1989-90.

Mr. Ridley: Subject to parliamentary approval of the necessary Supplementary Estimates, the cash limit for class V, vote 3 (administration, regulation of domestic trade and industry, and consumer protection) will be increased by £4,951,000 from £243,230,000 to £248,181,000. The increase covers provision of £3,500,000 for the acquisition of a site in Teddington for the National Physical Laboratory (offset by a corresponding reduction in class V, vote 2), and reflects the take-up of entitlement to carry forward provision for an underspending in 1988-89 under the end-year flexibility arrangements as announced by the Chief Secretary to the Treasury on 20 July 1989. The full entitlements of £813,000 on capital expenditure and £1,251,000 on running costs are taken up. These increases are partially offset by a net transfer of £613,000 to the Central Statistical Office (CSO) (Class XIX Vote 18) in respect of staff recently transferred to the CSO. As a result of these changes, the running cost limit for the department has been increased by £338,000 from £304,760,000 to £305,098,000. The net effect of these changes will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

The cash limit for class V, vote 2 (support for industry) will be reduced by £7,800,000 from £578,637,000 to £570,837,000. This reduction reflects the offset for the increase of £3,500,000 on class V, vote 3 in respect of the Teddington acquisition: it also covers a reduction of £4,000,000 to reflect the transfer of responsibility for city action teams to the Department of the Environment class V, vote 3, and a reduction of £300,000 to reflect the transfer of responsibility for the Government's contribution to a rent subsidy for the international sugar and wheat organisations to the Ministry of Agriculture, Fisheries and Food class IV, vote 4.

SCOTLAND

Strathclyde Structure Plan

Mr. Galbraith: To ask the Secretary of State for Scotland what assessment he has made of the staffing consequences in planning authorities of the proposed quarterly roll-on of private sector housing demand contained in his draft decision letter on the Strathclyde structure plan 1988 update.

Lord James Douglas-Hamilton: A number of planning authorities have commented on this issue in responding to my right hon. and learned Friend's draft modifications, and he will take these comments into account in reaching his decision.

Mr. Galbraith: To ask the Secretary of State for Scotland what effect his proposed modifications to the 1988 update of the Strathclyde structure plan 1986 update will be on the green belt, particularly in relation to the evidence submitted to the relevant district councils and the Strathclyde regional liaison committee on housing land targets.

Lord James Douglas-Hamilton: Adjustments of green belt boundaries would only be needed if sufficient suitable sites could not be found elsewhere. It would be for the planning authorities, in consultation with the housebuilders, to find suitable sites. My right hon. and learned Friend will take all objections to his draft modifications into account in reaching his decision on the update.

Crinan Old Harbour

Mrs. Ray Michie: To ask the Secretary of State for Scotland what representations he has received regarding the proposed housing development at Crinan old harbour; and what action he intends to take.

Lord James Douglas-Hamilton: My right hon. and learned Friend has received 10 representations about this proposed development. Responsibility for planning matters generally rests with the planning authority, in this case Argyll and Bute district council. It is not the intention of my right hon. and learned Friend to intervene in this matter.

Lennox Castle Hospital

Mr. McFall: To ask the Secretary of State for Scotland how many full-time and part-time dentists are employed to provide for the needs of patients resident in Lennox Castle hospital; and how many full-day and half-sessions each of these categories of dentists undertook each year.

Mr. Michael Forsyth: Three dentists are contracted by Greater Glasgow health board to undertake one half-day

session each per week at Lennox Castle hospital. Eighty-six sessions have so far been undertaken this year, plus 15 theatres sessions for oral surgery.

Mr. McFall: To ask the Secretary of State for Scotland how many patients are currently resident in Lennox Castle hospital.

Mr. Michael Forsyth: The answer is 795.

Official Transport

Mr. Harry Ewing: To ask the Secretary of State for Scotland what costs have been incurred since July for transport for, and on how many occasions such transport was used by, hon. Members on non-ministerial duties; and for what reasons.

Mr. Rifkind: Transport is provided and used by Scottish Office Ministers solely to facilitate the efficient conduct of their ministerial duties.

Scottish Office Background Papers

Mr. Harry Ewing: To ask the Secretary of State for Scotland what provisions are made for Scottish Office civil servants to copy to hon. Members all background papers and policy proposals arising from such background papers; and if he will make a statement.

Mr. Rifkind: None.

Lothian Health Board

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he is satisfied that the management and purchasing of supplies by Lothian health board is being conducted in a proper manner.

Mr. Michael Forsyth *[holding answer 26 October 1989]:* This is primarily a matter for the board, which is required under guidance issued by the Scottish Home and Health Department to draw up standing instructions to cover all financial matters and to keep them under review. The relevant procedures and controls are subject to egular internal and external audit checks. The Department's Accounting Office has established that the board is currently reviewing these procedures and systems.

Cancer Treatment (Children)

Mr. Wray: To ask the Secretary of State for Scotland what are the figures for each Scottish regional health authority for postponement of cancer treatments of children for this year; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 26 October 1989]:* Postponement of treatment is likely to be for purely medical considerations and the information is not collected centrally.

AGRICULTURE, FISHERIES AND FOOD

Regional Fisheries Advisory Committees

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food if he will publish the names of all those so far appointed as members of regional fisheries advisory committees in England and Wales.

Mr. Gummer: Appointments to the regional fisheries advisory committees are made by the National Rivers Authority. Appointments made so far are:

Anglian Region
Mr. P. Tombleson (Chairman)
Mr. C. Groome (Chairman RRAC)[1]
Mr. J. Martin (Chairman RFDC)[2]
Other appointments to be finalised and announced shortly.

Northumbrian Region
Mr. P. Tennant (Chairman)
Dr. T. Crisp
Mr. J. Evans-Freke
Mr. J. Fry
Dr. S. Haile
Mr. R. D. Hall
Mr. D. Heselton
Mr. K. Hewitson
Mr. R. Kirkton-Darling
Dr. M. Owen
Mr. E. Pratt
Mr. E. J. Thomas
Mr. C. T. Warwick
Mr. K. Young
Mr. J. Browne-Swinburne (Chairman RRAC)
Mr. E. A. Wrangham (Chairman RFDC)

North West Region
Mr. T. A. F. Barnes (Chairman)
Mr. R. Bailey
Mr. A. G. R. Brown
Mr. F. Bunting
Mr. J. M. Croft
Mr. E. P. Ecroyd
Mr. J. H. Fell
Mr. C. Holland
Mr. B. Irving
Mr. K. Lambert
Dr. E. D. Le Cren
Mr. J. E. Lovell
Dr. F. S. Martin
Mr. R. E. Weston (Chairman RRAC)
Mr. J. B. Robinson (Chairman RFDC)

Severn Trent Region
Mr. F. Jennings (Chairman)
Mr. P. Buckland-Large
Mr. W. Casey
Mr. W. Chambers
Mr. M. Childs
Mr. T. W. Clowes
Mr. E. Dodson
Mr. W. Hardy
Mr. H. Howarth
Mr. J. Keedwell
Mr. D. Orton
Mr. T. Turner
Mr. R. Williams
Dr. P. Bottomley
Dr. H. Tebbutt (Chairman RRAC)
Mr. C. G. Hawthorne (Chairman RFDC)

Southern Region
Mr. A. Humbert (Chairman)
Mr. J. W. Potter
Mr. D. N. Brunwin
Dr. J. L. Cotton
Mr. I. P. E. Gay
Mr. F. Reader
Mr. J. Parkman
Mr. A. R. G. Barnard
Mr. B. E. Aldrich
Mr. A. L. Costen
Major J. L. Thomas
Mr. B. Stott
Mr. M. A. C. Drummond (Chairman RRAC)
Mr. H. J. L. Harris (Chairman RFDC)

South West Region
Mrs. A. Voss-Bark (Chairman)

Mr. B. G. Wilson
Lt. Col. G. P. Badham
Lord Clinton
Mr. T. E. F. Mutton
Mr. S. J. Day
Mr. M. Mountjoy
Mr. A. M. Perry
Mr. V. N. Feneck
Miss M. Edwards
Professor C. R. Kennedy
Mr. M. L. Weaver
Mr. H. G. Maund
Mr. P. D. Edwards (Chairman RRAC)
Mr. G. C. Manning (Chairman RFDC)

Thames Region
Mr. H. P. Parry (Chairman)
Mr. A. E. Hodges
Mr. D. Komrower
Mr. G. G. Lee
Mr. E. J. Maeer
Mr. D. Wales
Mr. A. L. Williams
Mr. B. Knights
Mr. A. V. Meddle
Mr. M. A. Gregory
Mrs. J. George
Dr. J. S. Albaster
Dr. D. G. Jamieson
Mrs. J. K. Wykes (Chairman RRAC)
Mr. M. Davies (Chairman RFDC)
Welsh Region
Lord Moran (Chairman)
Mr. M. J. Morgan
Mr. J. Mayers
Mr. J. Rhydderch
Mr. W. Hardy
Mr. R. I. Millichamp
Mr. I. Edward Jone
Mr. M. Matthews
Colonel P. C. Ormrod
Vice Admiral Sir Iwan Raikes
Mr. M. F. Johnston
Mr. W. J. Williams
Mrs. J. Spence
Dr. J. Fish
Mr. G. Roberts
Mr. A. Rees
Dr. W. Roscoe Howells (member (RRAC)
Member RFDC—to be appointed

Wessex Region
Major J. M. Mills OBE TD JP DL (Chairman)
Captain P. Green MC
Major D. A. C. Rasch
Mr. R. Corbett
Brigadier S. N. Floyer-Acland CBE DL
Mr. D. Gifford
Dr. H. I. S. Thirlaway
Mr. R. Harrison
Mr. M. J. Stoodley
Mr. G. A. Topp
Mr. K. W. Lacey
Mr. J. J. Mathrick
Mr. K. Hall
Mr. V. D. Tyrell
Mr. J. S. Parker
Mr. L. H. Ames
Sir Stephen Hammick Bt
Mr. P. W. Lacey (Chairman (RRAC)
Mr. R. H. Baker (Chairman RFDC)

Yorkshire Region
Mr. J. A. Fawcett (Chairman)
Mr. J. Austerfield
Mr. A. R. Dalby
Mr. A. Evans
Mrs. S. Griffiths
Mr. P. Hayton
Mr. W. Jackson
Mr. H. G. Mackrill
Mr. J. H. Mitchell
Mr. A. Noble
Mr. M. O'Donnell
Mr. M. E. Stewart
Dr. J. Adams
Mr. J. W. Whitworth (Chairman RRAC)
Chairman RFDC—to be appointed

[1] RRAC = Regional Rivers Advisory Committee
[2] RFDC = Regional Flood Defence Committee

Drift Net Fishing

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had at European Community level concerning action to combat illegal drift net fishing in international waters.

Mr. Gummer: I am aware of the concern about the large-scale drift netting operations for tuna in the southern Pacific ocean. There has been no discussion on this matter at European Community level.

Salmon

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food if he anticipates that the draft European Community regulations on game meat are likely to be extended to apply to the sale of wild salmon and salmon trout.

Mr. Gummer: No. I understand that it is not the Commission's intention to extend to fish its proposals for a regulation on rabbit and game meat.

The Commission is developing a separate proposal for fish hygiene which would apply to wild salmon and salmon trout.

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food if he will review the membership of his advisory committee on salmon stocks, following the inauguration of the National Rivers Authority.

Mr. Gummer: The initial appointments to the salmon advisory committee were for a three-year term and this expires in November 1989 (chairman) and February 1990 (members). We shall therefore be considering the future membership of the Committee in the coming weeks. Members are appointed on an *ad hominem* basis, having regard to their own particular knowledge and expertise; they do not represent any particular organisation even though the initial appointments to the committee were drawn from a wide variety of invited nominations from salmon interests.

Eggs

Mr. Ralph Howell: To ask the Minister of Agriculture, Fisheries and Food how many eggs produced at the poultry establishment of Our Lady of Passion monastery in Daventry are known to have been contaminated with salmonella in each of the last three years.

Mr. Curry: This information is not available. The Government's measures introduced in March 1989 on compulsory testing for salmonella are directed towards identifying poultry flocks in which invasive salmonella is present, rather than examination of eggs. I understand that the flock in question was not tested in accordance with these legal requirements and the identification of

salmonella typhimurium in the flock, on which the decision to slaughter was based, was made following a report from the local authority of a food poisoning outbreak associated with eggs produced at the monastery.

Straw and Stubble Burning

Mr. Hasselhurst: To ask the Minister of Agriculture, Fisheries and Food whether the 1989 straw survey has been completed; and if he will make a statement.

Mr. Maclean: The 1989 straw survey date was 2 October 1989 and the survey is still in progress. The results of this survey are expected to be published early in December 1989. My right hon. Friend the Minister is currently reviewing the position on straw and stubble burning and will take the results of this year's survey into account.

DEFENCE

Low Flying

Mr. Foulkes: To ask the Secretary of State for Defence how many sorties were authorised to fly at less than 250 ft in the Borders tactical training area on 1 July 1988, 4 to 8 July 1988, 11 to 15 July 1988 and any subsequent dates.

Mr. Neubert: The information on sorties requested is not available, but the number of movements authorised for flying below 250 ft in the Borders tactical training area in July 1988 was 94 and from 1 August 1988 to 31 July 1989 was 1,912. These figures are not directly comparable with earlier movements figures for the Borders tactical training area which pre-date the extension of the area last year.

Mr. Foulkes: To ask the Secretary of State for Defence if flying at less than 250 ft is included in the training syllabus for junior pilots on front-line Royal Air Force strike-attack squadrons.

Mr. Neubert: No. Operational low flying is mainly restricted to essential work-up training for specific exercises in North America and is not included in a general training syllabus.

Mr. Foulkes: To ask the Secretary of State for Defence if he will list the effective date and geographical extent of each alteration to the boundaries of the Borders tactical training area since 1979.

Mr. Neubert: I have nothing to add to the letters of my hon. Friend the then Under-Secretary of State for the Armed Forces of 9 June 1988, 30 June 1988, 5 August 1988 and 30 September 1988 to the hon. Member on this subject.

Mr. Foulkes: To ask the Secretary of State for Defence if interceptor aircraft are permitted to fly at less than 250 ft in the Borders tactical training area; and what is the minimum permitted height and maximum permitted speed for interceptor aircraft during interception manoeuvres within the Borders tactical training area.

Mr. Neubert: There is no requirement for interceptor aircraft to carry out operational low flying training in the United Kingdom. Interceptor aircraft taking part in interception/evasion exercises are authorised to fly no lower than 250 ft minimum separation distance and within the normal speed constraints of the United Kingdom low flying system.

Mr. Foulkes: To ask the Secretary of State for Defence on what date notification of the disestablishment of the Tees-side low-flying avoidance area was sent by his Department to *(a)* hon. Members and *(b)* local authorities in the area; and if he will list the parliamentary constituencies and local authorities concerned.

Mr. Neubert: As the hon. Member will be aware, when significant changes are made to the United Kingdom low flying system hon. Members whose constituencies are affected are given appropriate notification.

Mr. Foulkes: To ask the Secretary of State for Defence what consideration has been given to permitting United States and other North Atlantic Treaty Organisation air forces to fly at less than 250 ft in the three United Kingdom tactical training areas.

Mr. Neubert: There are no records of foreign military aircraft requesting authority to carry out low flying training in the United Kingdom tactical training areas.

Dr. Thomas: To ask the Secretary of State for Defence pursuant to the replies to the hon. Member for Meirionydd Nant Conwy of 9 November 1987, *Official Report*, columns *36-37*, 20 January 1988, *Official Report*, column *765*, and 10 May 1989, *Official Report*, columns *474-5*, on what assumed average number of movements per sortie the figures for low-flying sorties in the years 1985, 1986, 1987 and 1988, as recalculated by the pre-1985 method of estimating sorties from numbers of movements, were based; and if he will make a statement.

Mr. Neubert *[pursuant to the reply of 20 July 1989]:* The answer is 2·5.

Bombs and Missiles

Mr. Cohen: To ask the Secretary of State for Defence (1) if he will make a further statement on the possible procurement of a tactical air-to-surface missile;

(2) if he will make a further statement on the procurement options for the possible replacement of the WE177 free-fall nuclear bomb.

Mr. Archie Hamilton: I have nothing to add to the reply that I gave my hon. Friend the Member for Wyre (Mr. Mans) on 24 October.

Mr. O'Neill: To ask the Secretary of State for Defence what expenditure has been incurred to date on the study of procurement options for the possible replacement of the WE177 free-fall nuclear bomb.

Mr. Archie Hamilton: I have nothing to add to the reply that I gave the hon. Member on 17 July 1989 at column *71*.

Royal Signals Research Establishment

Mr. Cohen: To ask the Secretary of State for Defence when the Royal Signals research establishment at Malvern was privatised; how much was received for it; who obtained the contract; and what guarantee is in place for the security of sensitive signals and information.

Mr. Neubert: The Royal Signals research establishment at Malvern has not been privatised.

Departmental Land (Hunting)

Mr. Redmond: To ask the Secretary of State for Defence what is the policy on his Department's land being used for hunting with hounds; what arrangements are made for service personnel, horses, and equipment to be used in this connection; what requirements and regulations are enforced to try to ensure that hunting does not occur on adjoining landowners' land; what recompense is made if this does occur; and what are the locations of his Department's land where hunting is permitted.

Mr. Archie Hamilton: It is our policy to permit access to Ministry of Defence land for recreational purposes wherever operational and safety considerations permit, where it is consistent with the interests of our tenants and licensees, and where it does not unreasonably affect local amenities and the environment. Legal activities involving hunting with hounds could be permitted over any MOD land on which those criteria are met.

Although hunting is acknowledged as a useful form of training for both horses and riders, only members of mounted units may be permitted to hunt during duty hours, at their commanding officers' discretion. MOD personnel are entitled to hire various items of Government-owned equipment for their own personal use, subject to availability, and a charge is levied which is calculated to recover any cost to the Department arising from that use.

The question of access to the property of adjacent landowners and of any recompense would be a matter for the hunt itself.

Skyguard

Mr. Redmond: To ask the Secretary of State for Defence when he expects the height-monitoring radar system Skyguard to begin operating over the transit area that operates over south Yorkshire, Nottinghamshire and Derbyshire; and whether he will report on the results of the monitoring.

Mr. Neubert: It is not the intention to publish proposed deployment locations for the Skyguard radar system in the low flying monitoring role in advance, but my Department will be seeking to ensure a wide spread of locations around the United Kingdom. Appropriate follow-up action will be taken after each deployment.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Defence what percentage of letters from honourable Members to his Department received a reply *(a)* in under four weeks, *(b)* within four to six weeks, *(c)* within six to eight weeks and *(d)* over eight weeks, in each of the last three years.

Mr. Archie Hamilton: I regret that the information is not readily available in the form requested. The aim of all Ministers in the Ministry of Defence is to answer letters from hon. Members within two to four weeks. There are, however, inevitably occasions when this is not possible.

Dr. Godman: To ask the Secretary of State for Defence when the hon. Member for Greenock and Port Glasgow can expect to receive a response to his letter, dated 11 August, concerning Private W. McLuskey, 1st Battalion, Argyle and Sutherland Highlanders.

Mr. Archie Hamilton: My noble Friend the parliamentary Under-Secretary of State for the Armed Forces has written to the hon. Member today.

Pensions

Mr. Thorne: To ask the Scretary of State for Defence if he will give for the latest year for which records exist and for 1974 the number of ladies *(a)* under 65 years, *(b)* between 65 and 69 years, *(c)* between 70 and 79 years and *(d)* 80 years and over in receipt of attributable forces family pension.

Mr. Archie Hamilton: The information requested is not readily available and could be provided only at disproportionate cost.

Mr. Thorne: To ask the Secretary of State for Defence what definition his Department uses of war widow for pension purposes.

Mr. Archie Hamilton: "War widow" is not, as such, a defined term used by the Ministry of Defence for pension purposes. However, for purposes of the attributable family pensions which were introduced into the armed forces pension scheme from 31 March 1973, it is a pre-requisite for the award of a widow's pension that her husband died from causes accepted by the Department of Social Security as being attributable to or aggravated by his service.

Explosives and Ammunition

Mr. Amess: To ask the Secretary of State for Defence if he has any plans to review the levels of risk in the storage of conventional military explosives and ammunition.

Mr. Archie Hamilton: In accordance with our policy of keeping these matters under regular review, we have decided to put in hand a full study of risk assessment methodology as related to the storage of conventional explosives and ammunition in MOD depots. A contract has been given to the Safety and Reliability Directorate of UKAEA to conduct the review. This contract will be monitored, and further work undertaken, by an MOD team under the guidance of the Explosives Storage and Transport Committee. In addition, all the work in prospect will be scrutinised by an independent panel of experts chaired by Mr. Bryan Harvey, a former Deputy Director-General of the Health and Safety Executive and a former Chairman of the Advisory Committee on Major Hazards. The panel will include representatives from industry, the academic institutions and the Health and Safety Executive. It will report direct to my noble Friend the Parliamentary Under-Secretary of State for the Armed Forces as necessary.

The study is in furtherance of our policy of continuing to update our approach to the safety of explosives and ammunition storage and will draw on the experience of industry as appropriate.

NORTHERN IRELAND

Employment (Strangford)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many new jobs have been assisted by the Industrial Development Board and the Local

Enterprise Development Unit in the constituency of Strangford in the most recent 12 months for which figures are available.

Mr. Needham: In the 12-month period to 30 September 1989 the IDB promoted 210 new jobs in the constituency of Strangford. LEDU figures are prepared on a district council basis and in the same period LEDU promoted 93 new jobs in the district council areas of Ards and Castlereagh.

Rural Schools

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether he will provide additional finance to enable education and library boards to make special provision for small isolated rural schools and small secondary-community schools, particularly in border areas, when the boards are determining future funding for these schools under local management of schools.

Mr. Needham: It is envisaged that local management in schools (LMS) schemes will be able to take account of the needs of small schools—including small isolated rural schools—where there is agreement that such schools must be retained. It is not possible to anticipate at this stage the implications of this for the block grant allocations to boards which are based on relative needs.

Ulster Defence Regiment

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland how many serving members of the Ulster Defence Regiment have been requested to resign because they were deemed to be a security risk due to the area in which they live.

Mr. Archie Hamilton: I have been asked to reply.

I am aware of none. However, if the hon. Member has a particular case in mind I shall be happy to look into it.

OVERSEAS DEVELOPMENT

Centre for World Development Education

Mr. Jacques Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any plans to increase Overseas Development Administration support for the Centre for World Development Education.

Mrs. Chalker: I am pleased to announce an increase from £125,000 to £165,000 in the ODA's annual grant to CWDE. This will be for the three years starting 1 April 1990.

Cambodia

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom policy on development aid to Cambodia.

Mrs. Chalker: We do not provide Government-to-Government aid to Cambodia. We have, however, provided £350,000 of humanitarian aid through United Nations agencies for the people of Cambodia, and we are willing to support suitable projects proposed by British non-governmental organisations under our joint funding scheme. Seven such projects have so far been approved involving expenditure of £190,000 from the aid programme.

ENVIRONMENT

Housing (Waltham Forest)

Mr. Cohen: To ask the Secretary of State for the Environment what recent representations he has received concerning poor housing conditions in Waltham Forest; what his response was; and if he will make a statement.

Mr. Howard: I have received a number of representations, including one from the hon. Member, about proposed schemes for the redevelopment of four large panel construction estates in Waltham Forest.

I hope to meet the hon. Member and representatives of the council shortly to discuss these schemes.

Football Spectators Bill

Mr. Vaz: To ask the Secretary of State for the Environment how many letters he has received from members of the public concerning the Football Spectators Bill since the publication of the interim report of Lord Justice Taylor.

Mr. Moynihan: Since the publication on 1 August of Lord Justice Taylor's interim report into the Hillsborough disaster, the Government have received 137 letters about the Football Spectators Bill direct from members of the public, and 26 letters from constituents through their Members of Parliament.

Caravan Sites

Mr. Bernie Grant: To ask the Secretary of State for the Environment which local authorities have made no provisions under the Caravan Sites Act 1968.

Mr. Chope: The information has been placed in the library.

Rivers (Licensed Abstraction)

Mr. Onslow: To ask the Secretary of State for the Environment if he will ask the National Rivers Authority to undertake an urgent review of the effect of licensed abstraction on rivers in England and Wales.

Mr. Howard: It will be for the NRA, as an independent body, to decide how best to order its priorities in carrying out its functions under the Water Act 1989. I have, however, drawn my right hon. Friend's question to the authority's attention.

Regional Rivers Advisory Committees

Mr. Onslow: To ask the Secretary of State for the Environment if he will publish the names of all those so far appointed as members of regional rivers advisory committees in England and Wales.

Mr. Howard: Appointments to the Regional Rivers Advisory Committees are made by the National Rivers Authority. Appointments so far are as follows:

Anglian Region

Mr. C. Groome (Chairman)

Mr. P. Horton
Mr. G. Searle
Mr. T. Prater
Mr. D. Sisman
Mr. H. Darbon
Mr. J. Loveys
Dr. D. George
Mr. J. Pilling
Mr. D. Latham
Mr. P. Moorhouse
Dr. J. Carmichael
Mr. C. Lumber
Mrs. N. Field
Mr. N. Boast
Mr. D. Clarke
Hon. R. Godber
Mrs. S. Ashford
Mr. J. Martin (Chairman RFDC)
Mr. P. Tombleson (Chaiman RFAC)

Northumbria Region
Mr. J. Browne-Swinburne (Chairman)
Mr. M. Bird
Mrs. C. Bradley
Dr. J. P. Carrick
Coucillor J. Coulthard
Mr. D. Dunlop
Mr. J. A. Foster
Mr. K. Hale
Mrs. J. Johnson
Professor M. D. Newson
Councillor D. L. Nicholson
Mr. E. Palmer
Mr. R. A. Pepper
Lord Ralph Percy
Mr. H. G. H. Sanderson
Mr. H. Watson
Mr. E. A. Wrangham (Chairman RFDC)
Mr. P. L. Tennant (Chairman RFAC)

North West Region
Mr. R. E. Weston (Chairman)
Mr. J. N. Lucas JP
Mr. R. H. Tyson JP
Mr. I. Bonner
Mr. R. Sharland
Sir John Tavare
Mr. A. A. Wright
Dr. S. R. Jones
Mr. R. L. Pocock
Mr. A. C. Shepherd
Mr. J. R. Crowther JP
Mr. R. Pickup
Mrs. A. M. Tait
Mr. A. Richardson OBE DL
Mr. D. Cochrane
Mr. G. H. Hammersley
Mr. E. Harper
Mr. J. B. Robinson (Chairman RFDC)
Mr. T. A. F. Barnes (Chairman RFAC)

Severn Trent Region
Dr. H. Tebbutt (Chairman)
Mr. D. Grigg
Lord Guernsey
Mr. F. Walmsley
Mr. J. Thompson
Mr. C. Nicholson
Mrs. V. Gillespie MBE
Mr. B. Scott
Mr. M. White
Mr. P. J. Mitchell
Councillor Mrs. P. R. Merritt
Councillor Sir Richard Knowles
Councillor D. R. Jones
Councillor P. E. Beeby
Mr. D. Pryor
Mr. S. Sim
Mr. J. Betteridge
Mr. C. G. Hawthorne (Chairman RFDC)
Mr. F. Jennings (Chairman RFAC)

Southern Region
Mr. M. Drummond (Chairman)
Mr. I. Dempster
Mr. B. Tarling
Mr. C. G. Saunders-Davies
Mr. D. Gibson
Mrs. S. Whitley
Mrs. M. K. Haselden
Dr. M. Clarke
Ms. P. Edwards
Mr. M. Lockhart
Mr. B. Hewett
Mr. E. Pipe
Ms. L. Leeson
Mr. B. C. Williams
Mr. H. T. Barnhoorn
Mr. D. S. Martin
Mr. I. Duffin
Mr. H. Harris (Chairman RFDC)
Mr. A. Humbert (Chairman RFAC)

South West Region
Mr. P. Edwards (Chairman)
Mr. P. Tuckett
Mr. J. Philip
Mr. M. Turner
Mr. R. Bull
Ms. C. Steel
Mr. R. Gomm
Mr. P. Beale
Ms. F. McAllister
Mr. E. Newton
Dr. M. Pemberton
Lt. Col. W. J. Elliot
Ms. J. Thompson
Mr. A. Coulter
Mr. P. Barson
Mr. T. Hughes
Mr. B. Dickens
Mr. J. Chappell
Mr. G. Manning (Chairman RFDC)
Mrs. A. Voss-Bark (Chairman RFAC)

Thames Region
Mrs. J. K. Wykes (Chairman)
Mr. J. A. G. Coates
Mr. D. E. Coleman
Mr. R. C. Corp-Reader
Mr. A. G. Davis
Mr. K. French
Mr. F. Hodgson
Mr. J. Ibbott
Ms. K. Lacey
Mr. G. Lee-Steere
Mr. P. T. McIntosh
Mr. D. W. Moss
Mr. D. Powell
Dr. G. L. P. Randall
Mr. P. Schofield
Mr. A. Scott-Johnson
Mr. A. Shefras
Mr. D. E. T. Try
Mr. D. Turner
Mr. A. J. Wilcox
Mr. W. A. Wiseman
Mr. M. Davies (Chairman RFDC)
Mr. H. P. Parry (Chairman RFAC)

Welsh Region
Professor M. Bruton (Chairman)
Mr. B. Thomas
Mr. H. Lewis
Mr. W. Walker
Councillor W. E. Conway
Councillor E. K. Griffiths
Councillor J. N. Hereford
Councillor J. D. A. Thompson
Councillor G. Jones

Councillor J. R. Evans
Dr. A. O'Connor
Dr. M. P. Brooker
Mr. M. Fitton
Mr. R. Lovegrove
Dr. N. Caldwell
Mr. H. Williams
Mr. K. Mascetti
Dr. W. R. Howells
Mr. L. E. Taylor
Dr. N. Bolton
Mrs. C. Hayward
Professor J. Simpson
Mr. W. N. Waters (Member, RFDC)
Mr. M. Morgan (Member, RFAC)

Wessex Region
Mr. P. W. Lacey (Chairman)
Mr. R. C. Adlam
Mr. E. J. H. Cameron
Lieutenant Colonel J. V. Cornwell
Mr. T. Rymell
Mr. D. Gifford
Mrs. N. McMahon
Mr. C. F. Skellett
Mr. J. R. Little
Mr. K. Green
Mr. M. J. Hudson
Miss W. Pettigrew
Mr. A. Swindall
Mr. E. Potter
Captain I. A. Campbell
Mr. R. S. Trench
Captain J. Lofts
Mrs. P. Stocken
Mrs. I. H. Peckham
Mr. R. H. Baker (Chairman RFDC)
Major J. M. Mills, OBE, TD, JP, DL, (Chairman RFAC)

Yorkshire Region
Mr. J. Whitworth (Chairman)
Mr. J. C. Cooke
Mr. R. Pigg
Mr. J. Armitage
Ms. S. Marsden
Dr. S. A. Bucknall
Dr. P. Knights
Mr. P. Andrew
Mr. M. Wright
Councillor C. D. Swinglehurst
Mr. I. White
Councillor R. Mitchell
Mr. C. Hawkesworth
Mr. G. A. Wilford
Dr. A. J. Shuttleworth
Miss M. Rooker
Mr. J. N. Thompson
(Chairman RFDC—to be appointed)
Mr. J. A. Fawcett (Chairman RFAC)

Estuarial Barrages

Mr. Onslow: To ask the Secretary of State for the Environment what proposals for estuarial barrages in England and Wales are currently known to his Department; and what is the present status of each of them.

Mr. Howard: The information requested is as follows:

Barrage and Status
Mersey—Feasibility studies in progress
Severn—A number of studies have been completed
Cardiff Bay—Studies completed—Bill before Parliament
Swansea (River Tawe)—Construction started in 1989
Usk (Newport)—Feasibility studies in progress
Loughor—Feasibility studies completed
Conway—Feasibility studies in progress
Rhyl (River Foryd)—Feasibility studies completed. Scheme shelved.
Tyne Tees—Feasibility studies completed. Bill before Parliament. (Strictly this is a river barrage rather than an estuarial barrage).

Planning Inquiries

Sir John Stanley: To ask the Secretary of State for the Environment (1) if he will place in the Library a copy of his current guidance to planning inspectors on their conduct of local public inquiries into planning appeals;

(2) if he will place in the Library a copy of his current instructions to the planning inspectorate as to which planning appeals may be determined by a planning inspectorate without being referred to Ministers.

Mr. Howard: Guidance on the conduct of planning inquiries is contained in chapter B3 of the planning inspectors' handbook. The criteria for recovery of planning appeals for decision by the Secretary of State are set out in paragraph 36 of the "Planning: Appeals, Call-in and Major Public Inquiries—the Government's response to the fifth report from the Evironment Committee, Session 1985-86" (Cm. 43). Both documents are in the Library.

Local Government Finance

Mr. Barry Field: To ask the Secretary of State for the Environment if he will set out the categories of representations he has received about the payment of the community charge by teachers in residential schools.

Mr. Chope: I have received a number of representations from such teachers about the operation of the standard community charge. Amendments recently made to the Local Government and Housing Bill will enable local authorities to provide relief from the standard charge to teachers who are required to live at their school, as I announced on 9 October.

Mr. John Evans: To ask the Secretary of State for the Environment if he has any plans to make extra funds available to people with severe disabilities, independent of income support criteria, for the purpose of poll tax rebates in regard to major house adaptations; and if he will make a statement with special reference to the Rating (Disabled Persons) Act 1978.

Mr. Chope: Rate relief under the Rating (Disabled Persons) Act 1978 was given to avoid disabled people having to pay more than people in similar property as a result of adaptations which increased the rateable value of their home. There is no question of disabled people having to pay more community charge than their neighbours, and no equivalent relief is therefore necessary. The community charge rebate system will provide extra protection for disabled people, who will be able to qualify for benefit at higher levels of income than people who are not disabled. The Government have announced that there will be special provision for disabled people in the transitional relief scheme.

Mr. Spearing: To ask the Secretary of State for the Environment what estimate he has made of the administrative implications of his proposals for transitional relief associated with the community charge; and if he will request specific local authorities for their assessment of issues raised by their implementation including the availability of sufficient information.

Mr. Chope: My officials are in discussion with the local authority associations about the administrative implications of the Government's proposals for transitional relief. In addition, we have sent details of the proposals to all authorities and invited them to make representations.

Domestic Waste (Reprocessing)

Mr. Waller: To ask the Secretary of State for the Environment if he will make a statement about his target of reprocessing an increased proportion of domestic waste by the year 2000.

Mrs. Virginia Bottomley *[holding answer 20 October 1989]:* Waste minimisation and recycling are important in reducing pollution and conserving natural resources. Although the United Kingdom has a good record in certain areas—recycling lead, for example—there is much progress to be made in recycling domestic waste. We shall therefore be working with industry, local authorities and voluntary groups to secure a substantial increase in the proportion of waste being put to productive use with the aim of recycling half our recyclable domestic waste by the end of the century.

The improved controls over waste disposal, on which we hope to legislate shortly, will ensure that the costs of disposal are properly identified and compared with the costs of recycling. We are helping to support Wastewatch and projects such as Recycling City in Sheffield, which is using a range of separation, collection and recycling techniques. We shall also be working with industry to help encourage the market for recycled and recyclable products.

EMPLOYMENT

Employment Training

Ms. Short: To ask the Secretary of State for Employment what were the numbers of accidents on YTS, fatal, major and minor, for the latest available three-month period, and how many YTS placements were closed or not accepted in that period and in the three preceeding months.

Mr. Nicholls: Table A provides YTS accident figures for the period 1 July to 30 September 1989.

Table A

	Accidents[1]
Fatalities	Nil
Major injuries[2]	139
Minor injuries	654

Table B provides the closure and non-acceptance figures for the quarters 1 April 1989 to 30 June 1989 and 1 July 1989 to 30 September 1989. These figures are provisional.

Table B

	1 April 1989 to 30 June 1989	*1 July 1989 to 30 September 1989*
Placements Closed	2	14
Placements not accepted	3	2

[1]Training Agency figures have been compiled on a similar basis to those prepared by the Health and Safety Executive on employed persons. However, the Training Agency's figures will include a number of accidents to trainees in educational establishments and road traffic accidents which may not have been reportable to the Health and Safety Executive had the individuals been employed.

[2]Major injuries are classified according to the severity criteria laid down in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985.

Child Minding

Mr. Nicholas Bennett: To ask the Secretary of State for Employment what representations he has received concerning the difficulties married women have in enrolling for employment training schemes because they are not entitled to assistance with child minding; and whether he will consider amending the regulations to ensure that assistance is given on the basis of family income and not marital status.

Mr. Nicholls: A number of representations have been received. However, our overall experience of the way the programme is operating does not indicate that married women are being deterred from joining employment training. There are no plans to extend child care payments to groups other than lone parents.

Cash Limits

Mr. Knapman: To ask the Secretary of State for Employment whether any changes will be made to his Department's cash limits or running costs limits for 1989-90.

Mr. Fowler: Subject to parliamentary approval of the necessary Supplementary Estimates, the following changes will be made.

The cash limit on class VII, vote 1 (training programmes) will be reduced by £4,081,000 from £2,623,417,000 to £2,619,336,000. This is the net effect of a token £1,000 vote and a decrease of £4,082,000 partly to offset the increase sought on class VII, vote 2 for National Dock Labour Board administration.

The cash limit on class VII, vote 2 will be increased by £7,078,000 from £633,931,000 to £641,009,000. The increase is offset partly by a £4,081,000 reduction in the cash limit on class VII, vote 1. The increase is the net result of increased provision of £3,018,000 (running costs) and £108,000 (capital costs) under the end-year flexibility arrangements for capital and running costs to carry forward unspent provision from 1988-89 to 1989-90 as announced by the Chief Secretary to the Treasury on 20 July 1989 (*Official Report*, cols. 258-62); of £10,000,000 increased provision for certain residual costs of the National Dock Labour Board (partly offset by £5,000,000 reductions elsewhere on vote 2); of the transfer of £919,000 to the Training Agency (class VII, vote 1) in connection with the earlier organisational changes within the Employment Department group which resulted in the Training Agency taking on responsibility for some enterprise and small firms functions; of the transfer of £33,000 to the Central Statistical Office (CSO) (class XIX, vote 18) for certain statistical functions previously transferred to them in the 1989-90 Revised Estimates; and of increased receipts of £96,000 from CSO (class XIX, vote 18) in respect of statistical and administrative support work done by the Department of Employment on a repayment basis.

As a result of these changes there will be an increase of £2,985,000 in the class VII, vote 2 running costs limit which will be increased from £642,144,000 to £645,129,000.

The net effect of these changes will be met from the Reserve and will not therefore add to the planned total of public expenditure.

PRIME MINISTER

Commonwealth Conference

Dr. Thomas: To ask the Prime Minister if she raised the issue of the nuclear non-proliferation treaty and the fourth non-proliferation treaty review conference during her attendance at the Commonwealth Conference in Malaysia in October.

The Prime Minister: No.

Dr. Thomas: To ask the Prime Minister if she will make a statement on discussions she had with other heads of Government and state presidents on the issue of global warming and the threat of sea-level rises, at the Commonwealth summit in Kuala Lumpur.

The Prime Minister: I refer the hon. Gentleman to the statement that I made yesterday.

Nautical Archaeology

Mr. Onslow: To ask the Prime Minister when she expects that the Departments concerned will be in a position to respond to the recommendations of the report of the Joint Nautical Archaeology Policy Committee; and if she will make a statement.

The Prime Minister: A number of Departments have an interest in the matters raised by the report. My right hon. Friend the Secretary of State for the Environment has asked his officials to prepare a co-ordinated analysis of how the JNAPC's recommendations bear on individual departments' responsibilities. Ministers will then consider collectively an appropriate response to the recommendations. Work will proceed as quickly as possible.

Cash Limits

Mr. Andrew Bowden: To ask the Prime Minister if there are any proposals to change the 1989-90 cash limit and running costs limit for the Cabinet Office: Other Services.

The Prime Minister: Both the overall cash limit and the running costs limit for Cabinet Office: Other Services (class XX, vote 2) have been reduced by £178,000: from £16,639,000 to £16,461,000 and from £18,083,000 to £17,905,000 respectively. These decreases go to offset corresponding increases in the cash limit and running costs limit for the Central Statistical Office (class XIX vote 18) and reflects the transfer of part provision between the Cabinet Office and the Central Statistical Office as a result of the reorganisation of the statistical services which I announced on 5 April 1989.

SOCIAL SECURITY

Widows

Mr. Wigley: To ask the Secretary of State for Social Security if he will take immediate steps to amend the Social Security (Overlapping Benefits) Regulations so as to end the present rule whereby a widow, who prior to her husband's death was in receipt of invalid care allowance, has that allowance immediately terminated when she becomes eligible for a widow's pension; and if he will make a statement.

Mrs. Gillian Shephard: No. Invalid care allowance and widows benefit are both personal income maintenance benefits, intended to help meet an individual's day-to-day living expenses. To pay invalid care allowance in full in addition to widow's benefit would mean that provision was being made twice from public funds to cover the same needs.

War Widows

Mr. Alfred Morris: To ask the Secretary of State for Social Security for the latest year for which records exist, how many of those in receipt of a war widows' pension from his Department were also in receipt of *(a)* housing benefit, *(b)* income support and *(c)* other state benefits.

Mrs. Gillian Shephard *[holding answer 25 October 1989]:* It is estimated that at the end of 1988 about 20 per cent. of war widows were in receipt of housing benefit and about 1 per cent. in receipt of income support. Information is not available on the other state benefits that war widows may receive.

Central Index

Mr. Cohen: To ask the Secretary of State for Social Security if he will give a breakdown of those categories of persons entitled to make trace and inquiry accesses to his Department's central index; and if he will indicate for what purposes in each case.

Mrs. Gillian Shephard: There are four facilities currently offered by the central index. These are an inquiry service, the tracing of national insurance numbers (NINOS), the allocation of national insurance numbers and the ability to check on the social security benefits a customer is receiving. All DSS and Employment Department staff who have personal identification devices, without which they cannot access the system, can use the inquiry service. The remaining facilities can be broken down into the following categories:

1. Inquiries only	DSS regional offices (of which only the North West region and Scotland have access to the strategy at present) Support sections at HQ, Lytham-St-Annes Social Security auditors
2. Trace NINOS	Employment Department local offices Employment Department fraud offices Northern Ireland (only certain offices at present)
3. Trace NINOS/ check benefit position	Newcastle Central Office North Fylde Central Office Family Credit Branch Glasgow Social Security Centre
4. Trace NINOS/ check benefit position/ allocate NINOS	Social Security local offices

Unemployment Benefit

Mr. Neil Thorne: To ask the Secretary of State for Social Security (1) how many claims for unemployment benefit were submitted to his Department by wives of

service men stationed *(a)* in the United Kingdom, *(b)* in the British Army of the Rhine and *(c)* elsewhere, for the latest year for which records exist and for the three preceding years;

(2) how many wives of service men were in receipt of unemployment benefit in *(a)* the United Kingdom, *(b)* British Army of the Rhine and *(c)* elsewhere, for the latest year for which records exist and for the three preceding years.

Mrs. Gillian Shephard: The information requested is not available.

War Pensions

Mr. Neil Thorne: To ask the Secretary of State for Social Security if he will specify for the year 1988-89 the amount by which the war pensions vote was overspent or underspent.

Mrs. Gillian Shephard: An overspend occurred on the war pensions vote for the year 1988-89 amounting to £2,344,000.

Mr. Menzies Campbell: To ask the Secretary of State for Social Security if he will list for each year from 1959 to the present day the number of deceased service men whose death was attributable to their service and which resulted in the award of a war widow's pension.

Mrs. Gillian Shephard: The numbers are as follows. They include all war widows' pensions awarded under war pensions legislation.

	Numbers
1959	1,961
1960	1,964
1961	2,120
1962	2,017
1963	2,151
1964	1,942
1965	2,124
1966	2,210
1967	1,920
1968	2,070
1969	2,010
1970	2,090
1971	2,339
1972	1,997
1973	2,154
1974	1,990
1975	1,937
1976	1,615
1977	1,411
1978	2,237
1979	1,393
1980	1,918
1981	1,469
1982	1,637
1983	1,381
1984	1,330
1985	1,247
1986	1,440
1987	1,342
1988	1,448
1989	[1]1,165

[1]Up to quarter ending 30 September 1989.

Young People

Mr. Flynn: To ask the Secretary of State for Social Security (1) how many persons aged 16 and 17 years have *(a)* applied for and *(b)* been granted crisis loans under the social fund for each of the last 12 months;

(2) how many persons aged 16 and 17 years in receipt of income support have applied for grants or loans from the social fund in each of the past 12 months.

Mr. Scott: I regret that the information is not available.

Mr. Flynn: To ask the Secretary of State for Social Security (1) how many persons aged 16 and 17 years have been considered for receipt of income support under the rules for severe hardship *(a)* prior to and *(b)* following the changes announced in July;

(2) how many persons aged 16 and 17 years have been refused income support in each of the past 12 months.

Mrs. Gillian Shephard: The number of applications from 16 and 17-year-olds considered for receipt of income support under the rules for severe hardship in the periods specified are:

	Number	*Per cent.*
Until 7 July 1989		
Granted income support	7,428	65
Refused income support	4,040	35
Total	11,468	
From 10 July 1989 to 13 October 1989		
Granted income support	3,913	69
Refused income support	1,763	31
Total	5,676	

Notes:

1. Based on 100 per cent. count of applications received.
2. Information relates to the number of applications received rather than to the number of individual young people involved. Some individuals may have made more than one application.

The total number of 16 and 17-year-olds who have been refused income support in each of the past 12 months is not available and could be obtained only at disproportionate cost.

Mr. Flynn: To ask the Secretary of State for Social Security how many persons aged 16 and 17 years who are living in night shelters or are otherwise homeless have applied for grants, loans or income support in each of the past 12 months.

Mrs. Gillian Shephard: This information is not available and could be obtained only at disproportionate cost.

Mr. Flynn: To ask the Secretary of State for Social Security if his Department intends to issue further guidance to local offices of the rules governing income support for persons aged 16 and 17 years and the changes made in July.

Mrs. Gillian Shephard: Following the announcement in March of the improvements to help 16 and 17-year-olds claiming income support, special training was provided for all staff dealing with young people. A number of voluntary organisations were involved in the preparation of the training package, which emphasises the need for sensitivity when dealing with young people who may have been physically or sexually abused. There are standing arrangements for new staff to receive the training.

There is no evidence to suggest that this special training is inadequate but the Government are committed to monitoring the effects of the provisions for young people. If that indicates a need for further guidance, we shall make appropriate arrangements.

Family Credit

Mr. Flynn: To ask the Secretary of State for Social Security how many families are in receipt of family credit and how many of those families have members on employment training.

Mrs. Gillian Shephard: The latest information is for the end of July when the family credit case load was just over 320,000. Precise information is not available about the number of families with members on employment training at the time of the claim for family credit, but indications are that there are likely to be no more than a few hundred.

Mr. Flynn: To ask the Secretary of State for Social Security (1) if his Department has issued, or intends to issue, fresh instructions to offices on the operation of paragraph 11 of schedule 2 to the Family Credit (General) Regulations concerning the disregard of premiums paid to those on employment training;

(2) in how many cases the training premium for employment training has not been disregarded for calculation of family credit entitlement, contrary to paragraph 11, schedule 2 Family Credit (General) Regulations in *(a)* Cornwall and *(b)* the rest of Great Britain;

(3) what is the total loss suffered by each individual who has been deprived of part of their family credit entitlement because the premium due to their familes under employment training has not been disregarded.

Mrs. Gillian Shephard: Instructions about the correct treatment of training premiums were issued to all staff of the family credit unit on 3 May 1989, and the correct disregard should have been applied in all appropriate cases dealt with since that date.

Action is already in hand, using computer records, which will indentify many of the cases dealt with incorrectly before that date. The remainder are cases which cannot be traced in this way and consideration is still being given to what action can be taken to identify them. Until these exercises have been completed, we shall not know the number of cases where the training premium was not disregarded or the amount of the loss suffered by individuals. However, all the indications are that the number of cases is likely to be small.

ATTORNEY-GENERAL

Immigration Adjudicators

Mr. Cohen: To ask the Attorney-General if he will list all immigration adjudicators showing when they were first appointed and what qualifications they have for the post; and what information is kept on their political affiliations.

The Attorney-General: The names, dates of first appointment and legal professional qualifications of all full-time and part-time immigration adjudicators are listed below. No information is kept on their political affiliations.

Immigration adjudicators

Full-time	*First appointment*	*Qualification*
M. Patey MBE	1 March 1970 (as Chief Adjudicator 1 August 1984)	—
Lady Anson	29 December 1986	Barrister
J. R. Bright	18 August 1982 (as part-time 1 April 1970)	Solicitor
V. Callender	1 August 1982	—
R. G. Care	29 January 1988 (as part-time 11 August 1980)	Solicitor
Mrs. J. Chatwani	14 December 1987 (as part-time 11 August 1980)	Barrister
W. J. Coley	1 March 1970	Solicitor
I. M. S. Donnell	1 March 1970	—
R. P. Gilbert	6 September 1976 (as part-time 1 April 1970)	Solicitor
A. F. Hatt	20 June 1988 (as part-time 11 August 1980)	Solicitor
E. J. T. Housden	1 March 1970	Barrister
D. J. Parkes	15 July 1987	Barrister
C. O. Richards	1 August 1976	—
Part-time		
D. K. Allen	9 March 1989	Barrister
G. Alis	2 January 1979	Solicitor
J. I. E. Arnold	11 August 1980	Barrister
A. B. Auckland	1 April 1970	Solicitor
D. N. Bowen	9 March 1989	Solicitor
J. S. Brodwell	5 July 1976	Solicitor
G. S. Cobbett	11 August 1980	Barrister
H. Concannon	26 November 1985	Solicitor
Professor K. Counter	1 October 1987	Barrister
Mrs. A. C. Davies	1 September 1974	Barrister
J. R. Disley	1 July 1983	Solicitor
Mrs. D. Drew	12 June 1989	Barrister
Mrs. D. A. Friedman	11 August 1986	Barrister
J. B. Forge	27 September 1982	Solicitor
J. Freeman	9 March 1989	Barrister
R. W. Gann	11 August 1980	Solicitor
I. Guild CBE	15 February 1988	Solicitor
P. Gulbenkian	12 June 1989	Solicitor
J. R. T. Holt	22 August 1983	Barrister
J. A. W. James	19 August 1987	Solicitor
E. J. Jenkins	26 November 1981	Solicitor
Mrs. C. M Kennedy	11 August 1980	Solicitor
M. I. Khan	1 August 1983	Barrister
D. S. Kirwan	23 August 1983	Solicitor
Mrs. M. C. Kreitman	15 February 1988	Solicitor
D. Markwick-Smith	15 July 1987 (as full-time March 1970 to July 1987)	—
Mrs. J. Marco	15 February 1988	Solicitor
M. F. Meredith-Hardy	11 August 1980	Barrister
J. F. Myers	1 September 1974	Barrister
T. Oddy	26 November 1985	Solicitor
D. S. Pearl	11 August 1980	Barrister
G. H. N. Peel	1 September 1974	Solicitor
M. W. Rapinet	12 June 1989	Solicitor
J. A. Rennie	1 July 1976	Barrister
Mrs. H. C. Rose	11 August 1980	Barrister
P. B. Rose	16 February 1987	Barrister
C. P. Rushton	1 September 1974	Solicitor
W. B. Scott	1 September 1987	Barrister
N. Selwyn	16 February 1987	Barrister
J. M. Simons	1 July 1983	Solicitor
C. R. Sinclair-Morris	1 September 1974	Barrister
R. R. G. B. Smedley	11 August 1980	Barrister
J. G. Storry	12 June 1989	Barrister
Mrs. P. A. Symons	11 August 1980	—
J. M. Timmons	16 February 1987	Solicitor
A. L. Whitaker	11 August 1980	Solicitor
P. J. Wynne	1 September 1974	Solicitor

Mr. Cohen: To ask the Attorney-General what steps he has taken to ensure the impartiality of immigration adjudicators and to ensure their freedom from pressure from any source to disallow more appeals brought before them; and if he will make a statement.

The Attorney-General: Immigration adjudicators are appointed by the Lord Chancellor. I have no reason to believe that the immigration adjudicators, who are independent judicial officers, are other than impartial or that they have been subject to any form of pressure to disallow more appeals.

Justices of the Peace (Political Views)

Mr. Cohen: To ask the Attorney-General what is the purpose of question 16 on political views on the form entitled "Particulars of Candidate for Appointment as a Justice of the Peace"; how this information is used; and if he will list for *(a)* Waltham Forest, *(b)* London and *(c)* nationally the number of justices of the peace, broken down by political views where they are known.

The Attorney-General: The purpose of question 16 is to ascertain the political views of a candidate so that the advisory committee can take this into account in its endeavour to bring before the Lord Chancellor a list of recommendations which meets his wish that the composition of each bench should broadly reflect the area it covers. Candidates do not have to answer this question if they do not wish to do so. At the last count the political allegiance of the members of the Waltham Forest bench was as follows:

	Number
Conservatives	36
Labour	26
SLD/SDP (incorporating Liberal and SDP parties)	11
Independent or not known	19

These figures are based on information provided at the time of appointment. Figures for London and England and Wales could be provided only at disproportionate cost.

Reciprocal Enforcement Agreements

Mr. Devlin: To ask the Attorney-General what policy has been formulated with regard to the abduction of children to jurisdictions which do not have reciprocal enforcement agreements with the United Kingdom.

Mr. Sainsbury: I have been asked to reply.

I am fully aware of the distress that these cases cause to all parties involved.

Where children have been abducted to countries which have ratified the Hague convention on the civil aspects of international child abduction and the European convention on recognition and enforcement of decisions concerning custody of children and on restoration of custody of children, it is open to those concerned to seek the advice of the Lord Chancellor's Department which is the appointed central authority under the terms of the conventions.

In countries where the conventions are not applicable, actions can properly be taken only through the courts of the country concerned. We have no formal standing in what are essentially family matters.

Where children have dual nationality and are in the country of their second nationality, international law prevents us from making formal representations on their behalf. Such children are viewed as being in their own country, and are subject to their own country's law.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes.

Scope and arrangement of the Index

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Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading Speaker's rulings and statements.

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

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Bills 1R=first reading, 2R=second reading, Money res=money resolution, Com=Committee stage, Rep=Report stage, 3R=third reading, amendt/amendts=amendment/amendments, *=matter taken formally, without debate.

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